

Press freedom challenged in Britain's high courts

United Press International
LONDON — Freedom of the press has been attacked in many strange ways, but few have been so strange as the one involving a pretty Londoner named Harriet Harman.

"This is a black day for the openness of our courts and for press freedom," Ms. Harman said when the House of Lords, Britain's highest appeal court, found her guilty of contempt of court.

"This is another case of the state and its agencies seeking to draw the rules so the truth can be silenced," Ken Ashton, chief of the National Union of Journalists, said. He said the courts had "struck yet another blow at the freedom of the press."

Harriet Harman is a lawyer. She represented a man suing the

Home Office, Britain's interior ministry. She forced this arm of government to produce 2,800 documents which had been guarded with stubborn secrecy in a country with no freedom of information law.

During the trial about 800 of these documents were read in open court. They thus became a matter of public record. Even now, months later, anyone can read them by buying a transcript of the trial.

Ms. Harman gave them to a reporter.

For this she was charged with contempt and found guilty.

She appealed all the way to the House of Lords. By 3 to 2, the law lords found her guilty again, and ordered her to pay the government's prosecution costs, 25,000 pounds (\$46,250).

"It is absurd for the Lords to rule that documents read out in public are secret," she said.

Lord Diplock, who delivered the majority verdict, said the case had nothing to do with freedom of speech, freedom of the press, the openness of justice or documents in the public domain.

What happened, Lord Diplock said, was that Ms. Harman obtained the documents for a specific purpose and went beyond that purpose.

Furthermore, he said, there were two kinds of court reporters, those working for law reports and those producing accounts for the media. Showing the documents to the first kind was fine. Showing them to the second kind was contempt of court.

Civil libertarians said this was "an absurd distinction." Two dissenting law lords agreed.

Ms. Harman says she is appealing the case to the European court of human rights.

She was prosecuted under a new British law of contempt of court, which took effect last fall. It toughens still further some of the world's toughest libel and contempt laws.

"This is a liberalizing bill, and it is intended to be a liberalizing

bill," said Lord Hailsham, the Lord Chancellor, in introducing it.

The new law applies contempt provisions from the moment an arrest is made in a criminal case — merely printing the name of the arrested person is considered contempt — or from the moment trial is agreed in a civil case. It extends contempt rules until all appeals are finished.

It bars any attempt to obtain, disclose or solicit information about anything that goes on in a jury room. In other words, it is against the law to ask a juror how a decision was reached, or for a juror to tell even his family about his experience.

It is contempt to tape-record court proceedings unless a judge approves. Recently the Observer newspaper made history by gaining permission to use a pocket tape recorder in court.

Cameras cannot be used "within the precincts of the court," which extend outside the court building. A judge can order that publication be postponed of reports on any open court proceedings which, in his view, prejudice some other proceedings.



staff photo by Eileen M...

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Taxpayers can get break by deducting medical costs

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Taxpayers who itemize their deductions should not overlook medical and dental expenses incurred during 1981, notes Com-

merce Clearing House, a national reporting authority on tax and business law.

Individuals may deduct half of the premiums paid for medic-

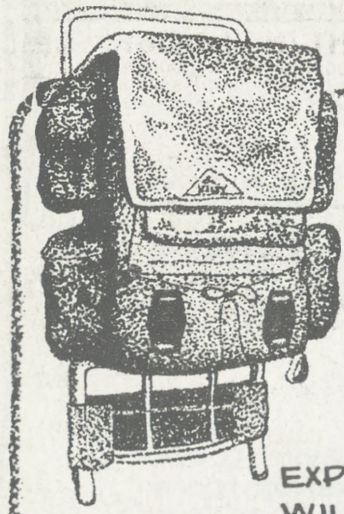
al insurance, up to \$1,500 of amounts paid for medicines, drugs which exceed 1 percent of adjusted gross income; and other medical expenses, including the remaining portion of insurance premiums, which exceed 3 percent of the adjusted gross income.

A married couple who incurred significant medical bills might find it advantageous to file separately since the limitations are based on the adjusted gross income of the person claiming the deductions. A taxpayer is also entitled to deduct those expenses for an individual who was a spouse or a dependent at the time the expenses were incurred.

The types of expenses that qualify are not always clear. Obviously, medical insurance premiums are deductible if they provide for reimbursement of hospitalization costs, prescription drugs and doctor and dental visits.

However, also deductible are premiums for policies providing contact lens replacement; unpaid health protection policies for post-age 65 medical care (paid for a period of at least 12 years); Medicare B premium; Medicare A premiums, if they are paid voluntarily; and other insurance policies, if the medical care portion is separately stated and it is not unreasonable.

No deduction is available for reimbursed medical expenses. Unreimbursed expenses paid for essential medical care, including transportation, are deductible.



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