



Justice (Northern Ireland) Act 2002

2002 CHAPTER 26

PART 2

LAW OFFICERS AND PUBLIC PROSECUTION SERVICE

Public Prosecution Service

37 Code for Prosecutors

- (1) The Director must prepare a code of practice for—
 - (a) Public Prosecutors, and
 - (b) barristers and solicitors to whom the Director assigns the institution or conduct of criminal proceedings.
 - (2) The code must include a code of ethics laying down standards of conduct and practice.
 - (3) The code must also give guidance on general principles to be applied—
 - (a) in determining, in any case, whether criminal proceedings should be instituted or, where criminal proceedings have been instituted, whether they should be discontinued, and
 - (b) in determining, in any case, what charges should be preferred.
 - (4) The Director may from time to time prepare a new code or make alterations to a code.
 - (5) In preparing or making alterations to a code the Director must be guided by the general principles of the Guidelines on the Role of Prosecutors adopted at the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders held at Havana between 27th August and 7th September 1990.
- [^{F1}(5A) In preparing or making alterations to a code the Director must also have regard to any guidance for the time being in operation under section 8 of the Justice (Northern Ireland) Act 2004.]
- (6) The Director must publish each code prepared by him and any alterations which he makes to a code (or the code as altered).

Changes to legislation: Justice (Northern Ireland) Act 2002, Section 37 is up to date with all changes known to be in force on or before 19 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

Textual Amendments

- F1** S. 37(5A) inserted (1.2.2006) by Justice (Northern Ireland) Act 2004 (c. 4), ss. 8(7), 19(1) (with s. 8(8)); S.R. 2005/282, art. 5

Modifications etc. (not altering text)

- C1** S. 37(4) modified (1.3.2008) by Serious Crime Act 2007 (c. 27), ss. 37, 94, Sch. 2 para. 18; S.I. 2008/219, art. 3

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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\(4\)](#)