

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

BETWEEN:

IRFAN QADIR

Claimant

- and -

ASSOCIATED NEWSPAPERS LIMITED

Defendant

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STATEMENT IN OPEN COURT

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Solicitor for the Claimant

My Lord, I appear on behalf of the Claimant, Irfan Qadir. Mr Qadir has been a leading figure in the UK banking sector for the past twenty-two years and has been the recipient of a number of awards including the Lloyds TSB Finance Excellence Award, the House of Lords Asian Guild Finance and Commerce Award and has been honoured with the 'Star of Pakistan' for services to banking. He has been listed as one of the most powerful Asian professionals in the UK. My friend, Mark Dennis, appears on behalf of the Defendant, Associated Newspapers Limited, the publisher of the *Mail on Sunday* and of the website *MailOnline*.

On 8 May 2011, the Defendant published an article in the *Mail on Sunday* and its website under the heading "*Bank of Scotland director 'drove us out with dogs'*". In its article, the Defendant alleged that in 2005 the Claimant had committed perjury and used intimidatory tactics to wrongfully take over a nightclub from three businessmen. The article also alleged that the Claimant's actions caused those businessmen to fear for their own and their families' lives. The article continued to be published until 8 September 2011 on the Defendant's website and was published elsewhere as a result.

These allegations were made in a High Court writ against the Claimant but the article did not report his categorical denial of the claims, and instead wrongly alleged that he had declined to comment in respect of the allegations.

Then, on 19 June 2011, the Defendant published a further article in the *Mail on Sunday* and on its website under the heading "*Top banker named in mortgage fraud case'*". The article reported allegations made by a defence barrister in a sentencing hearing that Mr Qadir was a central figure in a criminal conspiracy to defraud banks of £49 million. In fact, the Judge, who had presided over the five month Trial, had stated that Mr Qadir did not lend any of the money and made it clear that the allegations made in court were unsupported by evidence and should not have been made. The article did not fairly or accurately report the Judge's comments.

Together, the allegations contained in the two articles published by the Defendant have caused the Claimant distress and embarrassment.

The Defendant is here today publicly to apologise to the Claimant. It is now no longer pursuing a defence that the allegations in either of the articles are true. It has agreed to publish an apology in the *Mail on Sunday* and its website, and to pay the Claimant substantial damages and legal costs. It has given an undertaking in relation to the repetition of the allegations. On this basis the Claimant is content to let the matter rest.

Solicitor for the Defendant

My Lord, I confirm what my friend has said. The Defendant offers its apologies to the Claimant for the distress and embarrassment caused.

Solicitor for the Claimant

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

31 January 2013