IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
DIVISIONAL COURT

BEFORE THE LADY CHIEF JUSTICE OF ENGLAND AND WALES
DAME VICTORIA SHARP
MR JUSTICE CHAMBERLAIN

BETWEEN: **Claim No. QB-2022-000174**



HM ATTORNEY GENERAL FOR ENGLAND AND WALES

Claimant

-and-

BRITISH BROADCASTING CORPORATION

Defendant

-and-

(1) Officer 2
(2) Officer 3

Interested Parties

AND BETWEEN:

Claim No. AC-2024-LON-02952

THE KING
on the application of
'BETH'

Claimant

- and -

THE INVESTIGATORY POWERS TRIBUNAL (the "IPT")

Defendant

- and -

(1) THE SECURITY SERVICE ("MI5")
(2) OFFICER 2

(3) OFFICER 3

Interested Parties

ORDER

UPON the Court deciding in its judgment of 2 July 2025 [2025] EWHC 1669 (KB) to adjourn consideration whether on its own initiative to bring contempt proceedings against any individual pending the outcome of a further investigation;

AND UPON the Prime Minister commissioning a further investigation under s. 239 of the Investigatory Powers Act 2016;

AND UPON reading the report of the Deputy Investigatory Powers Commissioner the Rt Hon. Sir John Goldring, published by the Investigatory Powers Commissioner on 16 July 2026;

AND UPON hearing Mr Timothy Otty KC for the Security Service ("MI5"), Mr Matthew Butt KC for Officer 2, Mr Aaron Watkins for Officer 3, Mr Jude Bunting KC for the BBC and Ms Charlotte Kilroy KC for 'Beth';

AND UPON consideration of written submissions by the parties;

IT IS DECLARED AND ORDERED as follows:

1. It is not in the public interest for the Court on its own initiative to bring contempt proceedings against any individual officer, the Director General of MI5 or MI5 itself. No such proceedings are therefore to be initiated by the Court.

2. MI5 must pay the costs of the BBC and Beth, such costs to be subject to detailed assessment on the indemnity basis if not agreed.

3. By way of interim payment, MI5 must pay 50% of the costs at paragraph 2 of this Order within 14 days of being served with a schedule of costs. Payment of the remainder must

be made within 28 days of agreement of the quantum of these costs or (if an assessment is required) within 28 days of the assessment.

4. There is to be a detailed assessment of Beth's costs for legal aid purposes.

3 November 2026

BY THE COURT