



Attorney General's Office

Rt Hon Sir Lindsay Hoyle MP
Speaker of the House of Commons
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By Email Only

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SPEAKER'S CONFERENCE FOLLOW-UP

Dear Mr Speaker

Thank you for the opportunity to give evidence before the Speaker's Conference on 2 July 2025, alongside my colleagues Minister Sackman and Minister Johnson. Ensuring there is a robust criminal justice response to threats against candidates and parliamentarians is of course extremely important and, as I commented at the evidence session, on behalf of myself and my peers, I am very grateful to you for all the work that is being done in this area.

During the evidence session I committed to offer further detail as to some of the prosecutorial questions raised.

I note that the Conference also received evidence from Nick Price, Interim Director of Legal Services at the Crown Prosecution Service (CPS) on 2 July; I am responding to the questions raised on behalf of the CPS and the Attorney General's Office (AGO).

Process for obtaining Disqualification Orders

Firstly, I hope it is beneficial for me to set out the process by which Disqualification Orders are imposed. Part 5 of the Elections Act 2022 provides that where an adult is convicted of an offence specified in Schedule 9 of that Act, and the court is satisfied beyond reasonable doubt that the offence was aggravated by hostility related to the status, or perceived status, of the victim being a candidate, elected office holder, or campaigner, it must (unless it considers it unjust in all the circumstances) impose a Disqualification Order disqualifying the person from standing for election, being elected to, and holding a relevant elected office for a period of 5 years.

The Act also requires an order to be made disqualifying the defendant for 5 years from standing for or being an elected office holder if an offence is aggravated by hostility to the victim being a

candidate, elected office holder, or campaigner. These provisions also apply to Scottish Law under section 66 Elections Act 2022.

As set out in the CPS's Ancillary Orders guidance, Disqualification Orders are not for prosecutors to apply for but rather orders the court must make, unless it is unjust in all the circumstances to do so.

CPS handling of Disqualification Orders

The specialist division within the CPS that handles cases involving parliamentarians was also covered during the evidence session. The Special Crime Division (SCD) is a central casework division of the CPS which deals with such cases. It is comprised of lawyers who advise on and, where appropriate, prosecute some of the most sensitive and demanding cases across England and Wales.

All offences under Representation of the People Act 1983 are prosecuted by SCD. Criminal offences under the Political Parties, Elections and Referendums Act 2000 are managed at a local level by the relevant geographical CPS Area. However, more complex cases may require referral to Serious Economic Organised Crime and International Division.

Disqualification Orders in recent casework

The Director of Public Prosecutions (DPP) wrote to the Conference on 9 May and provided details of six cases the CPS had recently prosecuted for threats made against parliamentarians.

In respect of these cases, all the defendants met the legislative requirements for a Disqualification Order to be made (i.e. they were adults, convicted after November 2023, for an offence, or offences, as specified in Schedule 9 of the Elections Act 2022). No such Orders were made by the Court however, and CPS records do not identify whether the issue was specifically considered, nor reasons given for Disqualification Orders not being imposed.

In four of the six cases referred to, Restraining Orders were imposed by the Court for the protection of the victims and as a deterrent measure. The Orders imposed included prohibitions on contacting the victims and attending addresses with which they were associated (including, on occasion, the relevant constituency office).

Expedition in cases involving parliamentarians and candidates

Finally, the Conference asked about whether the CPS could request expedition in cases involving parliamentarians and candidates. Parliamentary candidates, as well as sitting parliamentarians, may fall under the jurisdiction of the Chief Magistrate which applies to cases involving Parliament. Where the CPS flags to the judge that expedition is required – such as ensuring a case is heard within an electoral period – this will be taken into account when listing decisions are made. Given the specialised handling of these cases, judges would almost certainly consider requests to expedite proceedings if circumstances allow.

Once again, I am grateful for the opportunity to have appeared before the Conference and I hope this letter provides further helpful input on this vital topic.

A handwritten signature in black ink, consisting of the letters 'LR' in a stylized, cursive-like font.

**LUCY RIGBY KC MP
SOLICITOR GENERAL**