IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

B E T W E E N:

SASHA WASS QC

Claimant

and

ASSOCIATED NEWSPAPERS LIMITED

Defendant

STATEMENT IN OPEN COURT

Claimant's Leading Counsel - Adrienne Page QC

My Lord, in this action I appear for the Claimant, Ms Sasha Wass QC, who is a Queen's Counsel, and a member of 6 KBW Chambers. Ms Wass has over 36 years' experience at the Bar. She has both defended and prosecuted in numerous high-profile cases of complex fraud, international money laundering, murder and serious sexual misconduct, including the prosecution of Rolf Harris and the defence of Rosemary West.

Ms Alison Soens of Reynolds Porter Chamberlain LLP appears for the Defendant, the publisher of the Mail on Sunday and MailOnline.

On 9 October 2016 the Mail on Sunday published a full two page article by its journalist David Rose, which appeared under the banner headline: "*Revealed: How top QC 'buried evidence of Met bribes to put innocent man in jail'*" ("the Article"). The Article was accompanied by a large photograph of Ms Wass with the caption "*SCANDAL: Senior Barrister Sasha Wass".* The Article appeared in near identical form on MailOnline; indeed it continued to appear there until it was taken down in October 2017.

The Article related to confiscation proceedings concerning Bhadresh Gohil, a disgraced solicitor who in 2010, following a trial prosecuted by Ms Wass QC, was convicted of four offences of Money Laundering and one offence of Prejudicing a Money Laundering

Enquiry. Mr Gohil thereafter pleaded guilty to a separate, $37 million fraud on the Nigerian people and of laundering the proceeds of the fraud. Mr Gohil was sentenced to 10 years in prison for his involvement and was released in December 2015.

The Article in the Mail on Sunday alleged that Ms Wass was "facing professional ruin" because of her attempts to bury damning evidence that police officers responsible for the investigation and prosecution of Mr Gohil (which resulted in his conviction at which Ms Wass had been prosecuting counsel) had taken bribes.

The Article also suggested to readers that these alleged attempts by Ms Wass to bury evidence of police corruption included her backing baseless criminal charges against Mr Gohil for perverting the course of justice with the object of having him put in prison, when in fact she knew him to be an innocent whistle-blower who had alerted the authorities to evidence of corruption on the part of investigating police officers; that Ms Wass had deliberately lied to the Court of Appeal; and that, at Mr Gohil's appeal to the Court of Appeal, Ms Wass was aware that evidence that had been improperly tampered with was being placed before the Court.

As the Defendant now accepts, these allegations were and are entirely untrue. Their publication arose following a court hearing at which Mr Gohil made allegations about Ms Wass which the Defendant now accepts had no proper basis. In fact, at all times before, during and since the events which were the subject-matter of the Article, Ms Wass acted honestly, entirely professionally and in accordance with both her knowledge and instructions. She complied fully with her duties to the Court; she has not in any way lied or deliberately misled any Court and there is no basis whatsoever for questioning her integrity.

In addition, Ms Wass was in no way involved in any attempt to bury or tamper with evidence of police corruption. Contrary to what the Article suggested, Ms Wass did not see any "dossier" containing allegations of police corruption until December 2015 (not 2014 as the Article had suggested). But in any event, far from confirming that there was evidence that officers had taken bribes as the Article suggested, the "dossier" - which related to a police investigation called Operation Limonium - concluded that there was no evidence of corruption by officers.

It was also untrue for the Article to suggest that Ms Wass knew that Mr Gohil was an innocent whistle-blower; he was anything but. By the time the Article was published, Mr Gohil had been convicted by a jury in November 2010 of money laundering and

prejudicing a money laundering enquiry. He also pleaded guilty in December 2010 to a $37 million fraud on the Nigerian public purse. Thereafter, on 8 March 2011, he admitted and apologised for his criminality in open court.

Finally, and in any event, the decision to prosecute Mr Gohil for perverting the course of justice was not taken by Ms Wass, as the Article alleged – it was made by the Director of Public Prosecutions; as trial counsel, Ms Wass was deliberately kept separate from this decision by a Chinese wall. Contrary to the impression given in the Article, far from in any way misconducting herself it was *Ms Wass* who then discovered, in January 2016, a previous disclosure failure (in which she had had no involvement), which caused her to immediately advise the CPS that the case that the DPP had signed off had been brought on a fundamentally flawed basis. The DPP agreed and thereafter instructed Ms Wass to offer no evidence; this was confirmed at a hearing on the 21st January 2016. Ms Wass thereafter declined to accept any further instructions from the CPS in the Gohil-related cases.

In light of the prominent publication of these false allegations to the Mail on Sunday and MailOnline's very substantial readership, under such a sensational headline, Ms Wass immediately made a legal complaint through her then solicitors, within days of publication, demanding that the Article be removed from MailOnline and seeking the publication of a correction. Following the Defendant's refusal to comply with those demands, Ms Wass brought a complaint through IPSO, which upheld the complaint in August 2017.

The IPSO Committee ordered the Defendant to publish its adjudication, which it duly did in its print edition and online on 6 August 2017.

However, it was only after Ms Wass was forced to bring this complaint in libel that the Defendant finally removed the Article from its website.

Naturally, the publication of these extremely serious, false and defamatory allegations over such a prolonged period has caused enormous distress to Ms Wass, as well as very considerable professional concern and embarrassment given that the allegations went to the very heart of her professional reputation. That distress was exacerbated by the Defendant's unreasonable resistance to her IPSO complaint.

In recognition of the falsity of the allegations made against her, the Defendant has agreed to publish a full and prominent apology in the Mail on Sunday and on MailOnline,

and to join in the reading of this statement in open Court. Further, the Defendant has agreed to pay Ms Wass substantial libel damages, as well as her legal costs.

Defendant's Solicitor - Ms Alison Soens of Reynolds Porter Chamberlain LLP

My Lord, on behalf of the Defendant, I confirm all that my friend has said. The Defendant withdraws these false allegations and apologises to Ms Wass.

12 June 2018