

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
MEDIA AND COMMUNICATIONS LIST

BEFORE HIS HONOUR JUDGE LEWIS (SITTING AS A JUDGE OF THE HIGH COURT)

B E T W E E N:

PAUL SEELEY

Claimant

-and-

NEWS GROUP NEWSPAPERS LTD

Defendant

STATEMENT IN OPEN COURT

Daniel Shaw, Claimant's Representative (Hamlins LLP)

1. My [Lord], in this action for libel, I appear on behalf of the Claimant, Mr Paul Seeley. My friend, Andrew Wheelhouse, appears on behalf of the Defendant, News Group Newspapers Limited, otherwise known as NGN.
2. The Claimant is a private individual. Professionally, he is a Senior Investigation Officer at the National Crime Agency ("the NCA") who has worked in law enforcement for 39 years.
3. The Defendant is the publisher of *The Sun*, a newspaper with a substantial circulation and even greater readership within the jurisdiction and the website, thesun.co.uk, with its own substantial readership.
4. On 12 July 2021, the Claimant attended the criminal trial of *R v Stevens & Spence* in order to give evidence regarding the surveillance and arrest of one of the criminal defendants, Nicola Stevens. He had been involved in the surveillance of her as an NCA officer and had been the arresting officer. During his cross-examination, a wholly unfounded allegation was put to the Claimant by counsel

for Ms Stevens that, on 24 April 2020, he had dishonestly used Ms. Stevens' bank card to purchase 10 breakfasts for himself and his colleagues at a café which, it was said, was only five minutes away from Romford Police Station. As was immediately clear from exchanges in court, neither the Court nor the prosecution had prior notice of this challenge to the Claimant's credibility. The Claimant denied all knowledge of the matter.

5. Following an investigation into the allegation, the Claimant and a Detective Constable at the Metropolitan Police were recalled on 13 July 2021 and the statement of an NCA officer, who had made relevant inquiries, was read out in court. The unchallenged evidence included, but was not limited to, the following: the Claimant and the team of which he was a member on the Stevens case were not based at Romford police station but at Vauxhall; on 23 and 24 April 2020 the Claimant was working in Brentford and Vauxhall, and was not in or near Romford police station when the card was allegedly used; and the Claimant had not recorded the 3 digit security number on the bank of Ms. Stevens' card. This and other evidence discredited the baseless allegation.
6. The following day, on 14 July 2021, the Defendant published an online article entitled '*EXCLUSIVE CHEWDUNNIT? National Crime Agency officer 'got breakfast for himself and colleagues on suspected drug dealer's debit card'*'. The article, based on agency reporting of the hearing, reported the defamatory allegation about the Claimant with the implication that he was guilty of corruption and unfit to be a NCA officer. While the article also reported that the Claimant had denied the allegation, it failed to address the detailed evidence given by the NCA officer, which wholly undermined the credibility of the allegation or any other matters given in evidence that would have led a reader to appreciate that there was no basis for the allegation put to the Claimant, thereby (as the Defendant now accepts) making it an unfair and inaccurate report of court proceedings.
7. On 15 July 2021, the Defendant published a similar article in the print edition of *The Sun* newspaper.
8. After verdicts in *R v Stevens and Spence* had been returned in July 2021, the

trial judge made observations about the question put to Mr Seeley in cross-examination and said that “*The Prosecution made inquiries and it became very clear that there was absolutely no evidential basis for the accusations*” and that he was “*satisfied so I am sure he had no involvement in the misuse of bank cards.*”

9. In response to the Pre-action Protocol letter sent on behalf of the Claimant, the Defendant promptly removed the article from its website, at which point the publication had been online for a period of just under a year.
10. As a result of the Defendant’s publications, the defamatory allegation became widely known about, amongst both current and former NCA staff and former colleagues, namely HMRC investigators, some of whom wrongly believed that the allegation was true. The publication of this false and defamatory allegation by the Defendant went to the very heart of the Claimant’s integrity as a law enforcement officer. This caused serious harm to his reputation, both personally and professionally. The Claimant was particularly distressed that a national media organisation repeated an allegation made by Counsel for Ms Stevens that the Claimant was, in essence, corrupt.
11. In July 2022, the Claimant issued proceedings and served Particulars of Claim seeking damages, special damages and orders under s.12 and s.13 of the Defamation Act 2013. The Claimant sought the non-monetary remedies in order to vindicate his reputation by a public statement and in light of republications of the Defendant’s article, which had appeared on 3rd party websites.
12. I can inform the Court today that the parties have been able to resolve their dispute by agreement. The Defendant has accepted an offer made by the Claimant, prior to issuing proceedings, to resolve his claim, on terms which include the payment of substantial damages to him, his legal costs, providing the Claimant with an undertaking not to repeat the same or similar allegations in the future and to apologise to him by way of a Statement in Open Court. In the circumstances, the Claimant is content to let the matter rest and considers his reputation fully vindicated.

Andrew Wheelhouse, Defendant's Representative (Simons Muirhead Burton LLP)

13. My [Lord], I confirm everything my Friend has said. I confirm NGN accepts that its report of the court case, based on agency copy, wrongly alleged that the Claimant used a suspect's debit card to buy 10 breakfasts for himself and colleagues after the suspect had been arrested and taken into custody, and which led to the imputation that he was guilty of corruption and unfit to be an NCA officer. The Sun is sorry for the harm caused to him and in particular for the fact that the allegation was made and continued to be published for so long, including by third parties, and NGN confirms that any permission to repeat the articles complained of is withdrawn.

14. The Defendant has agreed to join in this Statement in Open Court to offer its sincere apologies to the Claimant for the distress, embarrassment and upset caused to him by the publication of the Articles; to pay him compensation and his legal costs; and has undertaken to him not to repeat the same or similar allegations in the future.

Daniel Shaw, Claimant's Representative (Hamlins LLP)

15. My [Lord], given the public apology and other steps undertaken by the Defendant, the Claimant is content to let this matter rest.