



Terrorism Act 2000

2000 CHAPTER 11

PART IV

TERRORIST INVESTIGATIONS

Information and evidence

39 Disclosure of information, &c

- (1) Subsection (2) applies where a person knows or has reasonable cause to suspect that a constable is conducting or proposes to conduct a terrorist investigation.
- (2) The person commits an offence if he—
 - (a) discloses to another anything which is likely to prejudice the investigation, or
 - (b) interferes with material which is likely to be relevant to the investigation.
- (3) Subsection (4) applies where a person knows or has reasonable cause to suspect that a disclosure has been or will be made under any of sections 19 to 21.
- (4) The person commits an offence if he—
 - (a) discloses to another anything which is likely to prejudice an investigation resulting from the disclosure under that section, or
 - (b) interferes with material which is likely to be relevant to an investigation resulting from the disclosure under that section.
- (5) It is a defence for a person charged with an offence under subsection (2) or (4) to prove—
 - (a) that he did not know and had no reasonable cause to suspect that the disclosure or interference was likely to affect a terrorist investigation, or
 - (b) that he had a reasonable excuse for the disclosure or interference.
- (6) Subsections (2) and (4) do not apply to a disclosure which is made by a professional legal adviser—

Status: This is the original version (as it was originally enacted).

- (a) to his client or to his client's representative in connection with the provision of legal advice by the adviser to the client and not with a view to furthering a criminal purpose, or
 - (b) to any person for the purpose of actual or contemplated legal proceedings and not with a view to furthering a criminal purpose.
- (7) A person guilty of an offence under this section shall be liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding five years, to a fine or to both, or
 - (b) on summary conviction, to imprisonment for a term not exceeding six months, to a fine not exceeding the statutory maximum or to both.
- (8) For the purposes of this section—
- (a) a reference to conducting a terrorist investigation includes a reference to taking part in the conduct of, or assisting, a terrorist investigation, and
 - (b) a person interferes with material if he falsifies it, conceals it, destroys it or disposes of it, or if he causes or permits another to do any of those things.