



2022 CHAPTER 19

PART 1

Sexual offences

CHAPTER 2

Anonymity and privacy

*Anonymity of suspects*

**Power to disapply reporting restriction**

**14.—**(1) Subsection (2) applies where matters relating to a suspect are prohibited from publication by virtue of section 12(2).

(2) A relevant person may apply to a magistrates' court for an order—

- (a) disapplying, or
- (b) modifying the application of,

section 12(2) in relation to the suspect.

(3) The modifications that may be made under subsection (2)(b) include increasing or decreasing the period mentioned in section 12(4), but do not include the disapplication or modification of section 12(3).

(4) In this section, “relevant person” means—

- (a) during the suspect's lifetime—
  - (i) the suspect;
  - (ii) the Chief Constable;
- (b) after the suspect's death—

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*Changes to legislation: There are currently no known outstanding effects for the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022, Section 14. (See end of Document for details)*

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- (i) a person who was a family member of the suspect at the time of the suspect's death;
  - (ii) a personal representative of the suspect;
  - (iii) a person interested in publishing matters relating to the suspect which are prohibited from publication by virtue of section 12(2).
- (5) On an application under subsection (2) the court must make an order under that subsection if it is satisfied that it would be—
- (a) in the interests of justice, or
  - (b) otherwise in the public interest,
- to make such an order.
- (6) An order made under subsection (2) may be varied or revoked by order of a magistrates' court on the application of a relevant person where the court is satisfied that it would be—
- (a) in the interests of justice, or
  - (b) otherwise in the public interest,
- to make such a variation or revocation.
- (7) An order made under this section does not affect the operation of section 12(2) at any time before the order is made.
- (8) In this section, "a family member of the suspect" means—
- (a) a person who at the time of the suspect's death was—
    - (i) married to the suspect;
    - (ii) in a civil partnership with the suspect;
    - (iii) living with the suspect as if a spouse;
  - (b) a relative of the suspect.
- (9) For the purposes of this section—
- (a) "relative" means parent, child, grandparent, great-grandparent, grandchild, great-grandchild, brother, sister, uncle, great-uncle, aunt, great-aunt, nephew, great-nephew, niece or great-niece;
  - (b) a relationship of the half-blood or by affinity is to be treated as a relationship of the whole blood;
  - (c) the stepchild of a person is to be treated as that person's child.
- (10) In this section, "a person interested in publishing matters" means a person who—
- (a) wishes the matters to be included in a publication, and
  - (b) in relation to the publication, is a person mentioned in section 16(1) (persons by whom an offence relating to publishing may be committed).

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(11) In subsections (1) and (4)(b)(iii), a reference to matters being prohibited from publication includes matters being partially prohibited from publication following the making of an order under this section modifying the application of section 12(2) in relation to the suspect.

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**Commencement Information**

- I1** S. 14 not in operation at Royal Assent, see [s. 30\(2\)](#)
- I2** [S. 14](#) in operation at 28.9.2023 by [S.R. 2023/142, art. 3](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022, Section 14.