

**IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS
BUSINESS LIST**

IN THE MATTER OF THE MOBILE TELEPHONE VOICEMAIL INTERCEPTION LITIGATION

BEFORE:

THE HONOURABLE MR JUSTICE FANCOURT

B E T W E E N:

PAUL JOHN GASCOIGNE

Claimant

and

NEWS GROUP NEWSPAPERS LIMITED

Defendant

STATEMENT IN OPEN COURT

1. In this action for misuse of private information and breach of confidence, I appear for the Claimant, Mr Paul Gascoigne.
2. Mr Gascoigne is a former professional footballer commonly known as “Gazza”. Mr Gascoigne began his professional footballing career with Newcastle United in 1985 and subsequently with Tottenham Hotspur, Lazio in Italy, Glasgow Rangers, Middlesborough, Everton, Burnley, D.C. United in the United States and finally Gansu Tiama in China in 2003. Mr Gascoigne has also received 57 full England caps having played for his country in the FIFA World Cup in 1990 and the UEFA European Championships in 1992 and 1996. Subsequent to his playing career, Mr Gascoigne was manager coach for Boston United and Kettering football clubs. Mr Gascoigne has also on a number of occasions provided commentary for the broadcasting of football matches and helped raise funds for various charitable causes.
3. The Defendant (“NGN”) was the publisher of *The Sun* newspaper which at all relevant times had a substantial and highly influential circulation and even greater readership. NGN is also the owner and publisher of the internet website, www.thesun.co.uk, on which it posts articles from the hard copy versions of its newspapers and which is

and was at the material times available to, and accessed by, hundreds of thousands of readers in the United Kingdom.

4. Mr Gascoigne was the subject of a number of articles published in *The Sun* over the course of many years, some of which contained intrusive and private information about him, including details of personal relationships with family and close friends as well as several examples of medical information when Mr Gascoigne was receiving treatment for his mental and physical health.
5. Over the same period:
 - a. Mr Gascoigne had considerable concerns about the source of some of the private information that was published.
 - b. Mr Gascoigne was worried that the information was being obtained by tapping his telephone conversations.
 - c. Mr Gascoigne was worried that the information was being given to *The Sun* by his friends as a result he fell out with several of his friends and family. Mr Gascoigne wishes to take this opportunity to apologise, publicly, to his friends and family for accusing them of leaking information to the press.
6. In 2018, Mr Gascoigne was approached by his solicitor in relation to the Mobile Telephone Voicemail Interception Litigation following Mr Justice Mann's refusal of NGN's application to strike-out generic allegations made by the Claimants in respect of *The Sun*.
7. Following a review of articles in *The Sun* mentioning him by name, Mr Gascoigne sent NGN a letter before action via solicitors in December 2019 and issued a claim in May 2020.
8. Mr Gascoigne received initial disclosure in January 2021, which comprised of records of phone calls made by NGN journalists ("call data") to the mobile phones in relation to him and four individual associates being friends, family and his therapist, as well

as invoices from alleged private investigators (“PIs”) addressed to *The Sun* and contributor payments to alleged PIs by *The Sun*.

9. Based upon call data and alleged private investigator disclosure, Mr Gascoigne believed that he was a subject of unlawful gathering techniques from at least 1998. Mr Gascoigne was shocked and disturbed to discover evidence of what he believed to be prolonged, substantial and targeted voicemail interception and unlawful information gathering activities carried out by journalists at *The Sun*.
10. Mr Gascoigne was horrified to learn from this disclosure that there were a number of payments made to a PI who is alleged in this litigation to have obtained private medical information, and that she had appeared to have issued an invoice for “Gazza Suicide Watch” around the period that an article was published headed “Gazza sectioned in suicide watch.” Mr Gascoigne was not only shocked to see the disclosure which he believed showed that *The Sun* had paid to obtain information on his mental health but that the references on the expenses and invoices appeared to him to be so blatant and yet seemingly not questioned by anyone at *The Sun*. This example was only one of several instances of payments which Mr Gascoigne believed were made in relation to obtaining private very personally sensitive matters relating to Mr Gascoigne and his family and friends.
11. Many of the payments addressed to the alleged PI appeared to be commissioned by *The Sun*’s longstanding “Foreign Correspondent” Nick Parker.
12. Mr Gascoigne served his Particulars of Claim in April 2021, in which he set out his allegations of the unlawful information gathering that took place at *The Sun* newspaper, in support of which he relied upon the initial disclosure obtained once he had commenced these proceedings, generic disclosure and 98 articles published about him in *The Sun*. His claim was that he had been the victim of unlawful information gathering by various journalists and executives at *The Sun*, and that they had used and circulated private information obtained about him and as a result published a number of articles.

