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Mail Online

Theresa May orders police to stop keeping arrests secret after Mail reveals one in three forces won't name charged suspects

- Home Secretary acts to halt trend of secret arrests and charges
- Daily Mail revealed a third of forces refuse to name charged suspects

By [James Slack, Home Affairs Editor](#)

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Theresa May has asked the College of Policing to draw up new guidelines on dealing with crime suspects

Police were last night ordered to halt their march towards arresting and charging suspects in secret.

Theresa May intervened to 'protect transparency in the criminal justice system'.

It follows revelations by the Mail that one force in three is refusing to name suspects even after they have been charged.

Mrs May fears that if a person's identity is kept hidden 'witnesses and other victims might not come forward'.

The Home Secretary is warning chief constables that there 'should be no right to anonymity at charge apart from in extremely unusual circumstances'.

Where suspects have been arrested but not charged, she said, they could be named if it was in the 'public interest' – a broad definition that does not tie police hands.

Forces have been justifying the new policy by quoting the Leveson report on Press standards. Lord Justice Leveson said that, save in exceptional circumstances, 'the names or identifying details or those who are arrested or suspected of a crime should not be released to the press or public'.

But in a letter to police policy chiefs, Mrs May pointed out that while the comments had been included in Lord Leveson's report, they did not form part of his 'substantive recommendations'.

She added: 'I would like police forces to be aware of this fact.'

In the wake of the Leveson report, senior police began drawing up their own national guidelines stating that suspects should not be named on arrest. Critics likened the policy to a totalitarian state where people can be swept off the streets without anyone being told.

One force said last week that it would no longer name suspects even after they had been charged with a criminal offence.

Warwickshire Police made the announcement in a footnote to a press release which revealed that one of its former officers had been charged with stealing more than £100,000.

Senior officers – who were later forced to scrap the policy – explicitly cited the Leveson inquiry to justify their actions.

A Daily Mail survey revealed that 14 of the 43 police forces in England and Wales are keeping secret the names of suspects, even after they have been charged.

Mrs May's letter, seen by the Mail, was sent to Alex Marshall, the chief executive of the new College of Policing, which trains officers and draws up policy guidelines.

She has asked the college to write new rules on dealing with crime suspects. Previously, the Association of Chief Police Officers had taken the lead on this.

THE BATTLE AGAINST SECRECY

The public has a right to know who's charged with a crime. This police secrecy insults democracy

From the Mail, May 3

Third of police forces won't name suspects after they are charged

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Charging headlong towards a secret state

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Leveson adviser attacks 'chilling' secret arrests

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The Mail has campaigned for transparency in the justice system

The letter says: 'I am writing because of my concern about the different approaches taken by police forces regarding the anonymity of suspects upon arrest and charge.'

'In particular, I am concerned that the refusal of some police forces to name suspects who have been charged undermines transparency in the criminal justice system and risks the possibility that witnesses and other victims might not come forward.'

'I strongly believe that there should be no right to anonymity at charge apart from in extremely unusual circumstances.'

'I believe that there should be a right to anonymity at arrest, but I know that there will be circumstances in which the public interest means that an arrested suspect should be named.'

'I would like you to work on new guidance that makes this clear.'

The move follows the revelation that BBC sexual predator Stuart Hall might never have been brought to justice under the proposed secrecy regime.

Publicity surrounding his arrest in December led to more than a dozen other victims coming forward. If they had not added their complaints, the case might have collapsed for lack of evidence.

Daily Mail COMMENT

LAST week, after revealing a third of police forces were refusing to name crime suspects even *after* they had been charged, we urged politicians to ‘wake up and recognise the terrifying path’ this country was on.

We warned that not only was sweeping people off the street in secret the hallmark of a totalitarian state – it

also created a grave risk of preventing witnesses and even other victims from coming forward.

So the Mail applauds Theresa May for instructing police to re-write this Kafkaesque policy.

As the Home Secretary acknowledges, we undermine ‘transparency in the criminal justice system’ at our peril.

After his arrest, Hall, 83, declared his innocence and invoked Leveson to complain about ‘systematic leaks to the media’.

Liberty director Shami Chakrabarti – an adviser to the Leveson inquiry – said that although it was wrong for the police to brief against suspects, it was ‘equally chilling’ for officers to refuse to name someone they have detained or charged. She also condemned a ‘blanket policy of arresting people in secret’.

Former Metropolitan Police Commissioner Lord Blair said it was in the interests of justice for suspects to be named because the resulting publicity could help uncover vital evidence.

