

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

B E T W E E N:

KATE GARRAWAY

Claimant

and

MGN LIMITED

Defendant

STATEMENT IN OPEN COURT

SOLICITOR FOR THE CLAIMANT

My Lord, in this action I appear on behalf of the Claimant.

The Claimant is a television presenter and journalist. She is one of the main presenters on GMTV having joined the station in 2000. She has recently starred in the BBC's hugely popular series "Strictly Come Dancing".

The Defendant is the publisher of the Sunday Mirror and Daily Mirror newspapers, respectively a weekly and daily newspaper enjoying circulations of well over 1.25million and 1.5million and, in each case, even larger readerships. The Defendant also maintains websites for both titles upon which it publishes articles and which are generally accessible to users of the internet.

On Sunday 10 February 2008, the Defendant published a front page article in the Sunday Mirror together with a double page inside "Exclusive" entitled "*Kate + Anton... A Late Tango: Three months after Strictly Dancing, GMTV star and Romeo are ever so close.*" On pages 4 and 5 the article continued entitled: "*Strictly Friends: Married GMTV host Kate Garraway has struck up a close friendship with her strictly come dancing partneralmost three months after they were voted off the show.*"

The article alleged that the Claimant was betraying her husband, Derek Draper, and being unfaithful to him by having an affair with Anton Du Beke. The allegation was made despite the fact that the Claimant's representatives had categorically denied any affair when the allegation was put to them the day before publication.

The article was published with a number of photographs of the Claimant going about her normal daily life which were presented in such a way that they purported to back up the allegations which were made in the article. These photographs of the Claimant were taken by the Defendant without her knowledge and did not in fact support an allegation of an illicit affair.

Readers were also invited to go to www.sundaymirror.co.uk to see the whole set of pictures and where the article was repeated.

Further, on Monday 11 February 2008, the Defendant published an article in the Daily Mirror entitled "*Strictly No Crisis...GMTV's Kate show of unity after kiss with dancer star*" from which readers may have concluded that the Claimant had been reduced to putting forward a hopelessly unconvincing and false denial of her affair with Anton Du Beke.

Contrary to the allegations, the Claimant and her husband are and were as faithful, happy and in love at the time of the publication as they had ever been. The plain truth was that the Claimant and Anton Du Beke became friends during Strictly Come Dancing. Since then they often worked and spent time together.

Given that the Defendant had ignored the Claimant's denials prior to and at the time of publication, the Claimant felt she had no option but to immediately issue proceedings for defamation.

The Defendant has now accepted that there is no truth whatsoever in the allegations and they should never have been made at all. It has therefore agreed to apologise for the defamatory and false allegations it made, to undertake never to repeat them and to pay the Claimant substantial damages together with her legal costs.

In these circumstances, my client considers that her reputation has been entirely vindicated and she is prepared not to proceed any further in her action against the Defendant.

SOLICITOR FOR THE DEFENDANT

My Lord, whilst the Defendant did not intend to expressly state that Kate Garraway was having an affair with Anton Du Beke nor that Kate's denials of such an allegation were unconvincing, the Defendant now accepts that the articles implied those allegations. Through me the Defendant offers its apologies to the Claimant for the distress and embarrassment caused by these articles. The Defendant accepts that any suggestion that the Claimant betrayed her husband, Derek Draper, and was unfaithful to him by having an affair with Anton Du Beke is false and undertakes never to repeat such an allegation. It is therefore happy to set the record straight and to apologise to the Claimant.

SOLICITOR FOR THE CLAIMANT

My Lord, it only remains for me to ask for leave that the record be withdrawn.

Rachel Atkins
Partner
Schillings
Solicitor for the Claimant

Solicitor for the Defendant