



# Youth Justice and Criminal Evidence Act 1999

## 1999 CHAPTER 23

### PART II

#### GIVING OF EVIDENCE OR INFORMATION FOR PURPOSES OF CRIMINAL PROCEEDINGS

#### CHAPTER IV

#### REPORTING RESTRICTIONS

*Reports relating to directions under [F1Chapter I or II][F1Chapter 1, 1A or 2]*

- 47** **Restrictions on reporting directions under [F1Chapter I or II][F1Chapter 1, 1A or 2].**
- (1) Except as provided by this section, no publication shall include a report of a matter falling within subsection (2).
  - (2) The matters falling within this subsection are—
    - (a) a direction under section 19[F2, 33A] or 36 or an order discharging, or (in the case of a direction under section 19) varying, such a direction;
    - [F3(aa) a direction under Article 7 or 24 of the Criminal Evidence (Northern Ireland) Order 1999 or an order discharging, or (in the case of a direction under Article 7) varying, such a direction;]
    - (b) proceedings—
      - (i) on an application for such a direction or order, or
      - (ii) where the court acts of its own motion to determine whether to give or make any such direction or order.

*Status: Point in time view as at 24/04/2009. This version of this provision has been superseded.*

*Changes to legislation: Youth Justice and Criminal Evidence Act 1999, Section 47 is up to date with all changes known to be in force on or before 17 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (3) The court dealing with a matter falling within subsection (2) may order that subsection (1) is not to apply, or is not to apply to a specified extent, to a report of that matter.
- (4) Where—
- (a) there is only one accused in the relevant proceedings, and
  - (b) he objects to the making of an order under subsection (3),
- the court shall make the order if (and only if) satisfied after hearing the representations of the accused that it is in the interests of justice to do so; and if the order is made it shall not apply to the extent that a report deals with any such objections or representations.
- (5) Where—
- (a) there are two or more accused in the relevant proceedings, and
  - (b) one or more of them object to the making of an order under subsection (3),
- the court shall make the order if (and only if) satisfied after hearing the representations of each of the accused that it is in the interests of justice to do so; and if the order is made it shall not apply to the extent that a report deals with any such objections or representations.
- (6) Subsection (1) does not apply to the inclusion in a publication of a report of matters after the relevant proceedings are either—
- (a) determined (by acquittal, conviction or otherwise), or
  - (b) abandoned,
- in relation to the accused or (if there is more than one) in relation to each of the accused.
- (7) In this section “the relevant proceedings” means the proceedings to which any such direction as is mentioned in subsection (2) relates or would relate.
- (8) Nothing in this section affects any prohibition or restriction by virtue of any other enactment on the inclusion of matter in a publication.

#### Textual Amendments

- F1** Words in s. 47 heading substituted (E.W.N.I.) (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 14 para. 37\(2\)](#); S.I. 2007/709, art. 3(p) (with art. 6)
- F2** Words in s. 47(2)(a) inserted (E.W.N.I.) (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 14 para. 37\(3\)](#); S.I. 2007/709, art. 3(p) (with art. 6)
- F3** S. 47(2)(aa) inserted (30.6.2003 for specified purposes, 1.12.2003 for specified purposes, 8.11.2004 for specified purposes, 21.12.2004 for specified purposes) by [The Criminal Evidence \(Northern Ireland\) Order 1999 \(S.I. 1999/2789\)](#), art. 1(2), [Sch. 1 para. 6](#) (with Sch. 2); S.R. 2003/323, art. 2, Sch.; S.R. 2003/476, arts. 2, 4; S.R. 2004/468, art. 2; S.R. 2004/531, art. 2

#### Modifications etc. (not altering text)

- C1** S. 47 applied (with modifications) by 1998 c. 37, s. 1I(5) (as inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 143, 178(8); S.I. 2005/1521, art. 3(1)(s))
- C2** S. 47 applied (with modifications) by S.I. 2004/1988 (N.I. 12), art. 6C(5) (as inserted (18.9.2006) by [The Criminal Justice \(Northern Ireland\) Order 2005 \(S.I. 2005/1965\)](#), arts. 1(2)(a), 6; S.R. 2006/368, art. 2(a))
- C3** S. 47 modified (6.12.2006) by [The Youth Justice and Criminal Evidence Act 1999 \(Application to Standing Civilian Courts\) Order 2006 \(S.I. 2006/2888\)](#), art. 1(1), [Sch. 2](#) (with art. 3)
- C4** S. 47 modified (6.12.2006) by [The Youth Justice and Criminal Evidence Act 1999 \(Application to Courts-Martial\) Order 2006 \(S.I. 2006/2886\)](#), art. 1(1), [Sch. 2](#) (with art. 3)

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#### **Commencement Information**

- I1** S. 47 wholly in force at 24.7.2002; Pt. II Chs. 1-4 (ss. 16-52) in force for certain purposes at Royal Assent, see s. 68(4); s. 47 in force in so far as not already in force for E.W. at 24.7.2002 by [S.I. 2002/1739](#), **art. 2(d)**
- I2** S. 47 in force at 8.11.2004 for N.I. in so far as not already in force by [S.R. 2004/467](#), **art. 2(b)**

**Status:**

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