



## *The Affordable Legal Company Pty Ltd*

*In association with R.P Emery & Associates  
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25 October 2010

Richard, The Lord Bradford  
7<sup>th</sup> Earl of Bradford  
VIP Internet Group  
Weston-under-Lizard  
Shifnal, Shropshire TF11 8PX  
UNITED KINGDOM

**By fax to: +44 1952 850445**

Dear Sir

### **Notice of Intention to Commence Criminal Prosecution**

I have been retained by Sir Robert Cowley to take action regarding the damage that has been caused to him over many years by defamatory comments published by you on [www.faketitles.com](http://www.faketitles.com).

In particular, you refer to my client as “this slippery customer”, a term which is offensive, derogatory and defamatory. Further, you state that my client “...has been investigated by the British Police...”, a statement which is completely untrue and in respect of which I have in my possession a statement from the said Police refuting that any such investigation ever took place.

For your information, in 2002 the High Court of Australia, in *Gutnick v Dow Jones* established that offshore internet publications defaming an Australian in Australia could be held accountable under Australian Law. All states of Australia have enacted uniform legislation on criminal defamation. This legislation provides that where the statements or words published have the intention of causing damage to a person, or are made with reckless intent as to the damage caused to that person, are guilty of an offence carrying a penalty of three years’ imprisonment.

There has been only one such case prosecuted in Australia at this time. You would be well advised to take note of the prosecution of one Christopher Cross in Adelaide, Australia just a year ago. Mr Cross placed defamatory matter on the Internet in respect of a police officer; he was arrested, charged under the legislation to which I refer above, convicted and sentenced to two years’ imprisonment.

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You are now on notice that if the defamatory material relating to my client is not removed from your website immediately, action will be taken to have you personally charged with Criminal Defamation.

Your urgent action in this regard would be appreciated.

Yours faithfully

**B C O'Brien**  
**Barrister & Solicitor**

PO Box 6152 Tweed Heads South NSW 2486

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