

Annex 1 - Part Three: Matters requiring DPP Personal Consent

Power or Function assigned specifically to the DPP	Originating statute
Bribery offences	Sections 10(1) and 10(4) Bribery Act 2010 ('... <i>the DPP... must exercise personally any function ... of giving consent</i> ') <i>(Blue separator row)</i>
Double jeopardy - application for retrial for serious offences	Section 76(3) Criminal Justice Act 2003 ('... <i>a prosecutor may only make an application ... with the written consent of the Director of Public Prosecutions</i> ') <i>(Blue separator row)</i>
Immunities: Section 71 witness immunity notice	Section 71(4)(a) Serious Organised Crime and Police Act 2005 - power given to a ' <i>specified prosecutor</i> ' including the Director of Public Prosecutions
Section 72 restricted use undertaking	Sections 72(1) and (7) Serious Organised Crime and Police Act 2005 refer to ' <i>a specified prosecutor</i> ', given same meaning as under section 71 <i>(Grey separator row)</i>
Sections 73 and 74 sentence discount agreements	Sections 73(10) and 74(3)(b) of Serious Organised Crime and Police Act 2005 <i>(Grey separator row)</i>
Investigatory Powers (power to issue Disclosure Notice, apply for Search Warrant etc)	Section 60(1) Serious Organised Crime and Police Act 2005 confers various powers on the DPP in relation to sections 61-69 <i>(Blue separator row)</i>

Serious Crime Prevention Orders (Crown Court)	Section 8 (a)(i) Serious Crime Act 2007 (Orders on Conviction in the Crown Court) limits the class of applicants who can apply for a SCPO, and includes the DPP
Serious Crime Prevention Orders (High Court)	Section 8 (a)(i) Serious Crime Act 2007 (High Court Orders) limits the class of applicants who can apply for a SCPO, and includes the DPP
Proceeds of Crime Act 2002	Part 5, section 240(1)(a) enables ' <i>... the enforcement authority to recover, in civil proceedings before the High Court or Court of Session, property which is, or represents, property obtained through unlawful conduct</i> '. The DPP has the authority as conferred by section 316 to instigate civil recovery proceedings as outlined in section 243
Proceeds of Crime Act 2002	Part 8, section 345 (production order), section 352 (search and seizure order), section 357 (disclosure order), section 363 (customer information order), section 370 (account monitoring order)
Police Reform and Social Responsibility Act 2011	Section 153(1) - restriction on the use of arrest warrants in private prosecutions

Further Situation	
Matters which present a potential conflict of interest for the Director of Public Prosecutions as post holder (for example, as a result of previous involvement in a matter prior to taking up the post of DPP)	Not applicable