

Kate Provence Pictures: the Remarkable Irish Remedy

In this era of increasing “approximation” of European laws, some readers might sometimes wonder whether choice of law is gradually losing relevance.

Well, it seems that, in the area of privacy and rights relating to personality, it really does not. In France, victims of privacy infringements can get damages and injunctions. In Ireland, these remedies are probably available, but it is also possible to get the editor of the newspaper suspended and indeed to shut down the newspaper all together.

The Irish Daily Star published in September pictures of the Duchess of Cambridge sunbathing in the South of France.

This did not make one of the owners of the Irish Daily Star happy at all, the BBC has just reported:

Media tycoon Richard Desmond, whose Northern and Shell group co-owns the paper, had threatened to shut it down.

The Dublin-based Irish Daily Star said in a statement: “As a result of the publication on 15 September 2012, issues arose with the shareholders of Independent Star Limited.

“Having considered those issues in tandem with Mr O’Kane, it is Mr O’Kane’s decision to resign as editor of the Irish Daily Star, effective immediately.”

Northern and Shell group co-owns the newspaper with the Irish-based Independent News and Media.

Independent News and Media said Mr O’Kane acted at all times in a highly professional and appropriate manner and in the best interests of the newspaper.

He followed all editorial policies and guidelines, it added.

Both co-owners had criticised the decision of Mr O’Kane to publish the pictures,

although Independent News and Media said closing down the title would be disproportionate.

One wonders whether other Member states have even more spectacular remedies. Rumour has it that a cell in the Tower of London is being currently prepared in case a member of the English press might be tempted to follow a similar path. The English press being notoriously well behaved, however, it seems unlikely that this new Nuclear Weapon would ever be used.