



Crown Prosecution Service HQ
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Rt Hon Dame Karen Bradley MP
Chair of Home Affairs Committee

By email

11 April 2025

Dear Karen,

Re: Embargoed Home Affairs Committee – Police response to the 2024 Summer disorder

Thank you for sharing an embargoed copy of the Home Affairs Committee – Police response to the 2024 Summer disorder. Having considered the content of the report, I would be grateful for the opportunity to provide clarification on matters referred to in the report and seek your reconsideration of the content within relevant sections of the report, before wider publication.

At paragraph 9 of your report, you refer to the ‘Publicity and the Criminal Justice System’ protocol. I seek to provide additional information and clarification of the purpose of this protocol and its use by prosecutors and the police.

This is a joint agreement with policing and media that provides a protocol for working together in respect of providing media with access to relevant prosecution material. Relevant prosecution material is all material which is to be used in evidence, and all material which might undermine the prosecution case or assist the defence case can be regarded as prosecution material. The protocol is not designed to cover material referred to as category 3 material in my letter to you of the 21 February 2025, (information about the background of Axel Rudakubana which was not relevant to the eventual trial). In this case the example of such material was his place of birth, his residence, his age and his religion.

This protocol would not have been applicable to decision making at the time conversations were taking place between the CPS and the police regarding the release of personal information about Axel Rudakubana. As referred to previously, the release of such material is governed by the UK General Data Protection Regulation and Data Protection Act 2018. This legislation controls how information is used by organisations, and is subject to exceptions, the most relevant of which in this context is the ability to release information where this is justified in the public interest. The police were in possession of the above information in Category 3. The CPS recognises that the decision as to the release of this information was solely a matter for the police, given that

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publication of the information could not prejudice the trial, though the CPS were asked for our views as to the release of some of the information.

The protocol is guidance only and does not provide a restriction on the publication of information relating to criminal proceedings but a framework for consideration of appropriate material to release to the media during live proceedings.

The current drafting of paragraph 9 of your report suggests that the protocol could have impacted on any decision made to release information about the background of Rudakubana. However, this is not the aim and purpose of this protocol, and I am concerned the current draft inaccurately reflects the way in which it is used and its impact on the restriction of information.

I know you have already considered my letter of the 21 February 2025 but felt it important to clarify the purpose and use of the protocol, which I had not previously explained. I confirmed that we are revising the joint protocol with policing and media to ensure the guidance sets out what information or prosecution material can be released to the media. This will not impact on material disclosed within the media that is subject to UK General Data Protection Regulation and Data Protection Act 2018.

I welcome any change which may be brought about by the Law Commission consultation on contempt of court legislation and how this could impact the change in society and the use of social media within the context of criminal proceedings.

I hope this wider context provides you and the Committee with clarification on the purpose and use of the joint protocol guidance on 'Publicity and the Criminal Justice System' and helps to correct some drafting in your report to ensure clear public understanding of its use within criminal cases.

Yours sincerely,



STEPHEN PARKINSON
DIRECTOR OF PUBLIC PROSECUTIONS

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