

Press Release

Date 3 October 2014

Carter-Ruck

Sunday Times apologises and agrees to pay Kate and Gerry McCann £55,000 in libel damages

The Sunday Times has agreed to pay Kate and Gerry McCann £55,000 in libel damages (all of which they will donate to two charities – Missing People and the Joe Humphries Memorial Trust).

Mr and Mrs McCann's complaint related to an article by the Sunday Times' "Insight" team published on the front page of the newspaper in October 2013. The article alleged that Mr and Mrs McCann and Madeleine's Fund had kept secret from the investigating authorities crucial evidence (primarily consisting of "e-fits" obtained by private investigators) relating to their daughter's abduction.

The Sunday Times' allegations were completely false. As the newspaper now accepts, there is no question of the McCanns having sought to suppress any evidence; indeed all of the material collated by the private investigators had been provided to the relevant Portuguese and Leicestershire police four years earlier. The private investigators' report (including the e-fits) was also provided to the Metropolitan Police in 2011 shortly after the Met commenced its review into Madeleine's disappearance.

The Sunday Times has also agreed to pay the McCanns' legal costs of bringing the complaint.

The McCanns have today issued a statement commenting on this case, a copy of which is attached.

For further information please contact Adam Tudor at adam.tudor@carter-ruck.com or Zoe Brocket at zoe.brocket@carter-ruck.com

Carter-Ruck Solicitors

6 St Andrew Street
London EC4A 3AE

T 020 7353 5005
F 020 7353 5553
DX 333 Chancery Lane
www.carter-ruck.com

Partners

Alasdair Pepper
Guy Martin
Nigel Tait
Ruth Collard
Cameron Doley
Claire Gill
Adam Tudor
Isabel Martorell
Stephen Loughrey

Consultant

Andrew Stephenson

Partnership Secretary

Helen Burrluck

Authorised and regulated
by the Solicitors Regulation
Authority

SRA No. 44769

3 October 2014

Kate and Gerry McCann hit out at “same old press abuse” by newspapers

The couple receive £55,000 in libel damages from Sunday Times

Kate and Gerry McCann today hit out at the continued failure of the UK newspaper industry to put their house in order after the Sunday Times agreed to pay £55,000 in libel damages (all of which they will donate to charity) for allegations made at a time when the Sunday Times was proclaiming that press abuse was at an end and there was no need for the independent regulation proposed by Leveson a year previously.

The McCanns were libelled in a front-page article by the Sunday Times’ “Insight” team in October 2013.

Gerry McCann pointed out that the newspaper’s behaviour typified all that was wrong with journalistic practices.

- the Sunday Times team did not provide the McCanns with any proper opportunity to comment on these appalling allegations before they were published. They withheld important aspects of the allegations they were intending to make and chose not to publish key parts of the McCanns’ response. Above all, the Sunday Times was on express notice that the allegations were false, yet they still went ahead and published them.
- Initially, the McCanns sought to resolve the complaint amicably by writing to the Editor direct. However, the half-baked, inadequate response they received meant that they were left with no choice but to instruct their lawyers, Carter-Ruck
- Faced with the grotesque and utterly false suggestion that they had, in effect, deliberately hindered the search for their daughter and thereby let the trail go cold, Mr and Mrs McCann had no alternative but to bring a libel complaint in order to correct falsehoods which could only serve to damage the search for their daughter
- Eventually, two months later, the Sunday Times acknowledged that its article had been completely false and published a full retraction and apology. But even then the apology was tucked away on an inside page. The newspaper even refused to include the word “apology” in its headline.
- It then took a further 9 months, and the issuing of Court proceedings by the McCanns, to require the Sunday Times to make sensible proposals to compensate them and to allow them to make that fact public. Every penny of the damages will be going to charity and the Sunday Times will also be paying the McCanns’ legal fees.

Speaking today, Mr and Mrs McCann said,

“The Sunday Times has behaved disgracefully. There is no sign of any “post-Leveson improvement” in the behaviour of newspapers like this.

“Despite the history of admitted libels in respect of my family by so many newspapers, the Sunday Times still felt able to print an indefensible front page story last year and then force us to instruct lawyers – and even to start Court proceedings - before it behaved reasonably. But the damage to reputation and to feelings has been done and the Sunday Times can sit back enjoy its sales boost based on lies and abuse”

“This is exactly why Parliament and Lord Justice Leveson called for truly effective independent self-regulation of newspapers – to protect ordinary members of the public from this sort of abuse. “

“It is also why the provision of low-cost arbitration for libel and privacy claims is so important. We were able to use our lawyers, Carter-Ruck, who were willing to back our complaint and who agreed to act on a “no win, no fee” basis – but even that form of access to justice is currently under threat. The fact is that most families could not take the financial and legal risk of going to the high Court and facing down a big press bully as we have. That is why News UK and the big newspapers have opposed Leveson’s reforms and the arbitration scheme which is a necessary part of it. ”

“It is why the latest industry poodle, IPSO, which the Times editor was allowed to help appoint, does not even have the power to insist on its members providing arbitration that Leveson required.”

“It is time for Parliament to remind the newspaper owners that it is the people and their elected representatives who run the country, not the moguls, and if they continue to reject Leveson then as Lord Justice Leveson himself said, it will be imposed on them to protect the public and public interest journalism.”

Notes to editors

1. The defamatory article alleged that Mr and Mrs McCann had kept secret from the investigating authorities crucial evidence (primarily consisting of “e-fits” obtained by private investigators) relating to their daughter’s abduction.
2. The Sunday Times’ allegations were completely false.
3. As the newspaper now accepts, there is no question of the McCanns having sought to suppress any evidence; indeed all of the material collated by the private investigators had been provided to the relevant Portuguese and Leicestershire police four years earlier. The private investigators’ report (including the e-fits) was also provided to the Metropolitan Police in 2011 shortly after it commenced its review into Madeleine’s disappearance.

4. The Sunday Times refused to apologise or to make a prompt and prominent correction. The correction they printed 6 weeks later was on an inside page and was inadequate.
5. The McCanns were forced to make a legal claim in the High Court because of the Sunday Times' refusal to accept responsibility.
6. Only after the newspaper was sued did it accept liability and offer to settle the case.