

DEREK SIMPSON

Claimant

And

NEWS GROUP NEWSPAPERS LIMITED

Defendant

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STATEMENT IN OPEN COURT

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**Claimant's Solicitor**

In this libel complaint I appear for the Claimant, Mr Derek Simpson, who is the Joint General Secretary of Unite the Union, the country's largest Trade Union with some 2 million members. In March this year Mr Simpson was elected to this post after obtaining 60,048 votes, which is to say 38% of the vote. He was elected to hold office until December 2010.

On 25 October this year the News of the World published an article entitled "*Union to fine boss*" which alleged that Mr Simpson was guilty of a breach of election rules and misusing Union funds which gave him an unfair advantage in the March election which he won. The article stated that Mr Simpson broke election rules by sending a mailshot to Unite's members six weeks before his election. The article further alleged that as a result of this, Mr Simpson was to be fined £100,000 by Unite and that the only way to avoid such a fine was to retire early.

All of these allegations were wholly untrue. In fact, as had been confirmed by the Certification Officer, Mr David Cockburn, prior to publication of the offending article, there is

no statutory or union restriction on the sending of such a mailshot. There was no question of Mr Simpson having broken election rules by sending the mailshot, or of having gained an unfair advantage or misused union funds, let alone being fined for doing so or of having to retire to avoid such a fine.

The publication of this article caused Mr Simpson considerable distress and embarrassment. He was especially concerned that it could cause Unite members to suspect him of cheating in the election and thus to question the validity of his election. He was also understandably concerned that falsely suggesting that he might have to retire within six months could undermine his leadership and destabilise the Union.

In recognition of this the News of the World has published an apology and agreed to join in this Statement in Open Court. It has also undertaken not to republish this libel at any time hereafter and has agreed to pay Mr Simpson a sum in damages together with his legal costs.

**Defendant's Counsel/Solicitor**

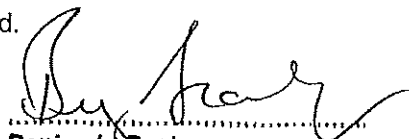
The News of the World wishes to make clear that it was entirely mistaken in publishing these allegations. It did so in reliance on a source which it believed to be reliable. As such the News of the World apologises to Mr Simpson for this article and for the distress and embarrassment it has caused him.

**Claimant's Solicitor**

My Lord, on that basis, I ask for leave to withdraw the record.



**Athalie Matthews**  
**Carter-Ruck**  
On behalf of the Claimant



**Benjamin Beabey**  
**Farrer & Co**  
On behalf of the Defendant