

**David Hooper** The man who created the modern libel industry was a dedicated liar and a reactionary v

# The Carter-Ruck chill

**T**he libel lawyer Peter Carter-Ruck, who died on Friday, had a chilling effect on the media. He was a chancer, out for the maximum fee. And he did for freedom of speech what the Boston Strangler did for door-to-door salesmen.

Until Carter-Ruck got his teeth into the libel law, actions were infrequent and inexpensive. But from the 1950s, Carter-Ruck became the leading libel lawyer and clients sought him out. He honed his menacing letters to encourage socialites to sue for imagined slights and fashion a weapon for politicians to suppress hostile stories. He preferred the bludgeon of the writ to the rather more effective call to an editor preferred by Lord Goodman. He established the

idea that libel law was complicated and merited very high fees. In the process he became very rich. "I like to bill the clients as the tears are flowing," he told me.

Libel was good to him: four homes, a Rolls-Royce and a string of yachts called Fair Judgement. But perniciously he built a libel factory, paid for by the media's legal and insurance bills. Carter-Ruck had some novel techniques. You could only settle a libel action by paying his exorbitant fees without any question of the bill being checked by the court. He hit upon the wheeze of Randolph Churchill retaining all the libel QCs to prevent them acting for Private Eye (a practice since banned) and of serial libel actions, as in the case of Princess Elizabeth of

Toro (which brought us the term "Ugandan discussions").

His practice had rightwing connections. With Carter-Ruck at the helm, the firm of Oswald Hickson Collier acted for the Conservative party and the likes of Norman Tebbit and Cecil Parkinson.

In his memoirs he praised the rightwing financier Sir James Goldsmith for alleviating the injustice of the lack of legal aid with money from a foundation. He said it let solicitors assess cases in the same way as the Legal Aid Board would. However, the assessor was none other than Carter-Ruck, and his firm was paid, win or lose. The beneficiaries tended not to be widows and orphans but rightwing politicians such as Neil Hamilton, who trousered £20,000 from

the BBC for a Panorama programme — Carter-Ruck's bill was £240,000.

The Goldsmith Foundation's other beneficiaries included Brian Crozier, a cold war enthusiast with intelligence links, and an official of the breakaway Union of Democratic Mineworkers who sued Arthur Scargill.

Once described as the Margaret Thatcher of defamation law, Carter-Ruck was a conviction libel lawyer. If he acted for the plaintiff, he thought it the most outrageous libel; if for the defendant, the case should never have been brought. The common thread was to extract the maximum.

Carter-Ruck had one row after another with his partners. In 1977 they tried to boot him out and after four years' litiga-

tion were successful when he decamped to another part of the same building to form Peter Carter-Ruck & Partners. Within four years all his founding partners had left, including his daughter.

I left his firm in pure Carter-Ruck circumstances. Heine-mann, for whom we acted, was publishing a book about the Ford family, by Robert Lacey. I was told by Carter-Ruck that there was no con-

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flict in our advising. Lacey sent part of the book to Henry Ford for comment. Later I found Carter-Ruck advising Ford that the book was full of libel. He proved unable to get a truthful explanation.

Cases brought by Tudor Roberts, a solicitor, and the journalist Derek Jameson illustrate the Carter-Ruck techniques. In 1985 Roberts was awarded £20,000 damages against Private Eye plus cost on the higher scale. I agreed before I left Carter-Ruck's firm that he would only pay the costs recoverable from Private Eye. Carter-Ruck, however, billed Roberts £60,000. The cost judge allowed only £18,567. My assurance was ignored. Carter-Ruck wanted the lot. It was two years before Roberts was reimbursed his

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