

Claim no. [_____]

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
MEDIA AND COMMUNICATIONS LIST

B E T W E E N:

JOHN WARE

Claimant

-and-

LABOUR PARTY

Defendant

Draft/STATEMENT IN OPEN COURT

Counsel for the Claimant

1. My Lord, in this action I appear for the Claimant, Mr John Ware. My [learned] friend [XXXXX YYYYYY] appears for the Defendant, the Labour Party.
2. John Ware is a very experienced award winning broadcast and print journalist, producer and author.
3. Last year the Claimant made a BBC *Panorama* programme, "Is Labour Anti-Semitic?" that investigated and reported on antisemitism in the Labour Party. The programme was broadcast on BBC One on 10 July 2019 to a very substantial audience. Mr Ware presented the programme and was primarily the journalist responsible for it. In response to third party complaints about the programme, Ofcom stated that "In our view, the programme was duly impartial".

4. The *Panorama* programme contained strong criticism of the Labour Party leadership's failure to act against antisemitism within the party.
5. Before the broadcast of the *Panorama* programme the Defendant published allegations about the Claimant to journalists. Following the broadcast the Labour Party, then led by the Right Honourable Jeremy Corbyn MP, published a press release that made further allegations about the Claimant.
6. Prior to the programme's broadcast, the Labour Party falsely accused the Claimant of "deliberate and malicious misrepresentations designed to mislead the public.
7. In its press release, the Labour Party alleged that Mr Ware invented quotes, flouted journalistic ethics and that, in pursuit of a pre-determined outcome to the question asked by the *Panorama* programme, Mr Ware knowingly promoted falsehoods, including by misrepresentations of fact and, by fabricating facts.
8. These statements were defamatory of Mr Ware, and were foreseeably republished and were intended by the Defendant to be republished, very widely in the media and on social media. Among the news outlets that republished these false allegations were The Times, The Daily Mail, The Daily Mirror, The Guardian, The Daily Telegraph and the Evening Standard, as well as many Jeremy Corbyn-supporting blogs and websites including The Canary, Skwawkbox and Novara Media, and many individuals on social media platforms including Facebook and Twitter.
9. All these allegations are false and the Labour Party unreservedly withdraws these allegations and is profoundly sorry for the distress caused by their publication and republication.
10. The Defendant is here today to set the record straight and to apologise unreservedly to Mr Ware for the distress and embarrassment that the publication of the false allegations have caused him and for the damage that has been caused to his

reputation. The Defendant also has agreed to pay substantial damages to the Claimant.

11. For the avoidance of any doubt the parties agree and acknowledge that this statement and the agreement reached between the parties has no impact or in any way binds the independent panel of investigation being conducted under the chair of Martin Forde QC; is not intended to have any impact or effect on the Investigation of the EHRC into the conduct of the Labour Party or the acceptance of any conclusions and/or recommendations each may make; and is not intended to give rise to any adverse inferences against any individuals.

Solicitor/Counsel for the Defendant

12. My Lord, on behalf of the Labour Party, I accept all that my learned friend Mr XXXXXX has said.
13. The Labour Party acknowledges that these claims about the Claimant are untrue, and we retract and withdraw them, and undertake not to repeat them.
14. The Labour Party is here today to publicly set the record straight, and to apologise to Mr Ware for the distress and embarrassment that it has caused to him.

Counsel for the Claimant

15. In these circumstances the Claimant is prepared to let the matter rest against the Labour Party. My Lord, it remains only for me to ask for leave that the record be withdrawn.

XXXXX YYYYY
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Counsel for the Claimant

XXXXX YYYYY
Chambers/Firm

Solicitor/Counsel for the Defendant