

**CLAIM NO.** \_\_\_\_\_

**IN THE HIGH COURT OF JUSTICE**

**QUEEN'S BENCH DIVISION**

**B E T W E E N :**

**PATRICK JOSEPH HILL**

**Applicant**

**-and-**

**(1) HARVARD UNIVERSITY PRESS  
(2) WES DAVIS**

**Respondents**

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**STATEMENT IN OPEN COURT**

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**Applicant's Representative**

May it please your Lordship, I appear for the Applicant, and [name of Respondents' representative] appears on behalf of the Respondents.

In 1975 the Applicant was wrongly convicted of the 1974 Birmingham Pub Bombings. He spent more than 16 years in prison fighting to establish his innocence. In 1991 his conviction was quashed by the Court of Appeal and, in 2001, the Home Office paid him compensation in recognition of the miscarriage of justice in his case.

Since then Mr Hill has set up the Miscarriages of Justice Organisation (known as MOJO) which provides accommodation, counselling, campaigning and help to others who, like him, have suffered miscarriages of justice. The organisation is very dear to him and he has dedicated enormous amounts of time and energy to it and to raising funding and

attracting official help, as well as committing much of his compensation to its continuance.

The First Respondent is the publisher of "An Anthology of Modern Irish Poetry", edited by Wes Davis, the Second Respondent.

On page 174 of the *Anthology*, in the preface to a selection of poems by Pearse Hutchinson, including the poem "*British Justice*" which the poet dedicated to Mr Hill, the Second Respondent wrote that Mr Hill was "*one of the six men accused, perhaps wrongly, of bombing a pub in Birmingham, England*". This statement, which by the insertion of the word "*perhaps*", suggests that there are grounds to believe Mr Hill was guilty of the bombing, is seriously defamatory of Mr Hill and extremely damaging to his reputation and his credibility and that of MOJO with which he is so closely associated. Mr Hill fought for years to establish his innocence and to rebuild his life and restore his good name. It is immensely frustrating and distressing for him that such an allegation appears in a book like the *Anthology* which is intended to be authoritative and which may well be in circulation for many years to come.

I am pleased to inform your Lordship the Respondents accept that this allegation is without foundation and should never have been published. The truth of the matter is that Mr Hill's conviction was quashed in 1991. There were therefore no grounds to allege that Mr Hill was "perhaps wrongly accused". In a letter to *The Irish Times* published on 9 July, the Second Respondent publicly stated the following:

*"...the word 'perhaps' in the sentence introducing Pearse Hutchinson's poem for Paddy Joe Hill is a terrible, inexcusable mistake and one for which I am deeply sorry. Mr Hill is an innocent man and no one is more entitled to his good name in print than he is."*

My Lord, the Respondents are here today through their solicitor to give the Applicant an unqualified apology both in open Court together with a similar correction and apology to be published and available on the First Respondent's website. In addition, in order to compensate him for the harm done to his reputation and to underline the sincerity of the apology, they have agreed to pay him damages together with payment of his reasonable legal costs. They have also undertaken that the words complained of will be removed

from any future editions of the Anthology. In those circumstances, Mr Hill feels that he has been vindicated and accordingly is content to let the matter rest.

**Respondents' Representative:-**

My Lord, on behalf of the Respondents, I entirely endorse and accept everything my Learned Friend has said. The Respondents regret that the offending passage was published and wishes to offer their sincere apologies to Mr Hill.

**Applicant's Representative:-**

My Lord in those circumstances I need only ask leave that the record be withdrawn

