

# Scientologists fail to suppress book about church's founder

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By Peter Murtagh

An attempt by the Church of Scientology to suppress publication of a book about its founder, Mr Ron Hubbard, failed yesterday when the High Court ruled that legitimate public interest far outweighed an alleged breach of confidentiality. The court ruled that the church's action was "oppressive and mischievous."

The book, *Barefaced Messiah*, by Mr Russell Miller, is due to be serialised later this month in a Sunday newspaper. The church alleged that the book contains two photographs of the late Mr Hubbard which were confidential, as well as extracts from his diaries and letters from his mother, allegedly obtained in breach of a California court order.

The church, whose members believe that the arrival on earth of Mr Hubbard was an event of cosmic significance, has been accused of splitting up families by converting children against the wishes of their parents. After a Home Office inquiry, scientologists were banned from entering Britain, but this restriction was lifted in 1980.

The church sought an injunction banning publication of the book until a full hearing of its case for the permanent suppression of the disputed material could be arranged. The Court of Appeal later accepted

an undertaking from Penguin Books not to display or sell the book until an appeal by the church was heard on October 19.

One of the photographs of Mr Hubbard was not used in the church's official literature, but was obtained by Mr Miller from a library which supplied authors. The second picture was a snapshot of Mr Hubbard on a beach with other members of the church.

Other material included in Mr Miller's book comes from diaries written by Mr Hubbard between 1927 and 1929. The diaries were obtained originally by a Mr Armstrong, who



Ron Hubbard — had 'cosmic significance'

helped Mr Hubbard write his official biography. Mr Armstrong later severed his relationship with the scientologists, but claims he kept archive material as protection against harassment by members of the sect.

The church succeeded in obtaining an injunction against Mr Armstrong in California and argued in the High Court that he also had a duty to keep the material confidential.

Mr Justice Vinelott said the church could not transfer to itself any duty of confidentiality which Mr Armstrong may have owed to Mr Hubbard. "It does not follow from the fact that Mr Hubbard may have had an interest in keeping his diary confidential that the church has the same interest as Mr Armstrong's employer."

Public interest in the affairs of the church and the life of its founder "far outweighed" any duty of confidence.

He said it was simply incredible for the church to argue that it could be injured by publication of the portrait picture of Mr Hubbard or the snapshot. Penguin Books, on the other hand, could be harmed if publication of the book was delayed. The church had applied for an injunction at a time when it would cause the greatest possible damage and inconvenience and was, therefore, oppressive, he said.