



Coroners and Justice Act 2009

2009 CHAPTER 25

PART 3

CRIMINAL EVIDENCE, INVESTIGATIONS AND PROCEDURE

CHAPTER 1

ANONYMITY IN INVESTIGATIONS

76 Investigation anonymity orders

- (1) In this Chapter an “investigation anonymity order” is an order made by a justice of the peace in relation to a specified person prohibiting the disclosure of information—
 - (a) that identifies the specified person as a person who is or was able or willing to assist a specified qualifying criminal investigation, or
 - (b) that might enable the specified person to be identified as such a person.
- (2) The prohibition in an investigation anonymity order is subject to subsections (3) to (9).
- (3) An investigation anonymity order is not contravened by disclosure of such information as regards the specified person as is described in subsection (1), if the person disclosing the information does not know and has no reason to suspect that such an order has been made in relation to the specified person in connection with the specified qualifying criminal investigation.
- (4) An investigation anonymity order is not contravened by disclosure of such information as regards the specified person as is described in subsection (1)(b), if the person disclosing the information does not know and has no reason to suspect that the information disclosed is information that might enable the specified person to be identified as a person of the sort described in subsection (1)(a) in relation to the specified qualifying criminal investigation.
- (5) A person (“A”) who discloses to another person (“B”) that an investigation anonymity order has been made in relation to a person in connection with the criminal

Status: Point in time view as at 12/04/2010. This version of this provision has been superseded.

Changes to legislation: Coroners and Justice Act 2009, Section 76 is up to date with all changes known to be in force on or before 25 July 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)

investigation of a qualifying offence does not contravene the order if the condition in subsection (6) is satisfied.

- (6) The condition is that A knows that B is aware that the person specified in the order is a person who is or was able or willing to assist a criminal investigation relating to the qualifying offence.
- (7) A person who discloses information to which an investigation anonymity order relates does not contravene the order if—
- (a) the disclosure is made to a person who is involved in the specified qualifying criminal investigation or in the prosecution of an offence to which the investigation relates, and
 - (b) the disclosure is made for the purposes of the investigation or the prosecution of an offence to which the investigation relates.
- (8) An investigation anonymity order is not contravened by—
- (a) disclosure in pursuance of a requirement imposed by any enactment or rule of law, or
 - (b) disclosure made in pursuance of an order of a court.
- (9) A person who discloses such information as regards another person as is described in subsection (1) may not rely on subsection (8) in a case where—
- (a) it might have been determined that the person was required or permitted to withhold the information (whether on grounds of public interest immunity or on other grounds), but
 - (b) the person disclosed the information without there having been a determination as to whether the person was required or permitted to withhold the information.
- Disclosure for the purposes of seeking such a determination is not a contravention of an investigation anonymity order.
- (10) It is an offence for a person to disclose information in contravention of an investigation anonymity order.
- (11) A person guilty of an offence under this section is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding the relevant period or a fine not exceeding the statutory maximum, or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine, or both.
- (12) “The relevant period” means—
- (a) in relation to England and Wales, 12 months;
 - (b) in relation to Northern Ireland, 6 months.
- (13) In this section “specified” means specified in the investigation anonymity order concerned.

Commencement Information

II S. 76 in force at 6.4.2010 for E.W. by [S.I. 2010/816](#), [art. 3](#)

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