

Payment to witnesses

Following the arrests in connection with the Suffolk murders, there has been some comment – not all of it accurate – about the position regarding the role of the press in offering inducements to potential witnesses. For the avoidance of doubt, the relevant part of the Code of Practice is absolutely clear, and states that:

“No payment or offer of payment to a witness – or any person who may reasonably be expected to be called as a witness – should be made in any case once proceedings are active as defined by the Contempt of Court Act 1981.

This prohibition lasts until the suspect has been freed unconditionally by police without charge or bail or the proceedings are otherwise discontinued; or has entered a guilty plea to the court; or, in the event of a not guilty plea, the court has announced its verdict”.

There is no public interest defence to this part of the Code. In the Suffolk case, proceedings are clearly now active.

The Code was considerably strengthened in 2003 to make the position unequivocal.

ENDS

For more information, contact Tim Toulmin on 020 7831 0022.

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