



Criminal Law Act (Northern Ireland) 1967

1967 CHAPTER 18

5 Penalties for concealing offences etc.

- (1) Subject to the succeeding provisions of this section, where a person has committed [^{F1}a relevant offence]^{F1}, it shall be the duty of every other person, who knows or believes—
- (a) that the offence or some [^{F2}other relevant offence]^{F2} has been committed; and
 - (b) that he has information which is likely to secure, or to be of material assistance in securing, the apprehension, prosecution or conviction of any person for that offence;

to give that information, within a reasonable time, to a constable and if, without reasonable excuse, he fails to do so he shall be guilty of an offence and shall be liable on conviction on indictment to imprisonment according to the gravity of the offence about which he does not give that information, as follows:—

- (i) if that offence is one for which the court is required by law to sentence an offender to death or to imprisonment for life or to detention during the pleasure of the Governor of Northern Ireland, he shall be liable to imprisonment for not more than ten years;
 - (ii) if it is one for which a person (of full age and capacity and not previously convicted) may be sentenced to imprisonment for a term of fourteen years, he shall be liable to imprisonment for not more than seven years;
 - (iii) if it is not one included above but is one for which a person (of full age and capacity and not previously convicted) may be sentenced to imprisonment for a term of ten years, he shall be liable to imprisonment for not more than five years;
 - (iv) in any other case, he shall be liable to imprisonment for not more than three years.
- (2) It shall not be an offence under this section for the person suffering loss or injury by reason of the commission of the offence (in this section referred to as “the injured person”) or some other person acting on his behalf not to disclose information upon that loss or injury being made good to the injured person or upon the injured person being reasonably recompensed therefor so long as no further or other consideration is received for or on account of such non-disclosure.

Changes to legislation: There are currently no known outstanding effects for the Criminal Law Act (Northern Ireland) 1967, Section 5. (See end of Document for details)

- (3) Where a person causes any wasteful employment of the police by knowingly making to any person a false report or statement tending to show that an offence has been committed, whether by himself or by another person, or to give rise to apprehension for the safety of any persons or property, or tending to show that he has information material to any police inquiry, he shall be liable on summary conviction to imprisonment for not more than six months or to a fine of not more than^{F3} level 4 on the standard scale^{F3} or to both.
- ^{F4}(3A) Notwithstanding any provision in any Act prescribing the period within which summary proceedings may be commenced, proceedings for an offence under subsection (3) (causing wasteful employment of the police by knowingly making false report or statement) may be commenced at any time within the period of twelve months after the commission of the offence.]
- (4) No proceedings shall be instituted for an offence under this section except by or with the consent of the Attorney-General.
- (5) The compounding of an offence other than treason shall not be an offence otherwise than under this section.

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| F1 | Words in s. 5(1) substituted (1.3.2007) by Police and Criminal Evidence (Amendment) (Northern Ireland) Order 2007 (S.I. 2007/288 (N.I. 2)) , arts. 1(2), 15(4), Sch. 1 para. 13(2)(a) |
| F2 | Words in s. 5(1)(a) substituted (1.3.2007) by Police and Criminal Evidence (Amendment) (Northern Ireland) Order 2007 (S.I. 2007/288 (N.I. 2)) , arts. 1(2), 15(4), Sch. 1 para. 13(2)(b) |
| F3 | 1984 NI 3 |
| F4 | 1968 c.28 (NI) |

Changes to legislation:

There are currently no known outstanding effects for the Criminal Law Act (Northern Ireland) 1967, Section 5.