

Press Release

Carter-Ruck

11 October 2021

Carter-Ruck Solicitors

The Bureau
90 Fetter Lane
London EC4A 1EN

T +44 (0)20 7353 5005
DX 333 Chancery Lane
www.carter-ruck.com

Seumas Milne, Karie Murphy, Georgie Robertson, Laura Murray and Harry Hayball - The Labour Party

In documents to be filed at the High Court during the course of today, the Labour Party will name the above-mentioned individuals as having been responsible for the leaking, in April 2020, of a Labour Party-commissioned Report entitled "*The work of the Labour Party's Governance and Legal Unit in relation to antisemitism, 2014 – 2019*".

All five individuals were employees of the Party at the time in question. They strenuously deny, and have consistently denied, any involvement or complicity in the leak whatsoever. They also deny having any knowledge of who was responsible. As such, the individuals will vigorously defend themselves in the proceedings and will seek full reimbursement of their costs of doing so from the Party.

To the extent that the Labour Party has explained its proposed action, it is clear that it will be naming the individuals in an attempt to deflect on to them its own liability in claims brought by a group of Claimants who are suing the Party over the leak as well as the Party bringing a related claim direct against the five.

The Party apparently admits that its case against the individuals is purely circumstantial and inferential, but has failed even to set out that case properly in correspondence, despite its obligations to do so under the relevant Court Protocol.

Earlier this year, the High Court rejected an application (by a Claimant who was intending to sue the Labour Party over the leak) for a disclosure order requiring the Party to name those the Party considered responsible (the decision is currently under appeal). In those proceedings, the Party acknowledged to the Court that there was no "*smoking gun*" evidence to prove who leaked the report, and the Party's solicitor stated to the Court that

Authorised and regulated
by the Solicitors Regulation
Authority

SRA No. 44769

the Party “does not claim to know definitively and with absolute certainty the identity of the person(s) responsible”. Rejecting the application, the Judge noted that the Party’s position that the individuals were responsible for the leak was “*highly contentious*”. The Court expressed its concern that the naming of the individuals by the Party (the position of which the Judge made clear was not neutral) in the manner anticipated in the application could cause “*potential injustice*” and “*the risk that innocent persons*” would be identified.

There is nothing to suggest that the Party has any more “evidence” implicating the five individuals now, than it had in March.

A spokesperson for the former Labour Party employees said:

“The individuals entirely reject these baseless claims. They did not leak the report. They fully cooperated with the Party’s investigation by an independent external investigator, and with the inquiry led by Martin Forde QC. They understand that neither of those investigations concluded that they were responsible.

The Party has already acknowledged in court that it cannot be certain who leaked the report and that its “case” against them is circumstantial. But it is now trying to make them foot the bill for legal action brought against it.

The Party should be focussing on the deeply troubling evidence contained with the leaked report, rather than trying to wrongly scapegoat and victimise former staff who documented it, and who have not been accused by either of the independent investigations.”

The five individuals are represented by Adam Tudor (adam.tudor@carter-ruck.com) and Dominic Garner (dominic.garner@carter-ruck.com) of Carter-Ruck.