

IN THE HIGH COURT OF JUSTICE

Claim No: QB-2019-002596

QUEEN'S BENCH DIVISION

Media and Communications List

BETWEEN: -

**(1) SIR JAMES DYSON
(2) LADY DEIRDRE DYSON**

Claimants

- and -

**ASSOCIATED NEWSPAPERS
LIMITED**

Defendant

STATEMENT IN OPEN COURT

**READ BY RACHEL ATKINS, SCHILLINGS INTERNATIONAL LLP, AT 10AM ON
10 DECEMBER 2020**

SOLICITOR FOR THE CLAIMANTS

1. My Lord, I appear in this action on behalf of the Claimants, Sir James Dyson, the founder of and Chief Engineer at Dyson, and Lady Deirdre Dyson, the founder of Deirdre Dyson Exclusive Carpets and Rugs.
2. More than 15 months after the Defendant published false and defamatory allegations about the Claimants, I am here today to read this Statement in Open Court, following the Claimants' successful libel claim.
3. The Defendant did not defend the allegations it made against the Claimants in its articles of July 2019, and made an Offer of Amends. The Daily Mail has admitted that its claims were false, defamatory and caused the Claimants serious reputational harm when it alleged that they had behaved oppressively in 2018 towards their former housekeeper by bringing High Court proceedings against her in retaliation for her bringing an unfair dismissal claim against them.
4. The Claimants did no such thing (neither acting oppressively nor in retaliation) as the facts clearly show. Indeed, the former housekeeper's claim against the Claimants, which was struck out by the Employment Tribunal because she failed to actively pursue the claim following a previous warning, was brought

after the Claimants' action not before, a fact explained to the Daily Mail. The newspaper did not reflect this in its articles and published defamatory allegations against the Claimants. The Claimants were extremely upset and distressed by the Defendant's behaviour and the resulting allegations. They were false, harmful, and simply not true.

5. The Claimants believe their legal action involving their former housekeeper was always proportionate and reasonable. On 8 November 2018, the High Court granted an order requiring the former housekeeper to return the Claimants' private and confidential information (including medical records) which she had taken and retained without their consent. The Claimants funded substantial elements of the process to help her comply with the High Court order.
6. The Claimants understand that the purpose of the Offer of Amends procedure is for those who have been defamed to be publicly vindicated by an apology and an appropriate offer of amends. The Defendant's articles were substantial and prominent. Its three-sentence apology was published in its Clarifications and Corrections column. In the Claimants' view the Defendant's apology and correction is wholly inadequate to provide any vindication whatsoever.
7. The Defendant has acknowledged the seriousness of the allegations by paying substantial damages to the Claimants, of £100,000, by way of a Part 36 offer. It must also pay the Claimants' legal costs.
8. The Claimants had hoped that, after instructing their lawyers to complain immediately about the articles on 13 July 2019, the Defendant would realise why its allegations were false, defamatory and indefensible and would remove its articles and apologise to the Claimants. The Defendant did not remove its article from online until 19 July 2019 and described this as a "*temporary suspension*".
9. The Defendant's actions left the Claimants no choice but to issue a claim on 19 July 2019. The Court held a preliminary issue trial in January 2020, at which the Judge held that the Defendant had published defamatory factual allegations. The Defendant then sought permission to appeal this finding on two contradictory grounds.
10. The High Court and Court of Appeal both refused permission. Justice has been delayed and the vindication the Claimants have always sought is long-overdue.
11. On 2 October 2020, after not admitting the claim for over 15 months and refusing to apologise or provide any form of vindication, the Defendant made clear that it would not defend the claim. The Defendant has published an apology. The Claimants feel, however, that its subsequent actions have not delivered justice and cannot be considered to have provided effective and public vindication. I am here today, on behalf of the Claimants to achieve that vindication by the statement I have made.

12. The Claimants' case was not motivated by money and the compensation paid to the Claimants by Associated Newspapers Limited will be donated to Cure EB, a charity funding research into a cure for and treatment of the debilitating skin condition Epidermolysis Bullosa. The Claimants will match the donation with a further £100,000 of their own.
13. In conclusion, the Daily Mail has protracted the process, but it has finally admitted the articles it wrote were false and damaging. The Claimants had little option but to accept the Offer of Amends even though the Daily Mail's apology which followed was wholly inadequate in their view. With this Statement being read, the Claimants are prepared to bring these proceedings to a close.