



Courts and Tribunals Judiciary

JUDGMENT SUMMARY

BETWEEN:

THE DUKE OF SUSSEX

- and -

NEWS GROUP NEWSPAPERS LIMITED

NCN: [2024] EWHC 1208 (Ch)

Mr Justice Fancourt

21 May 2024

1. This judgment is given in the claim of Prince Harry, the Duke of Sussex, against News Group Newspapers Ltd (“NGN”). It concerns the Duke’s application for permission to amend his claim form and statement of claim.
2. There are two different parts to the judgment. The first concerns whether the Duke has complied with an order made in July 2023 requiring him to make amendments to his claim form and particulars of claim as a result of the judgment given for NGN in July 2023 on the Duke’s claim for phone hacking (“the consequential amendments”). The second concerns other amendments that the Duke sought to make to his claim form and particulars of claim to add further claims (“the voluntary amendments”).
3. On the consequential amendments, I have concluded that the Duke has not complied with the July 2023 Order because he has not removed from his claim the facts alleged solely in relation to phone hacking and accessory wrongs nor clarified the facts alleged in relation to the remaining causes of action, namely blagging of private information by journalists or private investigators, and other unlawful information gathering conducted by private investigators that is not accessory to actual or attempted phone hacking.
4. The Duke will therefore be required to comply fully with the July 2023 Order if he intends to pursue his claim for these other alleged wrongs.

5. As for the voluntary amendments, there was a variety of different types of amendment sought, on which I have ruled separately whether these can be permitted at this quite late stage of this litigation.
6. By way of summary of the main points decided, I have:
 - a. Refused permission to add new allegations relating to the years 1994, 1995 and 2016, which were not within the scope of the existing claim;
 - b. Refused permission for other amendments that add to the allegations of phone hacking;
 - c. Refused permission for amendments that only plead matters of evidence, including similar fact evidence on which the Duke will seek to rely at trial;
 - d. Granted permission in principle for amendments naming and making allegations against certain further journalists and private investigators;
 - e. Granted permission in principle for allegations of landline voicemail interception and interception of landline and mobile telephone calls conditionally on the Duke clarifying what landline numbers are the subject of the allegations, and on the basis that these claims do not “relate back” to the issue of the claim form in September 2019 for limitation purposes;
 - f. Indicated that I will in principle grant permission for the Duke to amend his claim to substitute allegations of breach of confidentiality for allegations of misuse of private information between 1996 and 2 October 2000, provided that adequate particulars of the confidential information, the duty of confidentiality on NGN and alleged breaches of confidentiality are pleaded.

Important note for press and public: this summary forms no part of the court’s decision. It is provided so as to assist the press and the public to understand what the court decided. The full judgment of the Court is the only authoritative document. Judgments are public documents and are available at: www.judiciary.uk , <https://caselaw.nationalarchives.gov.uk>