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Costs order against scientologists

The Church of Scientology of California was ordered in the High Court yesterday to pay the costs of the publishers of three national newspapers whom they had brought to court to face injunction proceedings.

Mr. Justice Fisher also ordered that the church could not proceed with libel actions against the News of the World Ltd., Beaverbrook Newspapers Ltd., and Daily Mirror Newspapers Ltd. until the costs are paid.

At the start of yesterday's hearing, Mr. Leon Brittan, counsel for the church, told the judge that he was no longer asking for the interlocutory injunctions restraining further publication of the alleged libels.

After a 65-minute hearing in private the judge gave permission for his judgment to be published.

He said the church claimed damages alleging libel in articles in the News of the World, Sunday Mirror, and Daily Express.

An application last Thursday for ex-parte injunctions was refused. The defendants had filed evidence for yesterday's hearing, but counsel for the church now said he no longer asked for the orders. Accordingly, the applications would be dismissed and the only question he had to decide was on costs.

Mr. Justice Fisher went on: "I was asked to direct that the hearing of this summons should take place in open court. I undoubtedly have power to do so, but it seems to me that there was little or

nothing left to hear and it was quite unnecessary to hear applications for costs in open court."

The newspapers had asked that the costs of the hearing should be taxed and paid at once. Counsel for the church had not resisted the application, and he would make an order accordingly.

The judge refused to make a special order on the method of assessing costs which the defendants had sought alleging that the applications were vexatious and unnecessary. He said he thought the ordinary order for costs was sufficient. The defendants also asked that the proceedings should be suspended until the costs of the hearing were paid.

The judge said that one of the church's officers had stated that it was a non-profit-making organization incorporated in California but also registered in this country.

"They are a foreign corporation", he said, "and I have no grounds for being satisfied that the defendants could successfully execute for the costs on property of the plaintiffs in this country."

He would make the order accordingly.

The judge said the order for costs would also be against Mrs. Jane Kember, an official of the church, of Challow, Courtilands, Sharpthorne, near East Grinstead, Sussex, in actions where she was co-plaintiff.

After the hearing, a spokesman for all the defendants said that they would strongly resist the proceedings and would plead justification, fair comment, and privilege.