



# Justice (Northern Ireland) Act 2002

## 2002 CHAPTER 26

### PART 2

#### LAW OFFICERS AND PUBLIC PROSECUTION SERVICE

##### *Public Prosecution Service*

### **31 Conduct of prosecutions**

- (1) The Director must take over the conduct of all criminal proceedings which are instituted in Northern Ireland on behalf of any police force (whether by a member of that force or any other person).
- (2) The Director may institute, and have the conduct of, criminal proceedings in any other case where it appears appropriate for him to do so.
- (3) This section does not preclude any person other than the Director from—
  - (a) instituting any criminal proceedings, or
  - (b) conducting any criminal proceedings to which the Director's duty to conduct proceedings does not apply.
- (4) The Director may at any stage take over the conduct of any criminal proceedings which are instituted in circumstances in which he is not under a duty to take over their conduct, other than any proceedings of which the Director of the Serious Fraud Office has conduct.
- (5) The Director must give to police forces such advice as appears to him appropriate on matters relating to the prosecution of offences.
- (6) "Police force" means—
  - (a) the Police Service of Northern Ireland or the Police Service of Northern Ireland Reserve,
  - (b) the Ministry of Defence Police,

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**Changes to legislation:** Justice (Northern Ireland) Act 2002, Section 31 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (c) any body of constables appointed under Article 19 of the Airports (Northern Ireland) Order 1994 (S.I 1994/426 (N.I. 1)), or
- (d) any body of special constables appointed in Northern Ireland under section 79 of the Harbours, Docks, and Piers Clauses Act 1847 (c. 27) or section 57 of the Civil Aviation Act 1982 (c. 16).

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**Changes and effects yet to be applied to :**

- s. 31(5) words inserted by [2023 c. 41 Sch. 13 para. 5\(3\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 31(1A) inserted by [2023 c. 41 Sch. 13 para. 5\(2\)](#)
- s. 31(7) inserted by [2023 c. 41 Sch. 13 para. 5\(4\)](#)