



Freedom Of Speech And Expression And Contempt Of Court

Publications

Abstract: "I will hold you in contempt of court." We have often come across this statement somewhere. But do we know about it? The Times of India published a hearing of a two-judge bench of the Supreme Court noted that the power to punish for contempt was necessary to 'secure public respect and confidence in the judicial process.'

Every citizen is granted the freedom of speech and expression which includes them questioning the court, the judiciary as an institution, and its functioning. While on the other hand, the court has a discretionary power to punish them back on their statement which lowers the dignity of the court. This clearly shows a conflict between the contempt of court and freedom of speech and expression but also on the other hand they are equally important for a democratic set-up as they are made for the benefit of the people.

Contempt of court grants fair administration of justice whereas freedom of speech and expression grants judicial accountability. In modern times, freedom of speech and expression is considered the mother of all liberties and is accepted as the essence of society. People use it to write or publish any criticism on the judiciary which is fair and true without any contempt proceedings. The abuse of liberty of free speech and expression takes the case towards the law of contempt. The contempt of court is not only exercised to protect the dignity of the judge but also to protect the administration of justice.

Introduction

Rule of Law is the basic principle to govern any civilized and democratic country. This principle maintains the supremacy of law, bringing everyone under its control without any subjective discretion. Our imminent constitution-makers have made certain fundamental rights for the citizens to guide them through and towards a democratic country. Freedom of speech and expression is mostly considered as the fundamental

Freedom Of Expression And Contempt Of Court

Helen Fenwick



Freedom Of Expression And Contempt Of Court:

Freedom of Expression and the Criticism of Judges Michael K. Addo, 2000 In a collection of essays from selected European jurisdictions this book assesses the legal situation of the offences associated with the criticism of judges It undertakes a comparative study of the management of the conflicting demands between freedom of expression and the independence of judiciary within a European context *Contempt of Court and Freedom of Speech* Bibha Tripathi, 2010 Freedom of speech and a free and fair justice delivery system are two most important components of democracy and striking a balance between them is a must for its smooth running The law of contempt of court in India has assumed immense social and political significance due to growing judicial tendency to gag and often to subjugate the democratic aspirations and dissent This book presents a critical assessment of the freedom of speech as enshrined in the Indian Constitution and encroachment on it by the proactive approach of judiciary through the instrument of the law of contempt of the court Tracing the history of the contempt of court it discusses at length the various aspects of democracy and freedom of speech the status of contempt of court in various countries the law of contempt and constitutional guarantees and judicial accountability It also tries to explore gender biases in the delivery of justice in the cases related to the contempt of court **Civil Liberties and Human Rights** Helen Fenwick, 2002-01-02 This third edition has been extensively re written in order to consider the impact of the Human Rights Act 1998 It takes extensive account not only of the Strasbourg jurisprudence but also of a number of key domestic decisions in the post Human Rights Act era Particular attention is paid to Labour legislation including the Terrorism Act 2000 the Regulation of Investigatory Powers Act 2000 the Data Protection Act 1998 the Freedom of Information Act 2000 and the Criminal Justice and Police Act 2001 This book is a detailed thought provoking and comprehensive text that is valuable not only for students but also for all those interested in the development of civil liberties in the Human Rights Act era **Media Freedom and Contempt of Court** Eric Barendt, 2017-07-05 The essays discuss the restrictions imposed by contempt of court and other laws on media freedom to attend and report legal proceedings Part I contains leading articles on the open justice principle They examine the extent to which departures from that principle should be allowed to protect the rights of parties in particular the accused in criminal proceedings to a fair trial and their interest in being rehabilitated in society after proceedings have been concluded The essays in Part II examine the topical issue of whether open justice entails a right to film and broadcast legal proceedings The articles in Part III are concerned with the application of contempt of court to prejudicial media publicity they discuss whether it is possible to prevent prejudice without sacrificing media freedom Another aspect of media freedom and contempt of court is canvassed in Part IV whether journalists should enjoy a privilege not to reveal their sources of information *Constitutional Law, Administrative Law, and Human Rights* Ian Loveland, 2021 Constitutional Law Administrative Law and Human Rights provides an introduction to public law which draws on developments in politics the law and society to help the reader gain a fundamental

appreciation of the law in its wider context In addition it explores the latest ongoing debates around potential constitutional reforms and the author's stimulating style encourages critical analysis Digital formats and resources The ninth edition is available for students and institutions to purchase in a variety of formats and is supported by online resources The e book offers a mobile experience and convenient access along with functionality tools navigation features and links that offer extra learning support www.oxfordtextbooks.co.uk/ebooks <http://www.oxfordtextbooks.co.uk/ebooks> The online resources include an online casebook with edited versions of leading cases and relevant legislation a selection of mind maps to help with revision bonus chapters on the history of the EU and suggested tutorial outlines for lecturers *Freedom of Expression in England and Under the ECHR* Heleen Bosma, 2000 6 Contempt of Court Free Expression and Democracy Kevin W. Saunders, 2017-03-21 An examination of differences in how the world's democracies address a variety of issues involving free expression **The Journal of the Law Society of Scotland**, 1982 **Freedom of Expression and the Charter** David Schneiderman, 1991 *Freedom of Speech in Australian Law* Michael Chesterman, 2000 Will fill a gap in Australian legal literature by systematically investigating the topic of what useful borrowings Australia may now make from American law and political theory on freedom of speech One of its two major themes is that these borrowings should be selective and discerning The second major theme concerns the impact which the implied freedom of political discussion should have upon existing Australian laws which curtail such freedom *Some Aspects of Freedom of Expression* Tissa Kāriyavasam, 1994 Papers read at the Seminar on Freedom of Expression the Sri Lanka and U S Experience held on 19th and 20th Mar 1994 at Anuradhapura South African Criminal Law and Procedure: General principles of criminal law E. M. Burchell, Jonathan M. Burchell, P. M. A. Hunt, 1997 South Africa's recent Bill of Rights has already started to exert an influence on the criminal justice system This third edition of the text attempts to determine the extent these principles reflect or contradict the rights and freedoms embodied in South Africa's Constitution The Northwestern Reporter, 1922 **Freedom of Speech and Expression Under the Constitutions of India and the United States** C. K. N. Raja, 1979 **Reports of Cases Argued and Determined in the Supreme Court of Tennessee** Tennessee. Supreme Court, William Wilcox Cooke, Joseph Brown Heiskell, Jere Baxter, Benjamin James Lea, George Wesley Pickle, Charles Theodore Cates, Frank Marian Thompson, Charles Le Sueur Cornelius, Roy Hood Beeler, 1915 New York Court of Appeals. Records and Briefs. New York (State)., All India Reporter, 1918 Vols 1 36 1914 1949 1999 issued in separate parts called sections e.g. Journal section Federal Court section Privy Council section Allahabad section Bombay section etc *United States Supreme Court Reports* United States. Supreme Court, 1963 First series books 1 43 includes Notes on U S reports by Walter Malins Rose **Reports of cases argued and determined in the Supreme Court of Tennessee**, 1915 **Canadian criminal cases**, 1993

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