

# Dubious press amendments

by Francis Bennion

When on Monday 25 March 2013 the House of Lords considers the Commons amendments designed to implement the Leveson report I hope they will reject them as being contrary to the rule of law.

I say this because they would use unlawful means to punish any newspaper proprietor who failed to participate in the scheme of media regulation thought up by the Government and proposed to be implemented by a Royal Charter drafted under Government supervision.

The unlawful means are twofold. They are (1) an interference with the powers of the courts to award or withhold exemplary damages, and (2) an interference with the powers of the courts to award or withhold costs. Both amount to contempt of court, and together they represent a kind of legalized blackmail (defined in the old case of *Rex v. Gardner* as “the attempt to obtain money or other advantage by threats of injury to persons or property”)<sup>1</sup>.

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*The Times* 22 Mar 2013.

Any footnotes are shown at the bottom of each page

For full version of abbreviations click ‘Abbreviations’ on FB’s website

## References:

None

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<sup>1</sup> *The Times* 22 March 2013.