

SCHEDULES

SCHEDULE 7

TERRORIST INVESTIGATIONS

PART I

ENGLAND, WALES AND NORTHERN IRELAND

Explanation of seized or produced material

- 6 (1) A Circuit judge may, on an application made by a constable, order any person specified in the order to provide an explanation of any material seized in pursuance of a warrant under paragraph 2 or 5 above or produced or made available to a constable under paragraph 3 above.
- (2) A person shall not under this paragraph be required to disclose any information which he would be entitled to refuse to disclose on grounds of legal professional privilege in proceedings in the High Court, except that a lawyer may be required to furnish the name and address of his client.
- (3) A statement by a person in response to a requirement imposed by virtue of this paragraph may only be used in evidence against him—
- (a) on a prosecution for an offence under sub-paragraph (4) below; or
 - (b) on a prosecution for some other offence where in giving evidence he makes a statement inconsistent with it.
- (4) A person who, in purported compliance with a requirement under this paragraph—
- (a) makes a statement which he knows to be false or misleading in a material particular; or
 - (b) recklessly makes a statement which is false or misleading in a material particular,
- is guilty of an offence.
- (5) A person guilty of an offence under sub-paragraph (4) above is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both;
 - (b) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both.
- (6) In Northern Ireland the power to make an order under this paragraph shall be exercised by a county court judge.
- (7) Paragraph 4(1), (2), (3) and (6) above shall apply to orders under this paragraph as they apply to orders under paragraph 3.