

The Sun had published an article identifying Imogen Thomas as having had a sexual relationship with a footballer.

The unnamed claimant, a married man with a family, sought to continue an anonymised injunction, restraining the newspaper from publicising his identity and revealing more details.

Ms Thomas texted the claimant in twenty eleven asking for £50,000, leading him to conclude that she was thinking of selling her story.

Concerned that she would go to the press, he agreed to meet her at hotels where he was staying. At various times that they met, he gave her signed shirts and football tickets which she requested. Eventually he agreed to pay the £50,000; subsequently, this was increased to £100,000.

In April twenty eleven, Ms Thomas told the footballer that The Sun was thinking of publishing a story of a six months affair, supported by photos of her visiting the hotels.

The court was of the view that on the evidence, it appeared that the claimant might well have been “set up” with Ms Thomas arranging the hotel rendezvous in collaboration with The Sun.

In his deliberation, Mr Justice Eady took the view that there was no legitimate public interest in publishing the footballer’s identity.

The court needed to consider the claimant's family members and their rights to a private life. He was also entitled to a reasonable expectation of privacy since no counterargument had been put forward to suggest that The Sun’s and Imogen Thomas’s rights to freedom of expression and information should prevail.

Ms Thomas was entitled to sell her life story but without revealing details and without intruding on the privacy rights of others.

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