



# Judiciary of England and Wales

Press summary

**Sculfor and others v MGN Ltd**

Chancery Division (Mr Justice Fancourt)  
Neutral Citation Number: [2026] EWHC 597 (Ch)

Monday, 16 March 2026

*Important note for press and public: This summary forms no part of the Court's decision. It is provided to assist in understanding the decision of the Court. The full judgment of the Court is the only authoritative document and will be published and publicly available at:*

<https://caselaw.nationalarchives.gov.uk>.

1. Judgment is handed down today upon the trial of a preliminary issue in five claims in the fifth wave of the Mirror Newspapers Hacking Litigation. The issue tried was whether each of the claims alleging that MGN Limited (“MGN”) carried out phone hacking and other unlawful information gathering amounting to misuse of their private information was time-barred under the Limitation Act 1980, in particular:  
“whether the claim is statute barred by reason of the expiry of the postponed limitation period under s.32 of the Limitation Act 1980”.
2. Under that section, where facts relevant to a claim are deliberately concealed by a defendant, the 6-year limitation period for issuing a claim does not start to run until the claimant knew or could with reasonable diligence have discovered the facts.
3. For the purposes of the trial of the preliminary issue, the allegations of unlawful conduct by MGN and of deliberate concealment were assumed to be true.
4. The claims in which this issue was tried are those of Paul Sculfor, Melanie Cantor, Murray Harkin, Camilla Sacre-Dallerup and Patrick Cox. These claims were selected for trial because facts pleaded about the Claimants, the circumstances of their claims, or what they knew or did not know about phone hacking, were considered typical of the facts in many other claims that have not yet been tried or settled.
5. Each of the Claimants pleaded that they did not know, and could not reasonably have discovered, more than six years before their individual claims were issued (“the Relevant Time”), that they had a “worthwhile claim”, in the sense in which that term is used and explained by the Supreme Court in *Test Claimants in the FII Group Litigation v Revenue*

*and Customs Commissioners* [2020] UKSC 47; [2022] AC 1 and by the Court of Appeal in *Gemalto Holding BV v Infineon Technologies AG* [2022] EWCA Civ 782; [2023] Ch 169. On that basis, the Claimants argued that their claims were not issued too late and are not time-barred.

6. The Claimants argued that they could not with reasonable diligence prior to the Relevant Time have discovered sufficient facts about MGN's wrongdoing, targeted at them, because there was no "trigger" event that put them on notice that they should investigate whether they might be a victim.
7. Alternatively, the Claimants argued that even if they were on notice and so could have investigated the matter, if they had done so by going to a solicitor for advice, they would either not have been given advice at all or they would have been advised that they did not have a good claim. Accordingly, they argued, they could not with reasonable diligence have discovered the necessary facts.
8. In Mr Sculfor's case, it was held that: he was misled by MGN into believing that family members or friends were responsible for leaking information to the Press, and so was not attentive to the phone hacking story; that he did not know about MGN's involvement in phone hacking; that there was nothing sufficient to put him on notice to investigate whether he might have been a victim; and that accordingly the limitation period did not start to run before the Relevant Date.
9. In Mr Harkin's case, it was held that he did in fact know enough about phone hacking and that he might have been a victim prior to the Relevant Date. Mr Harkin believed throughout that he was a victim and did in fact seek legal advice, but was advised that he should not bring a claim at that time and that the evidence to prove the claim was not available. He knew about the phone hacking allegations involving MGN. In Ms Cantor's case, she knew about the phone hacking story in detail, including MGN's involvement, and that a former celebrity client and close friend of hers had been hacked, and that accordingly there was a real possibility that she had been hacked. If she did not actually realise that, she was on notice to investigate whether she might have been hacked.
10. In Ms Sacre-Dallerup's and Mr Cox's cases, they did not know all relevant facts but were put on notice to investigate: in Ms Sacre-Dallerup's case, by information provided by the Metropolitan Police Service in 2014 and 2015 connecting her name with convicted phone hackers; and in Mr Cox's case, because he knew in March 2015 that a close celebrity friend, with whom he frequently exchanged voicemail messages, had been hacked and was bringing a phone hacking claim against MGN.
11. Whether a potential victim of phone hacking, had they sought legal advice, would have been advised that they had a good claim or had no claim was irrelevant to the issue under s.32 of the Limitation Act where deliberate concealment (rather than mistake of law) is concerned. The question is whether a claimant could with reasonable diligence have

discovered sufficient of the concealed facts to realise that they had a “worthwhile claim”, not a claim that was likely to succeed.

12. There is no requirement under s.32 for a claimant to have sought and obtained legal advice, though approaching a competent solicitor may be a convenient means of discovering concealed facts, e.g. about the established involvement of MGN in phone hacking or other unlawful information gathering, existing court proceedings, or the way that celebrities and their associates were targeted. It was not argued that a Claimant could not by some reasonable means have discovered these facts if they were on notice to investigate.
13. In the Mirror Group Hacking Litigation, claims could be brought in 2015 on an inferential basis, relying on the generic allegations and generic evidence that had been accumulated, and on an inference that the claimant, given who they were, was probably targeted. By July 2015 (the earliest of the Relevant Dates), the picture was becoming clear, following the trial judgment of Mann J in *Gulati v MGN Limited* [2015] EWHC 1482 (Ch) given on 21 May 2015, which found phone hacking at all MGN’s newspapers to be widespread and habitual. This judgment established that people were hacked because they had famous friends or colleagues.
14. It was unnecessary for a claimant to have discovered all the facts in order to bring an inferential claim, nor was evidence to prove the allegations needed before time for bringing such a claim started to run. Each of Ms Cantor, Mr Harkin, Ms Sacre-Dallerup and Mr Cox therefore knew before the Relevant Date, or would have known if they had investigated with reasonable diligence, that they had a “worthwhile claim”.

### **Disposal**

15. The claims of Ms Cantor, Mr Harkin, Ms Sacre-Dallerup and Mr Cox therefore must be dismissed, as they were time-barred when they were issued.
16. The defence of limitation in the claim of Mr Sculfor fails and his claim continues.