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Dear Sir

www.sweenytod.com – defamation

I act for the Church of Scientology in Perth. I refer to my recent telephone conversations with you in relation to your Web page at <http://www.sweenytod.com/cos/index.html>. As discussed, contained on this Web site are a number of allegations regarding my client. Taking them in order from top to bottom of the Web page, these are:

1. "Writing for a penny a word is ridiculous...." is not a quote attributable to L. Ron Hubbard and there is no proof that Mr Hubbard made this statement. Whilst the heading of the quote is hyperlinked to a page discussing the fact that the quote is disputed, the page on which the quote itself appears misleadingly makes no reference of this fact. The issue of whether the quote is genuine has been subject of a court case, in the County Court Munich in 1982, as a result of which the two defendants were enjoined from spreading or publishing the statement under penalty of fine or imprisonment (see attached).
2. The reference to the "Satanic and occult history" of Scientology is false and misleading, as there is no such history and the published and documented history of Scientology proves this. It is understood from your telephone conversation with me that your reference is to the relationship between L Ron Hubbard and Satanist Alistair Crowley (although your Web page fails to explain this).

In relation to Alistair Crowley, the facts of the matter are these: Mr Hubbard, while a U.S. Naval Officer, was sent by the Los Angeles Police Department in the 1940's to investigate the "Order of Templars Orientalis", the black magic organisation headed by Alistair Crowley which practised savage and bestial rites, and had involved men from the national rocket program. Mr Hubbard's mission was successful, the black magic group was dispersed and destroyed, and Mr Hubbard rescued a girl they were using.

Correspondence between Crowley (who was out of the country at that time) and his offsider Jack Parsons mentioned Hubbard due to his presence at the group while investigating it. Mr Hubbard never was a member of the OTO group. This correspondence has subsequently been used in a misleading fashion to falsely allege that Mr Hubbard was a disciple of Crowley's, and therefore to allege that Scientology is somehow related to black magic, which it is not (see attached).

3. The references to bomb threats and assassination threats are false and no evidence exists to prove these claims. The links to which your Web site refers are not evidence of the allegations, and you have provided no documentation of your own to support these extreme claims.
4. You state, "Scientology says lying to people is a good thing", and, "...lying is standard

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procedure for the Church of Scientology". These are false statements which deliberately misinterpret a quote from L. Ron Hubbard.

Neither Mr Hubbard nor the Church of Scientology anywhere promotes dishonesty. On the contrary there are numerous passages of the Scientology scriptures which preach honesty in great detail, each of which shows the falsity of any claim that Scientology promotes dishonesty. These scriptures and passages include "Honest People Have Rights, Too", "Clean Hands Make a Happy Life", "Honesty and Case Gain", "The Way To Happiness: Seek To Live With the Truth", "The Code of Honor" etc.

5. The suggestion that Scientology describes "How to justify beating your wife..." is false and misleadingly taken out of context. The article "Overt-Motivator Sequence" by L. Ron Hubbard has been misinterpreted by you, as it is in fact clear that the referenced quote gives no justification whatsoever for physical violence by either spouse against the other. In fact, the entirety of the publication you have quoted from, titled "Integrity and Honesty", provides a pathway for a person to become more ethical and to cease destructive patterns of behaviour, quite the contrary to your allegation.

The falsity of this material from your Web site is not only distressing to those who hold to the religion of Scientology, but it also damaging to the reputation of the Church of Scientology as an organisation. As outlined during our telephone discussions, it is possible for an organisation such as my client to take action in defamation against a person who makes false and misleading statements about the organisation.

The general principle of what constitutes defamation is that it exists in words which impute conduct to a person that would tend to lower that person's reputation in the eyes of a considerable and respectable class of the community. Because an organisation, like an individual, may have a reputation which can be damaged by libel, it may take action in defamation against a person who publishes words that relate to its business or the conduct of its affairs.

You have stated in response to my informal discussions with you, "These references and hyperlinks are fair comment, and while your client may dispute the truth of them, are based on linked independent references. Accordingly, I do not intend to delete these sections from my web page." This is a misunderstanding of the defence of fair comment. It is a precondition of the application of this defence that the statements complained of are:

- (a) expressed as an opinion;
- (b) relate to something in the interest of readers;
- (c) be based on facts proven to be true; and
- (d) not be malicious.

This is not true of the statements on your Web site listed above. These statements are expressed as fact (eg, "One action they took was to forge bomb threats"), are apparently malicious, and are based on facts which cannot be proven to be true and in most cases can quite easily be proven to be false.

My client does not wish to interfere with your freedom of speech, if this freedom is exercised with regard to the legal rights of other parties such as my client. If you wish to maintain a Web site stating your opinion that Scientology and Christianity are incompatible, then my client can do nothing to prevent you from doing so. However it can act to prevent you from perpetuating the publication of defamatory statements on your Web site.

My client therefore requires you to:

- (a) permanently remove from your Web site the false and defamatory statements



described above;

(b) not to cause or allow other persons to mirror or otherwise reproduce those statements; and

(c) to undertake not to publish such statements in the future.

Your written response is requested strictly within 7 days.

Yours faithfully

Jeremy Malcolm

