

**IN RE: THE CONTEMPT PROCEEDING AGAINST THE
EDITOR-IN-CHIEF OF THE MONROVIA DAILY NEWS.**

CONTEMPT PROCEEDINGS.

Heard: December 14, 1994. Decided: February 16, 1995.

1. Every person shall have the right to freedom of expression, being fully responsible for the abuse thereof. This right shall not be curtailed, restricted or enjoined by government save during an emergency declared in accordance with the Constitution.
2. The right to freedom of expression encompasses the right to hold opinions without interference and the right to knowledge. It includes freedom of speech and of the press. LIB. CONST., Art.15 (a) (b).
3. Any improper reporting by any newspaper which shows disrespect to the Supreme Court or exposes the Supreme Court to ridicule or disrepute, will be appropriately punished by the court.
4. A person may be purged of contempt and given a stern warning where he offers an apology and demonstrates a penitent behaviour before the court.

The Editor-in-Chief of the Monrovia Daily News was cited by the Supreme Court to appear and show cause why he should not be held in contempt for publishing a misleading story that has the propensity of exposing the Court to ridicule or disrepute. The Editor-in-Chief appeared on his own behalf and regretted that the article was not properly checked before going to print and that there was not the slightest intention on his part to disrespect the court or to expose the court to any ridicule or disrepute. He then apologized, assuring the court that much care will be exercised in the future not to publish such incorrect news account about the court. The Supreme Court purged the Editor-in-Chief of the contempt charge because of the apology offered and his penitent behavior before the Court.

MR. JUSTICE HNE delivered the opinion of the Court.

"Every, person shall have the right to freedom of expression, being fully responsible for the abuse thereof. This right shall not be curtailed, restricted or enjoined by the government save during an emergency declared in accordance with this Constitution.

The right encompasses the right to hold opinions without interference and the right

to knowledge. It includes freedom of speech and of the press " LIB. CONST. Art.15 (a)(b).

We respect these fundamental freedoms enshrined in our Constitution. We do not subscribe to interference with or curtailment of any of them. The Constitution of course cautions against their abuse. It is the responsibility for abuse thereof that we are now concerned with.

On the 9th of December, 1994 the Monrovia Daily New appeared with an article headlined "SUPREME COURT FREEZES GOVERNMENT'S ACCOUNT". The article itself is incongruous with the headline, in that it relates to a story which states that the Civil Law Court had granted a preliminary order of injunction against the payment to the Government of Liberia any funds deriving from the maritime revenues. The suit was instituted by the Concerned Women of Liberia.

We felt that the headline carried by the paper cast this court in an improper light, giving a false information about the court. Such a false information, we deem not to hold the court in repute and so we looked upon it as being contemptuous to this Court.

We therefore issued a writ of summons against the Editor-In-Chief of the Monrovia Daily News to appear before this court on the 14th day of December, 1984 to show cause why he should not be held in contempt for publishing such misleading information about this Court.

When the case was called on the 14th day of December, 1994, the Editor appeared on his own behalf.

When the writ was read to him he answered that he regretted that the article was not properly checked before going to print and that there was not the slightest intention on his part to disrespect the court or to expose the court to any ridicule or disrepute. He then apologized, assuring the court that much care will be exercised in the future not to publish such incorrect news account about the court.

We must observe here that of late there has been a wave of newspaper articles that have not exhibited professional journalism, especially regarding the responsibility enjoined by the Constitution.

While we subscribe to and respect freedom of the press, we wish to make it clear that any improper reporting by any newspaper which shows disrespect to this court or

exposes the court to ridicule or disrepute, will be appropriately punished by the court.

In the present case, because of the apology offered by the Editor-In-Chief, coupled with his penitent behaviour before this court, we have decided to purge him of contempt and to give him a stern warning.

In view of the above, it is the decision of this court that because of the apology offered to this court coupled with his penitent behaviour during the hearing of this case, the EditorIn-Chief of the Monrovia Daily News be and is hereby purged of the contempt charges against him with the warning against a repetition of any similar incident in the future. And it is hereby so ordered.

Respondent purged of contempt.