

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

BEFORE:

BETWEEN:

JO WALLACE

Claimant

and

ASSOCIATED NEWSPAPERS LIMITED

Defendant

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JOINT STATEMENT IN OPEN COURT

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1. My Lord, in this action, I appear for the Claimant, Jo Wallace. Ms Wallace is a successful creative director with over 20 years' experience in her field and the winner of multiple awards for her achievements including a gold Cannes Lion. She is also the founder and host of the non-profit event, *Good Girls Eat Dinner*, a networking event.
2. The Defendant is the publisher of the *Daily Mail* newspaper and the *Mail Online* website, which has an extensive readership in this country.
3. On Friday 23 July 2021, the Mail Online published an online article without warning entitled "*Two men win sex discrimination payout*", which included intimate photographs of the Claimant and inaccurate information about the Claimant.
4. On Saturday 24 July 2021, The Daily Mail also published an article about Ms Wallace which appeared under the headline, "*The very Mad Men! Tribunal backs 'straight white men' fired by ad firm's gay female boss*".
5. The article in the Daily Mail focussed on the outcome of an employment tribunal of two third party individuals and the Claimant's remarks at a conference. It falsely alleged that the Claimant was responsible for sex discrimination by sacking two straight white men as part of an attempt to obliterate their culture within the

advertising agency that they all worked for. The allegation was extremely damaging to the Claimant's reputation in accusing her of objectionable and unprofessional conduct.

6. In fact, the Claimant was neither a party to the proceedings or a witness. She was not the "boss" of the two individuals, and it has never been suggested that she played any role in the decision to make them redundant. The Daily Mail article therefore defamed the Claimant and both articles processed inaccurate personal data relating to her.
7. In addition, the articles published photographs which included seven photographs of the Claimant published without her permission, some of which had been taken from her private Instagram account. Some of the photographs depicted her on holiday, including sunbathing in a bikini, and others showed intimate moments between the Claimant and her wife. In publishing those photographs the articles processed the Claimant's personal data unlawfully. The photographs were also published in breach of the Claimant's copyright.
8. The Defendant's publications of the articles and photographs caused the Claimant very considerable distress and upset. As a result of the publication of the online and hardcopy articles she was subjected to a campaign of online threats, abuse and hatred, even receiving a threatening message which she felt compelled to report to the police for her own protection.
9. Through her solicitors on 2 August 2021, the Claimant set out a detailed letter of complaint in response to the articles. In addition, she explained that the Defendant was in breach of the copyright of the photographs of her and requested that they be removed from the Mail Online article. The Defendant has since removed the seven photographs.
10. On 8 September 2021, the Claimant put forward a detailed offer of settlement under Part 36 of the Court rules to the Defendant, and I am pleased to report that the Defendant accepted this offer on 5 October 2021. As part of this settlement, the Defendant agreed to pay the Claimant substantial damages, not to re-publish the

words or images complained of, to join in the making of this statement in open court, an apology, and to pay the Claimant's legal costs.

11. Since September, the parties have been in discussions and as a result the Defendant has subsequently agreed to remove from the online version of the article a further photograph of Ms Wallace, a video which captured soundbites from one of her networking events as well as removing all the inaccuracies in the Online article as set out in the letter of complaint of 2 August 2021. The Defendant has also removed the aforementioned video from an article published in November 2018.

12. The Defendant's publications have had a lasting effect on the Claimant as the articles were not only shocking and embarrassing but as a result of their publication and the impression they made, she has suffered substantial damage to both her career and her reputation. Further, the Claimant is particularly distressed by the impact the articles have had upon her family.

### **Counsel for the Defendant**

13. My Lord on behalf of the Defendant I confirm everything that my learned friend has said.

14. The Defendant through me offers its sincere apologies to the Claimant for the distress, embarrassment and upset caused to her by the publication of the Daily Mail article and the photographs complained of in the articles. The Defendant accepts there was and is no truth in the allegations advanced in the Daily Mail article and that her copyright in the photographs were infringed. The Defendant is happy to set the record straight and apologise to the Claimant for the breach of her rights and for the distress caused to her by its publication of the articles.

### **Solicitor for the Claimant**

15. In light of the order which has been made and this statement, the Claimant considers that the matter is now concluded.

Thomson Teath

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**Solicitor for the Claimant**

Ahmed Mustafa

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**Counsel for the Defendant**