



All the news that's not fit to print

The use of injunctions to squash stories is increasing because of the courts' latest actions to protect claimants' privacy.

The impact of this approach on freedom of expression is considered by Caroline Kean, litigation partner. She says the rise of the false private ground for injunctions is a worrying trend.

"If the publisher is willing to say they will defend to trial, there should be no prior restraint, and judges should be astute to avoid developing a gagging mechanism when in current society we need more, not less press freedom. Claimant's shouldn't be able to have their cake and eat it - either they are applying for an injunction for libel, in which case the defendant should say whether the claims can be defended or they're seeking an injunction on existing and acknowledged privacy grounds".

For further details see The Guardian Media Law Supplement, 10 March 2008.