



Courts and Tribunals Judiciary

JUDGMENT SUMMARY

BETWEEN:

VARIOUS CLAIMANTS

- and -

NEWS GROUP NEWSPAPERS LIMITED

NCN: [2024] EWHC 1210 (Ch)

Mr Justice Fancourt

21 May 2024

1. This judgment is given on the application of the claimants in the Mobile Telephone Voicemail Interception Litigation to re-re-amend the Generic Particulars of Concealment and Destruction (“the GENPOC”). The GENPOC set out at length the allegations made in common by all claimants in the litigation against News Group Newspapers (“NGN”) relating principally to the concealment of unlawful activities and the destruction of evidence of that concealment and those activities. The GENPOC also include allegations about the extent and nature of the unlawful activity carried on by NGN journalists and private investigators, as well as the generic case on the deliberate concealment limitation issue.
2. The existing version of the GENPOC is dated June 2020. The Claimants have sought to update the allegations by including 353 separate amendments to the pleaded case, and in addition a new 21-page annexe listing all the private investigators (“PIs”) alleged to have been used by NGN (“the PI Annexe”).
3. I have granted permission for some of the amendments and refused permission on others. The table annexed to the judgment sets out, row by row, which of the amendments are permitted and which refused.
4. To summarise, the most significant matters where I have refused permission at this relatively late stage before trial in January 2025 are:
 - a. Refused permission to amend the years to which the allegations of wrongdoing relate to extend back to 1994 and 1995 and forward to 2012;

- b. Refused permission to add the PI annexe in its existing form because it includes large numbers of newly-identified PIs against whom nothing specific is alleged, and many of whom are only named in the same 3 claimant-specific particulars of claim that were served in December 2023;
 - c. Refused permission for collateral allegations of failure by NGN to deal honestly with the Metropolitan Police Service or the Crown Prosecution Service to be introduced;
 - d. Refused permission for new allegations against Rupert Murdoch personally and some other senior executives, on the basis that these add nothing to the allegations already made against other senior executives at NGN and its parent companies;
 - e. Refused permission for allegations to be newly made against the Management and Standards Committee of NGN as a body in addition to the already pleaded allegations against certain individuals on it;
 - f. Refused permission for new allegations to be made in the GENPOC relating to alleged commercial and political aims of NGN in targeting politicians;
5. I have granted permission for many amendments that do not fall into the above categories and relate to the core generic issues in the litigation. The amendments are too numerous to summarise here, but they include allegations against many newly-identified or named journalists or PIs where these allegations are of generic relevance to the extent of wrongdoing alleged against NGN, or to the case on concealment from the public (and so potential claimants) of what NGN was doing or had done.
6. The application to amend was made late by NGN. In many cases, I am satisfied that recent disclosure by NGN has enabled these new allegations to be articulated, even though in most cases they could have been brought forward sooner. In granting or refusing permission for individual amendments, I have therefore taken into account the extent of any prejudice to either party in having to deal with these matters at a relatively late stage, and I have limited the permitted amendments for that reason.

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>