

Seminar Series 2012

Prosecuting Journalists: Terrorism, Security and the Public Interest

Dr Lawrence McNamara, University of Reading

Date: Wed, 30 May 2012

Time: 12:30 – 2:00pm

Venue: School of Law,
University Reading

Room: Foxhill House, G.04

Chair: Dr Steve Banks

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The Director of Public Prosecutions has recently published interim guidelines on assessing the public interest in cases affecting the media. They arise primarily as a response to phone hacking and other matters that have been considered by the current Inquiry into the Culture, Practice and Ethics of the Press ('the Leveson Inquiry').

This paper explores these prosecution and public interest issues in the context of terrorism and security matters. It focuses especially on section 38B of the Terrorism Act 2000 which obliges individuals to disclose to the authorities information which they believe might assist in either preventing an act of terrorism or in apprehending an offender. A failure to disclose will constitute a criminal offence. The provision and its predecessors have been highly contentious over the years. The Independent Reviewer of Terrorism Legislation has recently identified it as a matter of ongoing concern in its potential application to the media. The paper examines the potential and actual operation of these laws, drawing especially on interviews with journalists, media lawyers, criminal lawyers, police, and other security and government officials. The research has been undertaken as part of a three-year ESRC/AHRC funded project, [Law, Terrorism and the Right to Know](#).

Dr Lawrence McNamara is Reader in Law at the University of Reading. He holds an ESRC/AHRC Fellowship in Ideas and Beliefs for a three-year research programme, 'Law, Terrorism and the Right to Know' (www.reading.ac.uk/LTRK). He has published widely in areas relating to the legal regulation of speech.