

ROYAL COURT

17th June, 1988

Before: the Bailiff,
assisted by
Jurats Blampied and Mrs Myles

Representation of Her Majesty's
Attorney General, alleging contempt
of Court by the British
Broadcasting Corporation

The Attorney General.
Advocate P. de C. Mourant for the
British Broadcasting Corporation

JUDGMENT

BAILIFF: This was an admitted serious contempt and quite properly, as one would expect from the BBC, they do not attempt to maintain otherwise. Furthermore, having apologised, in the words of the Attorney General, graciously, they have endeavoured to put right the mistakes or the arrangements of management and broadcasting that contributed to some extent, and I say deliberately to some extent, to the contempt. We also have to take into account the person they were dealing with, who was clearly on the verge of an hysterical outburst, as is clear from her subsequent behaviour. There is a distinction, in our view, between a broadcast and a newspaper report where the editors and the journalists have time to put it together and to reflect, as I hope they do, on the effect of the particular article.

At the same time, we do not think the contempt before us now is at the bottom end of the scale as was "The Jersey Evening Post's" case concerning Mr Weston, nor yet do we think it is of quite the same sort of contempt as that of "The Sun" newspaper, to both of which we were referred. But it was grave contempt and we think that the proper fine under the circumstances is a fine of £3,000.00 and £500.00 costs.

Authorities

Representation of Attorney General re Weston -v- Valpy: (13th February, 1976) 40 P.C. 62.

Attorney General -v- News Group Newspapers Ltd (1982) 4 Cr. App. R. (S) 182.

Attorney General -v- News Group Newspapers Ltd (1984) 6 Cr. App. R. (S) 418.