Press Release

Carter-Ruck

Date: 12 June 2018

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Sasha Wass QC – top criminal QC secures full Court apology from Mail on Sunday

Sasha Wass QC, a senior Silk at 6 KBW chambers and one of the best-known and most highly-respected practitioners at the criminal bar, has secured a full High Court apology from the Mail on Sunday and MailOnline over a highly libellous article published on 9 October 2016. The Mail on Sunday has also agreed to pay Ms Wass substantial libel damages, which will be determined by the Court in due course, as well as her legal costs. As well as apologising in the High Court today, the Mail on Sunday and MailOnline will also be publishing full apologies this Sunday (17 June).

The offending article related to confiscation proceedings concerning Bhadresh Gohil, a disgraced former solicitor and self-confessed, convicted fraudster. The article consisted of a full two-page spread written by the journalist David Rose, and appeared under the banner headline ""*Revealed: How top QC 'buried evidence of Met bribes to put innocent man in jail*"" ("the Article"). It was accompanied by a large photograph of Ms Wass with the caption "*SCANDAL: Senior Barrister Sasha Wass"*.

SRA No. 44769

Relying on wild and disgraceful accusations made on Mr Gohil's behalf at a Court hearing, the article alleged that in conducting the case, Ms Wass had attempted to bury damning evidence that police officers responsible for investigating Mr Gohil had taken bribes; that Ms Wass had backed the bringing of baseless further criminal charges against Mr Gohil for perverting the course of justice, when in fact she knew he was an innocent whistleblower; that she had lied to the Court of Appeal and that she knew that tampered-with evidence had been placed before the Court. The article effectively suggested that Ms Wass had been involved in a criminal conspiracy. The Court of Appeal was later to describe the allegations as "fanciful."

As Adrienne Page QC, Leading Counsel for Ms Wass QC, told Mr Justice Nicklin at the High Court today and as the Mail on Sunday and Mr Rose have accepted, all of these allegations were completely and utterly untrue, and should never have been published. A full copy of the statement in open Court is attached herewith.

The reading of the joint statement in open Court and the publication of an unreserved apology represents a hugely significant and necessary milestone in Ms Wass's attempts to vindicate her reputation following the publication of these grotesque libels by the Mail on Sunday and David Rose, who chose to collaborate with a convicted, self-confessed fraudster and to report allegations

which, as the article crowed, saw Ms Wass *"facing professional ruin"* but which were simply untrue.

Remarkably, the Mail on Sunday's and Mr Rose's recklessness in publishing the article (and their disregard for the basic principles of responsible journalism) were matched by their behaviour afterwards. Soon after publication, Ms Wass sent a detailed, formal complaint to the Mail on Sunday setting out the clear falsity of what they had published. Those complaints were treated with disdain, forcing Ms Wass to make a formal complaint to IPSO in the hope that matters would be resolved swiftly and fairly. Little did she realise that, once again, the Mail on Sunday would adopt a wholly obstructive approach. Even when IPSO eventually ruled in Ms Wass's favour many months later in August 2017, the newspaper refused to publish an apology over and above the IPSO adjudication and - astonishingly – continued to publish the offending article online. It was only after Ms Wass instructed Carter-Ruck along with barristers Adrienne Page QC and Jacob Dean of 5RB that the article was removed and, finally, the Mail on Sunday agreed to publish a full apology and pay Ms Wass substantial damages for libel, which will be assessed by the Court in due course.

Speaking after today's High Court hearing, Ms Wass said:-

"This distressing saga began when David Rose contacted me two days prior to the publication of his article. He was covering a confiscation hearing involving £100 million in which a disgraced solicitor, Bhadresh Gohil, was making outlandish allegations against me in order to resist the forfeiture of the proceeds of crime.

I assisted Mr Rose with his factual enquiries, which I hoped would enable him to write an accurate and balanced piece. The Mail on Sunday distorted the information I had provided and falsely suggested in its article that I had made an admission to Mr Rose of wrongdoing. The article also failed to make clear that I did not – and would never - knowingly mislead the court. Prosecuting counsel are not rogue agents and act only on CPS instructions based on the evidence provided to them.

The article contained a catalogue of factual inaccuracies, which could and should have been avoided by reference to readily available public material accessible by any investigative journalist.

Four days after publication in October 2016, my then solicitors sent a complaint to the Editor of the Mail on Sunday directing them to witness statements and documents, which had been aired in previous court proceedings and which contradicted Mr Rose's article. Yet by February 2017, neither David Rose nor the Mail on Sunday had properly addressed my complaints, thereby compelling me to report the matter to IPSO.

On 17 March 2017, with the IPSO complaint ongoing, Mr Rose made an extraordinary personal appeal to the court, seeking the release of material which he presumably hoped might support the allegations against me. There was, of course, no such material.

It was not until 3 August 2017, ten months after the publication of the article, that the IPSO complaint was finally resolved in my favour.

The IPSO process was slow and the result hollow. Although the Mail on Sunday was forced to print the results of the adjudication, IPSO informed me that they had no power to require the Mail on Sunday to pay damages, reimburse my legal costs, apologise or prevent continued publication of the original article on the internet. By taking the deliberate decision to leave the article online, Associated Newspapers made a mockery of the entire IPSO remedy.

I was left with no option but to pursue the matter though the courts in order to obtain proper vindication for this devastating attack on my professional standing and reputation, to ensure the removal of the article from MailOnline and to seek suitable damages and reimbursement of my legal costs."

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