

Law Commission's consultation on Contempt of Court Act – policing response

Published on 28 February 2025

The College of Policing, along with other national policing organisations respond to the Law Commission's review of the Contempt of Court Act

News 3 mins read

National policing organisations have published their submission to the [Law Commission's review](#) of Contempt of Court legislation.

In December 2024, Counter Terrorism Policing, the National Police Chiefs' Council (NPCC) and the College responded to the consultation. This was part of ongoing discussions about what information can be released about suspects, particularly in the aftermath of major incidents.

The joint submission highlights several themes that UK policing have asked the Law Commission to consider as part of their work:

- comparisons with systems in other territories and how they could inform future legislation in England and Wales
- a collective approach from all those involved in the criminal justice system to test any changes to the rules about what information can be released and when
- decision-making frameworks to ensure entities with different legal responsibilities can balance competing risks
- robust accountability when investigations or proceedings are undermined

The [full submission to the contempt of court project team](#) has been published following further discussion about information sharing in the BBC's Panorama programme, broadcast on Monday 24 February 2025.

The issue of information sharing by policing was also raised at the Home Affairs Select Committee on Tuesday 25 February 2025.

Information sharing by policing and the wider criminal justice system has rightly been a critical and emotive strand of debate for some time, and was brought into sharp focus following events in Southport last year.

Earlier this week, BBC Panorama and contributors to the programme, including the Independent Reviewer of Terrorism Legislation Jonathan Hall KC, rightly raised questions about this issue.

I am clear-minded that whilst the integrity of police investigations and subsequent criminal proceedings are fundamental to an effective justice system, the legal processes that we are working within are built for a different time.

I believe that policing needs to find ways of saying more about our investigations when public safety or confidence demands that, and I know the public agree. But how we do this relies on partnership with prosecutors, and work with the courts.

Whilst exploring changes to the law, I hope the Law Commission will also explore what more can be achieved within the existing framework to tackle mis and disinformation, which itself may undermine justice.

The delivery of justice is not something that should be tampered with lightly, or altered to satisfy the urges of social media. However, we owe it to the public to consider how we communicate with them about incidents and what we know.

Policing has a unique stake in this debate, holding the closest connections with communities, but also the responsibility of communicating with them in the most urgent of moments, which is why we wish to drive this conversation forward.

We are publishing our submission today, to make our commitment to this debate clear and highlight how we think things could change.”

Matt Jukes, Head of Counter Terrorism Policing

The release of personal information following arrest is a subject which has received considerable attention in recent years following high-profile incidents.

Police chiefs recognise the validity of the claim that releasing details of those arrested can have very real and tangible benefits for society. Done correctly it can help police progress investigations, help the public feel safer, and crucially it can help prevent people committing contempt of court when they are unaware that proceedings are active.

Likewise, we understand reservations previously expressed by members of the judiciary and the Information Commissioner's Office, and concerns others may have regarding changing legal processes that have been in existence for many years.

Clearly this remains a very complex issue for us all to navigate and ultimately, any changes made should only be done so after careful and fully transparent consideration and following detailed discussion with all stakeholders.”

Chief Constable Gavin Stephens, National Police Chiefs' Council Chair

Police are operating in a fast-paced media landscape and the expectations of the public for timely, in-depth information have vastly changed.

Officers have a duty to put victims at the heart of what they do and they work tirelessly to secure a fair trial. There is a delicate balance to be found so that police and the wider criminal justice system are transparent and open with the public which in turn establishes greater trust.

The submission published today is central to getting this careful balance right and ensuring the public has confidence in the information they are given.”

Chief Constable Sir Andy Marsh, College of Policing CEO

Tags

Knowledge sharing