



# Victims and Prisoners Act 2024

## 2024 CHAPTER 21

### PART 1

#### VICTIMS OF CRIMINAL CONDUCT

PROSPECTIVE

#### *Disclosures by victims that cannot be precluded by agreement*

#### **17 Disclosures by victims that cannot be precluded by agreement**

- (1) A provision in an agreement is void in so far as it purports to preclude the making of a disclosure falling within [subsection \(2\)](#).
- (2) A disclosure falls within this subsection if it is a disclosure of information that is made by a victim or a person who reasonably believes they are a victim—
  - (a) to any person who has law enforcement functions, for the purpose of those functions being exercised in relation to relevant conduct;
  - (b) to a qualified lawyer, for the purpose of seeking legal advice about relevant conduct;
  - (c) to any individual who is entitled to practise a regulated profession, for the purpose of obtaining professional support in relation to relevant conduct;
  - (d) to any individual who provides a service to support victims, for the purpose of obtaining support from that service in relation to relevant conduct;
  - (e) to a regulator of a regulated profession for the purpose of co-operating with the regulator in relation to relevant conduct;
  - (f) to a person who is authorised to receive information on behalf of a person mentioned in paragraph (a), (b), (c), (d) or (e), for the purpose mentioned in that paragraph;
  - (g) to a child, parent or partner of the person making the disclosure, for the purpose of obtaining support in relation to relevant conduct.

*Status: This version of this cross heading contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Victims and Prisoners Act 2024, Cross Heading: Disclosures by victims that cannot be precluded by agreement. (See end of Document for details)*

- (3) But a provision in an agreement is not void by virtue of [subsection \(1\)](#) so far as it purports to preclude a disclosure made for the primary purpose of releasing the information into the public domain.
- (4) The Secretary of State may by regulations amend this section—
- (a) to add, remove or modify a description of disclosure in relation to which [subsection \(1\)](#) applies (“a permitted disclosure”);
  - (b) to extend the application of [subsection \(1\)](#) to a provision in an agreement which purports to impose an obligation or liability in connection with a permitted disclosure.
- (5) But regulations under [subsection \(4\)\(a\)](#) must not make any provision which would apply [subsection \(1\)](#) in relation to a disclosure—
- (a) made by a person other than a victim or a person who reasonably believes they are a victim, or
  - (b) that does not relate to relevant conduct.
- (6) In this section—
- “entitled to practise”, in relation to a regulated profession, is to be read in accordance with section 19(2) of the Professional Qualifications Act 2022;
  - “law enforcement functions” means functions for the purposes of the investigation or prosecution of criminal offences or the execution of criminal penalties;
  - “partner”: a person is a “partner” of another person if they are married to each other, in a civil partnership with each other or in an intimate personal relationship with each other which is of significant duration;
  - “qualified lawyer” means a person who is an authorised person in relation to a reserved legal activity for the purposes of the Legal Services Act 2007;
  - “regulated profession” and “regulator” have the same meanings as in the Professional Qualifications Act 2022 (see section 19 of that Act);
  - “relevant conduct” means conduct by virtue of which the person making the disclosure is or reasonably believes they are a victim (see [section 1\(1\)](#) and [\(2\)](#) of this Act).

#### Commencement Information

- II** S. 17 not in force at Royal Assent, see [s. 81\(2\)](#)

**Status:**

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**Changes to legislation:**

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