

# **SERIOUS ORGANISED CRIME AND POLICE ACT 2005**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### *Commentary on Sections*

#### **Part 5: Miscellaneous**

#### ***Section 146: Intimidation of persons connected with animal research organisation***

375. *Subsection (1)*, read with *subsection (5)*, creates a further criminal offence. It is committed where a person (“A”), with the intention of persuading another person (“B”) not to do something he is entitled to do, or to do something he is not obliged to do, threatens B that A himself or someone else will commit a crime or do a tortious act causing loss or damage to B or someone else, and A does so wholly or mainly because B has a connection with an animal research organisation.
376. *Subsection (2)* lists the kinds of persons who are connected, directly or indirectly, with an animal research organisation for the purpose of the offence. The list includes the employees and office holders of animal research organisations; people with a financial interest in those organisations (including shareholders) or who give financial support to them; suppliers and customers and those with a financial interest in them or who financially support them, and people personally known to these people; students at educational establishments that are animal research organisations are included. In turn, those who supply and are customers of these people, or are known to them, are also included.
377. *Subsection (3)* has the effect that for the purposes of the list in subsection (2) the term “office holder” includes directors, managers and secretaries of companies, charity trustees, and partners in partnerships. *Subsection (4)* ensures for the purposes of the list in subsection (2) that the terms “customer” and “supplier” include customers and suppliers of goods, services and facilities. *Subsection (6)* gives the Secretary of State the power to amend subsection (2) (the list of connected persons) by means of an order subject to the affirmative resolution procedure. *Subsections (7) and (8)* exclude acts done in contemplation or furtherance of a trade dispute from the scope of the offence and operate in the same way as subsections (6) and (7) of section 142.