



Serious Organised Crime and Police Act 2005

2005 CHAPTER 15

PART 2

INVESTIGATIONS, PROSECUTIONS, PROCEEDINGS AND PROCEEDS OF CRIME

CHAPTER 2

OFFENDERS ASSISTING INVESTIGATIONS AND PROSECUTIONS

[^{F175} Proceedings under section 74: exclusion of public

- (1) This section applies to—
 - (a) any proceedings relating to a reference made under section 74(3), and
 - (b) any other proceedings arising in consequence of such proceedings.
- (2) The court in which the proceedings will be or are being heard may make such order as it thinks appropriate—
 - (a) to exclude from the proceedings any person who does not fall within subsection (4);
 - (b) to give such directions as it thinks appropriate prohibiting the publication of any matter relating to the proceedings (including the fact that the reference has been made).
- (3) An order under subsection (2) may be made only to the extent that the court thinks—
 - (a) that it is necessary to do so to protect the safety of any person, and
 - (b) that it is in the interests of justice.
- (4) The following persons fall within this subsection—
 - (a) a member or officer of the court;
 - (b) a party to the proceedings;

Changes to legislation: Serious Organised Crime and Police Act 2005, Section 75 is up to date with all changes known to be in force on or before 24 January 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) View outstanding changes

- (c) counsel or a solicitor for a party to the proceedings;
 - (d) a person otherwise directly concerned with the proceedings.
- (5) This section does not affect any other power which the court has by virtue of any rule of law or other enactment—
- (a) to exclude any person from proceedings, or
 - (b) to restrict the publication of any matter relating to proceedings.]

Textual Amendments

- F1** Ss. 73-75 repealed (E.W.) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Schs. 28, 29 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2
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Commencement Information

- I1** S. 75 in force at 1.4.2006 by S.I. 2006/378, art. 5(1)

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Commencement Orders yet to be applied to the Serious Organised Crime and Police Act 2005

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2006/2182 art. 3](#) amendment to earlier commencing SI 2006/1871