

MIND CULT MUST PAY COSTS —JUDGE

Express Staff Reporter

THE Church of Scientology of California yesterday abandoned its applications for interim libel injunctions against the Daily Express, News of the World and Sunday Mirror.

Mr. Justice Fisher, in the Vacation Court, ordered the church — a foreign corporation registered in London under the Companies Act — to pay the newspapers' costs forthwith.

He stayed further proceedings in the three libel actions until the costs have been paid. The writs were issued last Wednesday.

In a judgment delivered for publication yesterday after an hour-long private hearing, Mr. Justice Fisher said that last Thursday he refused to grant *ex parte* injunctions forbidding any repetition of the statements alleged to have been libellous.

But he gave leave yesterday for notice to be served on the newspaper publishers for an expedited hearing.

EVIDENCE

He added: "All these defendants have filed evidence and are represented by counsel.

"At the start of the hearing counsel for the Church of Scientology of California told me he no longer asked for an interlocutory (interim) injunction."

The defendants, he said, all asked for three special orders in relation to costs — that they should be paid forthwith, that they should be made on the rarely used indemnity basis and that pending payment of these costs the proceedings in the action should be stayed.

He granted the order for immediate payment, which was unopposed.

Of the request for full indemnity he said: "It has been strongly represented to me that these applications for injunctions ought never to have been made."

He undoubtedly had the power to make the special order and it was suggested that such an order should be made in special cases of vexatious and unnecessary summonses.

IN THEORY . . .

But counsel had not been able to refer him to any case where that power had been exercised in order to indicate the court's view that a particular application should not have been made.

In theory the ordinary formal order should be enough to enable a party to conduct litigation and should be sufficient to do justice.

Granting a stay of further proceedings until costs have been paid, the judge added:

"The Church of Scientology of California is a foreign corporation 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."

A spokesman for the three defendant publishers said later: "The defendants will strongly resist these libel proceedings and will plead justification, fair comment and privilege."