



# Justice (Northern Ireland) Act 2002

## 2002 CHAPTER 26

### PART 2

#### LAW OFFICERS AND PUBLIC PROSECUTION SERVICE

##### *Public Prosecution Service*

### **32 Discontinuance of proceedings before court appearance**

- (1) Where the Director has the conduct of proceedings in relation to an offence against a person, he may discontinue the proceedings (without the leave of any court) at any time before the person has appeared or been brought before a court in connection with the offence.
- (2) Where proceedings against a person in relation to an offence are discontinued under subsection (1), the Director must inform—
  - (a) the person, and
  - (b) any court before which the person has been required to appear in connection with the offence,that the proceedings have been discontinued.
- (3) Where proceedings against a person in relation to an offence are discontinued under subsection (1)—
  - (a) if he is in detention in connection with the offence, he must be released unless his detention is justified otherwise than by reason of the offence, and
  - (b) if he is subject to a requirement to appear before a court, or attend at a police station, in connection with the offence, the requirement ceases to have effect.
- (4) The discontinuance under subsection (1) of proceedings against a person in relation to an offence does not prevent the subsequent institution of proceedings against him in relation to the offence (or any other offence).