



Criminal Justice Act 1987

1987 CHAPTER 38

PART I

FRAUD

Reporting restrictions

[^{F1}11] **Restrictions on reporting.**

- (1) Except as provided by this section—
 - (a) no written report of proceedings falling within subsection (2) below shall be published in [^{F2}the United Kingdom];
 - (b) no report of proceedings falling within subsection (2) below shall be included in a relevant programme for reception in [^{F3}the United Kingdom].
- (2) The following proceedings fall within this subsection—
 - ^{F4}(a)
 - (b) a preparatory hearing;
 - (c) an application for leave to appeal in relation to such a hearing;
 - (d) an appeal in relation to such a hearing.
- ^{F5}(3)
- (4) The judge dealing with a preparatory hearing may order that subsection (1) above shall not apply, or shall not apply to a specified extent, to a report of—
 - (a) the preparatory hearing, or
 - (b) an application to the judge for leave to appeal to the Court of Appeal under section 9(11) above in relation to the preparatory hearing.
- (5) The Court of Appeal may order that subsection (1) above shall not apply, or shall not apply to a specified extent, to a report of—
 - (a) an appeal to the Court of Appeal under section 9(11) above in relation to a preparatory hearing,

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- (b) an application to that Court for leave to appeal to it under section 9(11) above in relation to a preparatory hearing, or
 - (c) an application to that Court for leave to appeal to the ^{F6}Supreme Court] under Part II of the ^{M1}Criminal Appeal Act 1968 in relation to a preparatory hearing.
- (6) ^{F7}The Supreme Court] may order that subsection (1) above shall not apply, or shall not apply to a specified extent, to a report of—
- (a) an appeal to ^{F8}the Supreme Court] under Part II of the Criminal Appeal Act 1968 in relation to a preparatory hearing, or
 - (b) an application to ^{F8}the Supreme Court] for leave to appeal to it under Part II of the ^{M2}Criminal Appeal Act 1968 in relation to a preparatory hearing.
- (7) Where there is only one accused and he objects to the making of an order under subsection ^{F9}... (4), (5) or (6) above the judge or the Court of Appeal or the ^{F10}Supreme Court] shall make the order if (and only if) satisfied after hearing 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 objection or representations.
- (8) Where there are two or more accused and one or more of them objects to the making of an order under subsection ^{F11}... (4), (5) or (6) above the judge or the Court of Appeal or the ^{F10}Supreme Court] shall make the order if (and only if) satisfied after hearing 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 objection or representations.
- ^{F12}(9)
- ^{F13}(10)
- (11) Subsection (1) above does not apply to—
- ^{F14}(a)
 - (b) the publication of a report of a preparatory hearing,
 - (c) the publication of a report of an appeal in relation to a preparatory hearing or of an application for leave to appeal in relation to such a hearing,
 - ^{F15}(d)
 - (e) the inclusion in a relevant programme of a report of a preparatory hearing, or
 - (f) the inclusion in a relevant programme of a report of an appeal in relation to a preparatory hearing or of an application for leave to appeal in relation to such a hearing,
- at the conclusion of the trial of the accused or of the last of the accused to be tried.
- (12) Subsection (1) above does not apply to a report which contains only one or more of the following matters—
- (a) the identity of the court and the name of the judge;
 - (b) the names, ages, home addresses and occupations of the accused and witnesses;
 - (c) any relevant business information;
 - (d) the offence or offences, or a summary of them, with which the accused is or are charged;
 - (e) the names of counsel and solicitors in the proceedings;
 - (f) where the proceedings are adjourned, the date and place to which they are adjourned;

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- (g) any arrangements as to bail;
- [^{F16}(h) whether, for the purposes of the proceedings, representation was provided to the accused or any of the accused under Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.]
- (13) The addresses that may be published or included in a relevant programme under subsection (12) above are addresses—
- (a) at any relevant time, and
- (b) at the time of their publication or inclusion in a relevant programme;
- and “relevant time” here means a time when events giving rise to the charges to which the proceedings relate occurred.
- (14) The following is relevant business information for the purposes of subsection (12) above—
- (a) any address used by the accused for carrying on a business on his own account;
- (b) the name of any business which he was carrying on on his own account at any relevant time;
- (c) the name of any firm in which he was a partner at any relevant time or by which he was engaged at any such time;
- (d) the address of any such firm;
- (e) the name of any company of which he was a director at any relevant time or by which he was otherwise engaged at any such time;
- (f) the address of the registered or principal office of any such company;
- (g) any working address of the accused in his capacity as a person engaged by any such company;
- and here “engaged” means engaged under a contract of service or a contract for services, and “relevant time” has the same meaning as in subsection (13) above.
- (15) Nothing in this section affects any prohibition or restriction imposed by virtue of any other enactment on a publication or on matter included in a programme.
- (16) In this section—
- (a) “publish”, in relation to a report, means publish the report, either by itself or as part of a newspaper or periodical, for distribution to the public;
- (b) expressions cognate with “publish” shall be construed accordingly;
- (c) “relevant programme” means a programme included in a programme service, within the meaning of the ^{M3}Broadcasting Act 1990.]