Kirsty Hughes, of Index on Censorship, said: ‘In certain cases, it may be appropriate to preserve anonymity but a “policy” of secrecy reverses the principle of open justice that we have in the UK.’

Earlier this week, the Mail revealed how police had concealed the arrest of Jimmy Tarbuck for almost a fortnight.

The veteran comedian was questioned by North Yorkshire Police on April 26 over claims he sexually abused a young boy in the 1970s.

But news of the 73-year-old’s controversial arrest did not emerge until it was discovered by the Mail 11 days later.

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The police do not want their own dirty linen washed in public now do they!

- [Afterlon](#) , Lancaster, 11/5/2013 10:41

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I understand people saying why name somebody before they are convicted but you really are missing the point. If someones identity isn't revealed then there is also the risk that a witness or alibi might not come forward that could just as easily prove the person innocent as they might guilty. Allowing the police to hold somebody in virtual secrecy takes away that person's right to true justice, whichever way the sword might eventually fall. Those are the tactics of the Gestapo. Given the police's overuse of the terrorism laws for people just taken photographs, do you really want to give them a foothold in that direction? Maybe the answer to your concern should be that once proven innocent people should be named as diligently as as those arrested, leaving others in no doubt of the outcome.

- [Jules](#) , Sittingbourne, 11/5/2013 10:31

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Rubbish frankly, people should not be named until found guilty, other complainants can come forward then. If they don't come forward of their own accord before, tough. There is, after all, the chance that someone will hear their hated old boss has been charged with sexual assault and decide to say he did it to them too.

- [Jan](#) , London, 11/5/2013 10:03

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Theresa May needs to look at the lack of transparency in Family Courts where parents have their children removed from their homes based on little more than social workers opinion & hearsay which is accepted in UK Family Courts! There is no evidence required! Why is this not being looked into? Could it be because its a multi billion pound industry that the Government profits from! Kids removed & forcibly adopted because they are under 5 years old. Older kids put with strangers that have very little vetting. Its all under the guise of care of the children but since 10,000 kids went missing from care, some trafficked, it begs the question what care? When they leave care their prospects are poor & they no longer know their families as social workers cut the ties, in foster care as well as adoption. They would have been better

off kept with families but then there wouldn't be profits from those who make a living on the backs of these children! Lack of transparency as public are unaware!

- [Dana](#) , London, 11/5/2013 10:03

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Open Justice is an essential, if freedom is to be preserved!

- [John](#) , Wolverhampton, United Kingdom, 11/5/2013 10:01

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The Suspicion Law must go. It is being abused by the Police and it is being abused by the Media. Until a person has been charged and the date for Court set, it should remain confidential. The media have destroyed far too many innocent lives.

- [Gordon Webster](#) , Dundee, 11/5/2013 09:24

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Why should the papers have the right to parade the names and faces, of people not yet found guilty of anything over their front pages? Why pretend you're on some moral crusade, when all you want is stories, to enable you to sell papers so you can pay off your shareholders.? The press wants rights, then be responsible with those rights for once !!!!!

- [Snoop Ex-Tory Voter](#) , Buckinghamshire, 11/5/2013 09:22

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What happened to the premise that people are innocent until proven guilty (in a court of law)? A number of people have been falsely arrested or charged with a crime that, when the case went to court, was dismissed or thrown out. Should these people be named and shamed because this is what it is? Lord Leveson is right when, in his report, he suggested that people arrested on suspicion of having committed a crime, are not publicly named. Theresa May is just pandering to her party's friends in the press and media and, of course, the DM will not approve of the Leveson Report, because it seeks to get the out-of-control press in our country to behave in a decent and civilised manner. The press in England abuse the freedoms we enjoy in this country and behave as though they are a law unto themselves.

- [Pandora](#) , Aylesbury, 11/5/2013 09:07

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If you Name the Accused then Name the Accuser

- [eddie](#) , coventry, 11/5/2013 09:00

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This is exactly what you would expect in a badly fractured police force. 43 chief constables, assistant chief constables, umpteen support staff and a raft of support people, buildings and services to interpret the law in 43 different ways. This whole bloated (and very expensive) management enterprise has been shown up for what it is, duplicitous and unnecessary. A unified police force has a small top team and that's it! No wonder there are so few police on the streets anymore. Millions of pounds of our tax money is being wasted right here.

- [David](#), UK, 11/5/2013 08:52

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