

These notes refer to the Serious Organised Crime and Police Act 2005 (c.15) which received Royal Assent on 7th April 2005

SERIOUS ORGANISED CRIME AND POLICE ACT 2005

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Schedule 1: The Serious Organised Crime Agency

Section 39: Directions as to reference of cases and proceedings to appropriate prosecutor

133. This section provides for the DPP and the DRCP, acting jointly, to issue directions for the purposes of enabling SOCA to identify those of its cases which are to be handled by the CPS and those to be handled by the RCPO. The Directors are required to send a copy of the directions, and any revisions, to SOCA and publish them more widely as they see fit (*subsection (4)*). The DPP's and DRCP's annual reports to the Attorney General must set out any directions, or revisions thereto, given under this section (*subsections (5) and (6)*). *Subsection (8)* ensures that any criminal proceedings are not invalidated as a result of any case being misdirected by SOCA to the wrong prosecutor.