13. Mr Gascoigne also relied upon numerous statements made by representatives of NGN asserting that *The Sun* journalists were not involved in unlawful activities as evidence of a long-lasting, extensive and deliberate strategy of lies and concealment by those in the most senior positions at NGN.
14. NGN served its Defence in June 2021. NGN denied that *The Sun* was involved in illegal activities whilst simultaneously asserting a defence of limitation on the basis that Mr Gascoigne should have known about the allegations of illegal activities earlier. These pleadings, combined with NGN's historic public denials and refusal to accept any responsibility, has only served to intensify the upset caused by the misuse of private information and voicemail interception suffered by Mr Gascoigne.
15. NGN subsequently provided standard disclosure in July 2021, which included substantial evidence of what appeared to show a protracted operation of clandestine interception against Mr Gascoigne and his associates. Mr Gascoigne's review of this material in preparing his own evidence for trial was at times a very harrowing and painful experience for him, compounded by the fact of NGN's refusal to admit any wrongdoing by its employees at *The Sun* or its agents.
16. Mr Gascoigne's anguish is also compounded by his belief, that he was targeted for these intrusions, and that there was a culture of concealment so that he would never know, and little in the way of paper trails were left. As is pleaded, and as Mr Gascoigne continues to believe, that after the arrest of Clive Goodman at the News of the World in 2006, there was an elaborate conspiracy to conceal the truth and falsely claim that Mr Goodman acted alone, when those in charge knew full well that the unlawful conduct was endemic at the *News of the World* and at *The Sun* and that millions of pounds were being spent on Private Investigators to hack and blag private information (including on scores of occasions his own), which would then be published to the world for profit.
17. Mr Gascoigne believes that, when there was finally a proper police investigation, Operation Weeting in July 2011, there are documents that appear to show that there was a further concerted effort by senior executives and other top executives at News International, to destroy documents including emails and, several computer hard

drives while claiming to the police, the Courts and to Parliament that they were co-operating.

18. Shortly before trial, but before the exchange of witness statements, NGN offered to settle the claim. The parties agreed terms of settlement in this matter as set out in an agreed signed order that was approved by the Court on 18 October 2021, which provides for payment of substantial damages, undertakings to the Court and for payment of Mr Gascoigne's reasonable legal costs in relation to the bringing of this claim.
19. Mr Gascoigne very much wanted to pursue his claim to trial and is deeply concerned by the continuing lack of any admission from NGN. However, as a result of the costs position, he has been unable to. He was both upset and frustrated by this, and continues to be so. Mr Gascoigne firmly believes NGN engaged in a sustained and disturbing campaign of unlawful information gathering and voicemail interception against him and this has had an enormous impact on him, both in terms of his mental wellbeing, and his ability to trust other people, and will continue to do so, sadly, for many years to come,
20. Given the fact that the publishers of *The Sun* have agreed to pay such a substantial sum by way of damages, and have thereby avoided a public trial, in relation to Mr Gascoigne's claim for unlawful information gathering solely relating to that newspaper, as well as the knowledge and concealment of those illegal activities by the Editor and Senior Executives there, Mr Gascoigne believes that, notwithstanding that the settlement was reached on the agreed basis of no admissions of liability, this is tantamount to an admission of liability on the part of *The Sun* and he therefore feels fully vindicated in having brought this claim.