Textual Amendments

- F1** Ss. 11, 11A substituted for s. 11 (4.7.1996 with application (15.4.1997) as mentioned in Sch. 3 para. 8 of the amending Act) by 1996 c. 25, s. 72, Sch. 3 para. 6 (with s. 78); S.I. 1997/1019, art. 2
- F2** Words in s. 11(1)(a) substituted (4.4.2005) by Criminal Justice Act 2003 (c. 44), ss. 311(2), 336(3)(4); S.I. 2005/950, art. 2(1), Sch. 1 para. 25 (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(1))
- F3** Words in s. 11(1)(b) substituted (4.4.2005) by Criminal Justice Act 2003 (c. 44), ss. 311(2), 336(3)(4); S.I. 2005/950, art. 2(1), Sch. 1 para. 25 (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1

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- paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(1))
- F4** S. 11(2)(a) repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 3 para. 58(3)(a), **Sch. 37 Pt. 4**; S.I. 2012/1320, art. 4(1)(c)(d)(2)(3) (with art. 5); S.I. 2012/2574, art. 2(2)(3)(c)(d), Sch. (with arts. 3, 4) (as amended (4.11.2012) by S.I. 2012/2761, art. 2); S.I. 2013/1103, art. 2(1)(c)(d)(2)(3) (with arts. 3, 4)
- F5** S. 11(3) repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 3 para. 58(3)(b), **Sch. 37 Pt. 4**; S.I. 2012/1320, art. 4(1)(c)(d)(2)(3) (with art. 5); S.I. 2012/2574, art. 2(2)(3)(c)(d), Sch. (with arts. 3, 4) (as amended (4.11.2012) by S.I. 2012/2761, art. 2); S.I. 2013/1103, art. 2(1)(c)(d)(2)(3) (with arts. 3, 4)
- F6** Words in s. 11(5)(c) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), s. 148(1), **Sch. 9 para. 46(a)**; S.I. 2009/1604, art. 2(d)
- F7** Words in s. 11(6) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), s. 148(1), **Sch. 9 para. 46(b)(i)**; S.I. 2009/1604, art. 2(d)
- F8** Words in s. 11(6) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), s. 148(1), **Sch. 9 para. 46(b)(ii)**; S.I. 2009/1604, art. 2(d)
- F9** Word in s. 11(7) repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 3 para. 58(3)(c), **Sch. 37 Pt. 4**; S.I. 2012/1320, art. 4(1)(c)(d)(2)(3) (with art. 5); S.I. 2012/2574, art. 2(2)(3)(c)(d), Sch. (with arts. 3, 4) (as amended (4.11.2012) by S.I. 2012/2761, art. 2); S.I. 2013/1103, art. 2(1)(c)(d)(2)(3) (with arts. 3, 4)
- F10** Words in s. 11(7)(8) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), s. 148(1), **Sch. 9 para. 46(c)**; S.I. 2009/1604, art. 2(d)
- F11** Word in s. 11(8) repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 3 para. 58(3)(d), **Sch. 37 Pt. 4**; S.I. 2012/1320, art. 4(1)(c)(d)(2)(3) (with art. 5); S.I. 2012/2574, art. 2(2)(3)(c)(d), Sch. (with arts. 3, 4) (as amended (4.11.2012) by S.I. 2012/2761, art. 2); S.I. 2013/1103, art. 2(1)(c)(d)(2)(3) (with arts. 3, 4)
- F12** S. 11(9) repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 3 para. 58(3)(e), **Sch. 37 Pt. 4**; S.I. 2012/1320, art. 4(1)(c)(d)(2)(3) (with art. 5); S.I. 2012/2574, art. 2(2)(3)(c)(d), Sch. (with arts. 3, 4) (as amended (4.11.2012) by S.I. 2012/2761, art. 2); S.I. 2013/1103, art. 2(1)(c)(d)(2)(3) (with arts. 3, 4)
- F13** S. 11(10) repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 3 para. 58(3)(e), **Sch. 37 Pt. 4**; S.I. 2012/1320, art. 4(1)(c)(d)(2)(3) (with art. 5); S.I. 2012/2574, art. 2(2)(3)(c)(d), Sch. (with arts. 3, 4) (as amended (4.11.2012) by S.I. 2012/2761, art. 2); S.I. 2013/1103, art. 2(1)(c)(d)(2)(3) (with arts. 3, 4)
- F14** S. 11(11)(a) repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 3 para. 58(3)(f), **Sch. 37 Pt. 4**; S.I. 2012/1320, art. 4(1)(c)(d)(2)(3) (with art. 5); S.I. 2012/2574, art. 2(2)(3)(c)(d), Sch. (with arts. 3, 4) (as amended (4.11.2012) by S.I. 2012/2761, art. 2); S.I. 2013/1103, art. 2(1)(c)(d)(2)(3) (with arts. 3, 4)
- F15** S. 11(11)(d) repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 3 para. 58(3)(f), **Sch. 37 Pt. 4**; S.I. 2012/1320, art. 4(1)(c)(d)(2)(3) (with art. 5); S.I. 2012/2574, art. 2(2)(3)(c)(d), Sch. (with arts. 3, 4) (as amended (4.11.2012) by S.I. 2012/2761, art. 2); S.I. 2013/1103, art. 2(1)(c)(d)(2)(3) (with arts. 3, 4)
- F16** S. 11(12)(h) substituted (1.4.2013) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 5 para. 36**; S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

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Marginal Citations

M1 1968 c. 19.

M2 1968 c. 19.

M3 1990 c. 42.

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