

**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION**

BETWEEN:

CHRISSY CHAMBERS

Claimant

-and-

(1) DCR (a protected party by his litigation friend Julie Burton)

(2) VHP

Defendants

STATEMENT IN OPEN COURT

Counsel for the Claimant

1. My Lord, in this action I represent the Claimant.
2. This is a claim for breach of confidence, misuse of private information and harassment. The Claimant is a private individual based in Los Angeles, California, USA who works as an actress and singer and operates, with her partner Brianna Kam, a very successful YouTube platform aimed mainly at teenage girls. The First Defendant is a private individual, resident in the UK who, for legal reasons, cannot be identified in the proceedings.
3. The Claimant and the First Defendant had a romantic relationship from 2008 to 2009. On 3 September 2009, the First Defendant, without the Claimant's knowledge or informed consent, recorded films of himself engaging in sexual activity with the Claimant in her home in Atlanta, Georgia.
4. The Claimant maintained sporadic contact with the First Defendant after the end of their relationship in October 2009. The First Defendant then moved back to the UK.
5. On 20 December 2011, 22 December 2011 and 30 January 2012, unbeknownst to the Claimant and without seeking her consent, the First Defendant uploaded six films of the Claimant which he had recorded on 3 September 2009 to a profile on Redtube.com, a pornographic website. The titles of three of these films contained the Claimant's full name, and two of them contained her age (18 years) at the time of filming.
6. On 11 June 2013, the Claimant was alerted for the first time to the presence of the six films containing her likeness on Redtube.com by a friend who had come across them. She immediately wrote to Redtube.com to have them removed, but by then the Films had

already been online for 19 months, and many of the Claimant's YouTube fans and associates had already seen them. The Claimant received numerous comments and messages from YouTube users who wrongly believed, as a result of viewing the films, that she had been intentionally involved in pornography, and who therefore no longer wished to view her YouTube content.

7. The Claimant has suffered serious distress as a result of the discovery that the First Defendant filmed her while having sex; that those films were uploaded to the internet without her knowledge or consent; that they were tagged with her first and last names so that she could be readily identified and so that links to these images would be returned by search engines in response to a search for her name; as well as by the knowledge that deeply personal and private films of her in her private life were available on the internet for an extensive period of time to be scrutinised and viewed by strangers or acquaintances. As a result she suffered serious emotional and psychological difficulties resulting, for a time, in substance abuse and relationship difficulties. She has been diagnosed with PTSD and undergone specialised trauma therapy. She continues to have flashbacks and nightmares relating to the disclosure of the films.
8. On 1 March 2016, the Claimant, through her solicitors, McAllister Olivarius, commenced proceedings in the High Court against, *inter alia*, the First Defendant. Before bringing the claim, the Claimant conducted a crowd-funding campaign on the internet, seeking both to raise the money to issue the claim and thereby to protect and vindicate her own privacy rights, and also to raise public awareness of the suffering of people whose private sexual information is publicly shared or put on the internet by their partners or former partners without their consent.
9. I am here today to announce that the First Defendant has admitted to the Claimant that his uploading of the videos to Redtube.com constituted breaches of confidence and a misuse of her private information, and a breach of her Article 8 rights. He accepts that the Claimant's private information should not have been shared in this way and that his actions in sharing the films publicly constitute breaches of confidence and misuse of her private information. He accepts liability for his unlawful activity, and regrets the serious distress and suffering caused. The First Defendant has also assigned his copyright in the films to the Claimant, and measures have been taken to ensure the deletion and destruction of any and all remaining images and films containing the Claimant's likeness in the First Defendant's possession.
10. The First Defendant has also agreed to pay the Claimant substantial damages and her legal costs.
11. In light of the settlement that has been reached with the First Defendant, the Claimant's objectives in bringing these proceedings against him have been achieved. I ask for permission for the claim against the First Defendant to be withdrawn.