

**IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
MEDIA & COMMUNICATIONS LIST**

BETWEEN

(1) **BENJAMIN MARC COHEN**
(2) **ANTHONY THOMAS JAMES**

Claimants

-and-

BRITISH BROADCASTING CORPORATION

Defendant

AGREED JOINT STATEMENT IN OPEN COURT

Claimant's counsel

1. My [Lady/Lord], in this action for libel, I appear on behalf of the Claimants.
2. The First Claimant is the Chief Executive Officer ("CEO") and founder of PinkNews Media Limited ("**PinkNews**"), a UK-head quartered media company consumed in the UK, the US and worldwide. He is a well-known journalist and campaigner, particularly in relation to LGBTQ+ rights and disability.
3. The Second Claimant is a director and Chief Operating Officer ("**COO**") of PinkNews. He is a former GP and until 4 February 2025 he was an associate non-executive director with Bedfordshire Hospitals NHS Foundation Trust.
4. The Claimants are married and have an infant son born through surrogacy.
5. The Defendant is the United Kingdom's national and pre-eminent public service broadcaster and news provider.
6. From 10 December 2024 the Defendant broadcast and published via BBC iPlayer, a documentary programme entitled "*PinkNews: Behind Closed Doors*". The Programme made a series of very serious, false, and defamatory allegations about

each of the Claimants including that they enabled and tolerated sexual misconduct by themselves and each of them towards junior staff at the company.

7. These allegations were then repeated in an article published on the Defendant's BBC's news website on 10 December 2024, with a further allegation that the Claimants had placed inappropriate pressure on young, female members of staff at PinkNews to act as surrogates for them.
8. These allegations were false and extremely harmful to the Claimants' reputations. They were – unsurprisingly – picked up and republished by other national media outlets and across social media.
9. As a result of the Defendant's publication, the Claimants were subject to additional investigations by CAFCASS (Children and Family Court Advisory and Support Service) ahead of the parental order hearing at the Family Court in respect of their son, who had been born via a surrogate. This caused the Claimants considerable anxiety and distress during a time when they ought to have been able to focus on their newborn son.
10. As a direct result of the Defendant's publication of the imputations complained of, the First Claimant felt compelled to resign as a trustee of the global disability charity Humanity and Inclusion and the Second Claimant felt compelled to resign from his role as associate non-executive director on the board Bedfordshire Hospitals NHS Foundation Trust .
11. The Claimants brought proceedings for defamation against the BBC in respect of both the programme and the article. The BBC apologises and has agreed to pay them compensation, which the Claimants intend to donate to the Multiple Sclerosis Society and Bedfordshire Hospitals NHS Charity.

Counsel for the Defendant

12. On behalf of the Defendant, I accept everything that My Learned Friend has said. The BBC retracts and apologises unreservedly for the defamatory allegations made in the programme and the article.