

Enforcement Guide

Chapter 6

Publicity

6.5 Publicity during, or upon the conclusion of civil action

- 6.5.1** Civil court proceedings nearly always take place in public from the time they begin. Therefore, civil proceedings for an *injunction* (see ■ chapter 10) or a restitution order (see ■ chapter 11), for example, will often be public as soon as they start.
- 6.5.2** The *FCA* considers it generally appropriate to publish details of its successful applications to the court for civil remedies including *injunctions* or restitution orders. For example, where the court has ordered an *injunction* to prohibit further illegal *regulated activity*, the *FCA* thinks it is appropriate to publicise this to tell *consumers* of the *position* and help them avoid dealing with the *person* who is the subject of the *injunction*. Similarly, a restitution order may be publicised to protect and inform *consumers* and maintain market confidence. However, there may be circumstances when the *FCA* decides not to publicise, or not to do this immediately. These circumstances might, for example, be where publication could damage confidence in the *financial system* or undermine market integrity in a way that would be prejudicial to the interests of *consumers*.