



Disclosure ref: 31 Sent: 15<sup>th</sup> June 2020

## Freedom of Information Act 2000 Request

### *Information regarding Prosecutors Protocol and the DPP's role*

#### Request

*I refer to the Prosecutors Protocol dated Nov 2016 (which superseded an earlier version dated 2011).*

*The Protocol states:*

*"where there is an issue as to the appropriate jurisdiction in which to deal with a suspect who is subject to Service law, the Director of Public Prosecutions and the Director of Service Prosecutions should consult in relation to the appropriate jurisdiction to deal with the case, acknowledging that the final decision rests with the Director of Public Prosecutions".*

*On how many occasions since the signing of the Prosecutor's Protocol in 2011 and its subsequent version dated November 2016, has the DPP been called upon to make a final decision of this nature and, in those cases, how many times has the DPP concluded that the civilian authorities had jurisdiction?*

#### Response

The Crown Prosecution Service (CPS) does not hold a centralised record of any final decisions made by the Director of Public Prosecutions (DPP) under the Protocol referred to, and we are not aware of any final decisions made by the DPP under the Protocol, where there has been an issue between the CPS and the Service Prosecution Authority or the Ministry of Defence as to the appropriate jurisdiction.

Under section 16 of the Freedom of Information Act, we have an obligation to advise what, if any, information may assist you with your request. The Service Prosecuting Authority (SPA) may be able to assist you with your request. FoI enquiries can be made via the SPA's website via the following link:

<http://spa.independent.gov.uk/index.htm>

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