

CLAIM NO. HC11C02844

IN THE HIGH COURT OF JUSTICE CHANCERY DIVISION

IN THE MATTER OF MOBILE TELEPHONE VOICEMAIL INTERCEPTION  
LITIGATION

MR JUSTICE MANN

BETWEEN:

(1) DAVID COOK  
(2) JACQUI HAMES

Claimants

- and -

(1) NEWS GROUP NEWSPAPERS LTD  
(2) GLENN MICHAEL MULCAIRE  
(3) ALEX MARUNCHAK  
(4) IHOR MISKIW

Defendants

STATEMENT IN OPEN COURT

Anna Johnston, Taylor Hampton, Solicitor for the Claimant.

1. My Lord in this action I appear for the second Claimant Ms Hames and my (learned) friend appears for the First Defendant, the publishers of the News of the World.
2. The second Claimant in this action is Ms Hames. In June 2002 Ms Hames was married to David Cook, and they lived together with their two children, who were then aged 2 and 5.
3. Ms Hames worked as a police officer for the Metropolitan Police for 25

years, between 1977 and 2008. As at June 2002 Ms Hames was an Acting Detective Sergeant. From 1990 until about 2006 Ms Hames regularly appeared as a co-presenter on Crimewatch, in particular presenting a police perspective to the crimes and campaigns that were featured on Crimewatch. Ms Hames had appeared as a co-presenter with Jill Dando prior to Miss Dando's murder in 1999. In 2002, Ms Hames and the first claimant, Mr Cook were working together on a Crimewatch program investigating the Daniel Morgan murder in 1987.

4. The First Defendant, NGN, was the publisher of The News of the World newspaper until its closure in July 2011. The Second Defendant, Glenn Mulcaire, was a private investigator who worked for NGN. At The News of the World, the Second Defendant carried out various unlawful investigative activities, including blagging information from mobile phone companies and the unlawful interception of voicemail messages.
5. The Claimant was of interest to the News of the World and in 2002 and was placed under surveillance. The News of the World wrongly alleged that she was having an affair with Mr Cook (notwithstanding that they were married), whilst they were working together on the Crimewatch program investigating the Daniel Morgan murder in 1987. In reality, there was no story for both Ms Hames and Mr Cook were very public about their marriage and by 2002 they had two children together. Following the action taken against her by the News of the World, Ms Hames suffered acute distress and anxiety, and received medical treatment in relation to the press intrusion she encountered. She issued proceedings alleging unlawful voicemail interception, breach of confidence, misuse of her private information and harassment.

6. Ms Hames was deeply angry and upset to discover that she may never find out the true extent to which her privacy was invaded. Whilst she has received evidence of misuse of private and confidential information from what remains of the First Defendant's records, she does not know, and will never know, the full extent of the First Defendant's activities.
7. I am pleased to announce that the First Defendant has now accepted responsibility for its unlawful actions and has, quite rightly, agreed to apologise to the Claimant for the invasion of her privacy and for harassment and also to pay substantial damages to her as well as her legal costs. Furthermore, the First and Second Defendants have undertaken to the Court not to unlawfully access voicemail messages left for or by the Claimant and in the case of the First Defendant, not to knowingly publish or use any information which it knows was obtained by unlawfully accessing voicemail messages left for or by the Claimant or to undertake a course of conduct which amounts to harassment of the Claimant.

**Counsel for the First Defendant**

8. My Lord, on behalf of the First Defendant, I confirm everything my learned friend, Anna Johnston, has said.
9. The First Defendant is here today through me to offer its sincere apologies to the Claimant for the damage, as well as the distress, caused to her by the obtaining of her confidential information and harassment. It has given undertakings to the Claimant as described by my friend. The First Defendant acknowledges that this information should never have been

obtained or used in the manner it was and that it is liable for the misuse of private information and breach of confidence.

**Anna Johnston, solicitor for the Claimant**

10. In light of the undertakings given by the First Defendant and the payment of substantial damages as well as the public apology given to her today, the Claimant considers that she has been fully vindicated and is happy to let the matter rest.

Signed:

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Taylor Hampton  
Solicitors for the Claimant

Signed:

*Clifford Chance LLP*  
.....

Clifford Chance  
Solicitors for the First Defendant

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STATEMENT IN OPEN COURT

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