The Irish High Court has refused to grant released rapist, Michael Murray, an injunction preventing newspapers from publishing his personal data pending the outcome of a full court action over alleged breaches of his privacy and right to life.

Mr Murray was released from prison last year after serving 13 years for raping four women over a six day period in 1995. The basis for his case against the police is that he has been unable to have a permanent home since then, because the papers keep publishing his address and pictures of him.

In refusing to grant the interim injunction, Ms Justice Mary Irvine said Mr Murray had not established that his right to privacy outweighed that of the newspapers to freedom of expression, and the right of the public to discuss the issue of the release of sex offenders.

“The outcome is not surprising in the specific circumstances of the case” says Rob Corbet, a Partner in Arthur Cox. “In previous cases where a right of privacy was weighed against the right to publish, such as the Herrity and Kennedy cases, the court was careful to consider the respective merits of each argument.

“However, in this case, the judge was reluctant to rule out a potential public interest defence on the evidence presented at interlocutory injunction stage. If the case goes to full trial, the precedent value of the case will be clearer.”

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The Article 29 Working Party has adopted its new Opinion on online behavioural advertising.

The Opinion deals with the roles and responsibilities of the different ‘players’ involved in online behavioural advertising, and issues surrounding consent and notice.

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