



# Serious Organised Crime and Police Act 2005

## 2005 CHAPTER 15

### PART 2

#### INVESTIGATIONS, PROSECUTIONS, PROCEEDINGS AND PROCEEDS OF CRIME

#### CHAPTER 4

##### PROTECTION OF WITNESSES AND OTHER PERSONS

### **88 Offences of disclosing information relating to persons assuming new identity**

- (1) A person (P) commits an offence if—
- (a) P is or has been a protected person,
  - (b) P assumed a new identity in pursuance of arrangements made under section 82(1),
  - (c) P discloses information which indicates that he assumed, or might have assumed, a new identity, and
  - (d) P knows or suspects that the information disclosed by him indicates that he assumed, or might have assumed, a new identity.
- (2) A person (D) commits an offence if—
- (a) D discloses information which relates to a person (P) who is or has been a protected person,
  - (b) P assumed a new identity in pursuance of arrangements made under section 82(1),
  - (c) the information disclosed by D indicates that P assumed, or might have assumed, a new identity, and
  - (d) D knows or suspects—
    - (i) that P is or has been a protected person, and

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*Status: This is the original version (as it was originally enacted).*

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- (ii) that the information disclosed by D indicates that P assumed, or might have assumed, a new identity.
- (3) A person who commits an offence under this section is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding two years, to a fine or to both;
  - (b) on summary conviction, to imprisonment for a term not exceeding 12 months, to a fine not exceeding the statutory maximum or to both.
- (4) In the application of this section to Scotland or Northern Ireland, the reference in subsection (3)(b) to 12 months is to be read as a reference to 6 months.