

Press Release

Carter-Ruck

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The Mail on Sunday apologises and pays substantial damages to doctor and academic in “statins” case

Dr Zoë Harcombe PhD and Dr Malcolm Kendrick have secured a full apology, substantial damages and their legal costs from the publisher of *The Mail on Sunday*, as their long-running libel claims come to a successful conclusion.

The case related to articles published in March 2019, containing allegations that Dr Harcombe and Dr Kendrick had made knowingly false statements about the cholesterol-lowering drug, statins; and that they had thereby caused large numbers of people not to take statins, causing harm to public health.

A statement in open Court, read today on behalf of the Claimants, recorded that these allegations were and are completely untrue, as *The Mail on Sunday* has now acknowledged. Dominic Garner of Carter-Ruck told the Court that in particular, “neither Dr Harcombe nor Dr Kendrick is a challenger or a ‘denier’ of scientific fact, or a purveyor of lies about cholesterol or statins”. To the contrary, the Court heard that the two Claimants “have always been passionate believers in evidence-based science and open scientific debate, who defend the principle that impartiality and objectivity are called for in the evaluation of scientific evidence, including in relation to the use and prescription of statins”.

Each of them considers strongly “that the debate about the balance of the benefits and harms of statins remains ‘alive and kicking’”. However, they “do not believe that the Defendants treated them fairly in the articles of which they complained”.

The conclusion of the case, through agreed settlements, follows a landmark judgment delivered in June this year, in which Mr Justice Nicklin dismissed the *The Mail on Sunday*’s public interest defence. The Judge found among things that *The Mail on Sunday*’s right-to-reply process had been “hollow and superficial” and that the journalist’s attitude towards Dr Harcombe’s and Dr Kendrick’s responses had been “dismissive”, whereas the journalist’s own experts had been allowed to have “a very significant”, and “undue”, influence over the editorial process and the terms of the articles.

In agreeing now to resolve the claims – more than five years following publication – *The Mail on Sunday* has withdrawn its articles and published a full apology to the Claimants, accepting that its allegations “are untrue and ought not to have been published” and recording that the publisher is “happy to set the record straight, and apologise to Dr Harcombe and Dr Kendrick for the distress caused”.

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The Mail on Sunday has undertaken not to repeat its allegations and agreed to pay the Claimants substantial damages, as well as their legal costs.

Dr Harcombe said of the conclusion of the case:

“I am delighted and relieved that this case has been resolved in our favour. This has been a long and complex case, but one that I felt compelled to bring given the scale – and unfairness – of The Mail on Sunday’s public attack on our integrity.”

Dr Kendrick has said:

“I am very happy, and relieved, to have secured complete vindication for what were unfounded smears on my reputation and professional integrity. The Mail on Sunday’s articles should never have been published. The publisher chose to rely on the views of experts who sit squarely on one side of the statins debate, without even acknowledging that there is a legitimate public debate about the use and efficacy of one of the most widely prescribed drugs. Those who do not hold mainstream views on statins should not have their views rejected out of hand or be wrongly cast as dishonest propagandists, as the Mail on Sunday did here.”

The Statement in Open Court can be found [here](#).

The High Court’s judgment of 25 June 2024 can be found [here](#).

Dr Harcombe and Dr Kendrick were represented by [Claire Gill](#) and [Dominic Garner](#) of Carter-Ruck and by Adrienne Page KC and Godwin Busuttil of 5RB.

NOTES:

Dr Zoë Harcombe is a professional researcher, writer and public speaker on the subject of diet, health and nutritional science. She is a graduate of the University of Cambridge in economics and mathematics and has a PhD in public health nutrition.

Dr Malcolm Kendrick is a recently retired general practitioner, writer, and lecturer, with a specialist interest in the epidemiology of cardiovascular disease. He has authored books including “*The Great Cholesterol Con*” (2008), “*Doctoring Data*” (2015), “*A Statin Nation: Damaging Millions in a Brave New Post-Health World*” (2018) and “*The Clot Thickens: The enduring mystery of heart disease*” (2021).