



# Youth Justice and Criminal Evidence Act 1999

## 1999 CHAPTER 23

### PART II

#### GIVING OF EVIDENCE OR INFORMATION FOR PURPOSES OF CRIMINAL PROCEEDINGS

#### CHAPTER IV

#### REPORTING RESTRICTIONS

*Reports relating to directions under [F1Chapter I or II][F1Chapter 1, 1A or 2]*

#### Textual Amendments

- F1** Words in s. 47 cross-heading substituted (E.W.N.I.) (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 14 para. 37\(2\)](#); [S.I. 2007/709](#), art. 3(p) (with art. 6)

#### **47** Restrictions on reporting directions under [F2Chapter 1, 1A or 2].

- (1) Except as provided by this section, no publication shall include a report of a matter falling within subsection (2).
- (2) The matters falling within this subsection are—
  - (a) a direction under section 19 [F3, 33A] or 36 or an order discharging, or (in the case of a direction under section 19) varying, such a direction;
  - [F4(aa) a direction under Article 7 or 24 of the Criminal Evidence (Northern Ireland) Order 1999 or an order discharging, or (in the case of a direction under Article 7) varying, such a direction;]
  - (b) proceedings—
    - (i) on an application for such a direction or order, or

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**Changes to legislation:** *Youth Justice and Criminal Evidence Act 1999, Cross Heading: Reports relating to directions under Chapter I or II Chapter 1, 1A or 2 is up to date with all changes known to be in force on or before 18 May 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*

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- (ii) where the court acts of its own motion to determine whether to give or make any such direction or order.
- (3) The court dealing with a matter falling within subsection (2) may order that subsection (1) is not to apply, or is not to apply to a specified extent, to a report of that matter.
- (4) Where—
- (a) there is only one accused in the relevant proceedings, and
  - (b) he objects to the making of an order under subsection (3),
- the court shall make the order if (and only if) satisfied after [<sup>F5</sup>considering (in the case of proceedings in England and Wales) or hearing (in the case of other proceedings)] the representations of the accused that it is in the interests of justice to do so; and if the order is made it shall not apply to the extent that a report deals with any such objections or representations.
- (5) Where—
- (a) there are two or more accused in the relevant proceedings, and
  - (b) one or more of them object to the making of an order under subsection (3),
- the court shall make the order if (and only if) satisfied after [<sup>F6</sup>considering (in the case of proceedings in England and Wales) or hearing (in the case of other proceedings)] the representations of each of the accused that it is in the interests of justice to do so; and if the order is made it shall not apply to the extent that a report deals with any such objections or representations.
- (6) Subsection (1) does not apply to the inclusion in a publication of a report of matters after the relevant proceedings are either—
- (a) determined (by acquittal, conviction or otherwise), or
  - (b) abandoned,
- in relation to the accused or (if there is more than one) in relation to each of the accused.
- (7) In this section “the relevant proceedings” means the proceedings to which any such direction as is mentioned in subsection (2) relates or would relate.
- (8) Nothing in this section affects any prohibition or restriction by virtue of any other enactment on the inclusion of matter in a publication.

#### Textual Amendments

- F2** Words in s. 47 heading substituted (E.W.N.I.) (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 14 para. 37\(2\)](#); [S.I. 2007/709](#), art. 3(p) (with art. 6)
- F3** Words in s. 47(2)(a) inserted (E.W.N.I.) (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 14 para. 37\(3\)](#); [S.I. 2007/709](#), art. 3(p) (with art. 6)
- F4** S. 47(2)(aa) inserted (30.6.2003 for specified purposes, 1.12.2003 for specified purposes, 8.11.2004 for specified purposes, 21.12.2004 for specified purposes) by [The Criminal Evidence \(Northern Ireland\) Order 1999 \(S.I. 1999/2789\)](#), art. 1(2), [Sch. 1 para. 6](#) (with Sch. 2); [S.R. 2003/323](#), art. 2, Sch.; [S.R. 2003/476](#), arts. 2, 4; [S.R. 2004/468](#), art. 2; [S.R. 2004/531](#), art. 2
- F5** Words in s. 47(4) substituted (28.6.2022) by [Judicial Review and Courts Act 2022 \(c. 35\)](#), [ss. 15\(6\)](#), 51(3)
- F6** Words in s. 47(5) substituted (28.6.2022) by [Judicial Review and Courts Act 2022 \(c. 35\)](#), [ss. 15\(6\)](#), 51(3)

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#### **Modifications etc. (not altering text)**

- C1** S. 47 applied (with modifications) by 1998 c. 37, s. 11(5) (as inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), [ss. 143](#), 178(8); [S.I. 2005/1521](#), [art. 3\(1\)\(s\)](#))
- C2** S. 47 applied (with modifications) by [S.I. 2004/1988 \(N.I. 12\)](#), [art. 6C\(5\)](#) (as inserted (18.9.2006) by [The Criminal Justice \(Northern Ireland\) Order 2005 \(S.I. 2005/1965\)](#), [arts. 1\(2\)\(a\)](#), [6](#); [S.R. 2006/368](#), [art. 2\(a\)](#))
- C3** S. 47 applied (with modifications) (E.W.) (20.10.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), [ss. 31\(4\)](#), 185(1) (with [ss. 21](#), 33, 42, 58, 75, 93); [S.I. 2014/2590](#), [art. 3\(a\)](#))
- C4** S. 47 applied (with modifications) (E.W.) (23.3.2015) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), [ss. 16\(4\)](#), 185(1) (with [ss. 21](#), 33, 42, 58, 75, 93); [S.I. 2015/373](#), [art. 4\(a\)](#))
- C5** S. 47 applied (with modifications) (26.5.2016) by [Psychoactive Substances Act 2016 \(c. 2\)](#), [ss. 33\(4\)](#), 63(2); [S.I. 2016/553](#), [reg. 2](#))
- C6** S. 47 applied (with modifications) (26.5.2016) by [Psychoactive Substances Act 2016 \(c. 2\)](#), [ss. 34\(4\)](#), 63(2); [S.I. 2016/553](#), [reg. 2](#))
- C7** S. 47 applied (with modifications) (E.W.) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), [ss. 340\(4\)\(a\)](#), 416(1) (with [ss. 2](#), 398(1), 406, [Sch. 27](#)); [S.I. 2020/1236](#), [reg. 2](#))

#### **Commencement Information**

- I1** S. 47 wholly in force at 24.7.2002; Pt. II Chs. 1-4 (ss. 16-52) in force for certain purposes at Royal Assent, see [s. 68\(4\)](#); s. 47 in force in so far as not already in force for E.W. at 24.7.2002 by [S.I. 2002/1739](#), [art. 2\(d\)](#))
- I2** S. 47 in force at 8.11.2004 for N.I. in so far as not already in force by [S.R. 2004/467](#), [art. 2\(b\)](#))

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 33BA33BB inserted by [2009 c. 25 s. 104\(1\)](#)