

Anonymity of Suspects Bill

[AS INTRODUCED]

CONTENTS

- 1 Offence of disclosing identity of suspect
- 2 Offences by bodies corporate
- 3 Penalties
- 4 Interpretation
- 5 Extent, commencement and short title

[AS INTRODUCED]

A

B I L L

TO

Create an offence of disclosing the identity of a person who is the subject of an investigation in respect of the alleged commission of an offence; and for connected purposes.

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Offence of disclosing identity of suspect

- (1) Subject to the exception in subsection (2), it is an offence knowingly to disclose any information that is likely to lead members of the public to identify a person who is the subject of an investigation in respect of the alleged commission of an offence. 5
- (2) The exception is where the disclosure is reasonably necessary for —
- (a) the prevention or detection of crime,
 - (b) the apprehension or prosecution of offenders,
 - (c) the administration of justice,
 - (d) the assessment or collection of any tax or duty or of any imposition of a similar nature, 10
 - (e) the operation of the immigration controls, or
 - (f) the maintenance of security and good order in prisons or in other institutions where persons are lawfully detained.
- (3) It is a defence for a person charged with an offence under this section to prove that the disclosure — 15
- (a) was necessary for the purposes of preventing or detecting crime,
 - (b) was required or authorised by an enactment, by a rule of law or by the order of a court or tribunal, or
 - (c) in the particular circumstances, was justified as being in the public interest. 20

2 Offences by bodies corporate

- (1) This section applies if an offence under this Act is committed by a body corporate.

- (2) If the offence is proved to have been committed with the consent or connivance of—
- (a) a senior officer of the body corporate, or
 - (b) a person purporting to act in such a capacity,
- the senior officer or person (as well as the body corporate) is guilty of the offence and liable to be proceeded against and punished accordingly. 5
- (3) In this section—
- “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate;
 - “senior officer”, in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate. 10

3 Penalties

- (1) An individual guilty of an offence under section 1 is liable on conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding the statutory maximum, or to both. 15
- (2) Any other person guilty of an offence under section 1 is liable on conviction to a fine not exceeding the statutory maximum.

4 Interpretation

In this Act—

- “investigation” means an investigation, conducted by any public authority with the power to investigate offences, with a view to ascertaining whether a person should be arrested for, or charged with, an offence, 20
- “offence” means any summary or indictable offence against the laws of England and Wales.

5 Extent, commencement and short title 25

- (1) This Act extends to England and Wales.
- (2) This Act comes into force at the end of the period of 90 days beginning with the day on which this Act is passed.
- (3) This Act may be cited as the Anonymity of Suspects Act 2022.

Anonymity of Suspects Bill

[AS INTRODUCED]

A

B I L L

TO

Create an offence of disclosing the identity of a person who is the subject of an investigation in respect of the alleged commission of an offence; and for connected purposes.

Presented by Sir Christopher Chope

Ordered, by The House of Commons, to be
Printed, 20th June 2022.

© Parliamentary copyright House of Commons 2022

*This publication may be reproduced under the terms of the Open Parliament Licence, which is published at
www.parliament.uk/site-information/copyright*

PUBLISHED BY THE AUTHORITY OF THE HOUSE OF COMMONS