



Criminal Justice Act 1987

1987 CHAPTER 38

PART I

FRAUD

Serious Fraud Office

1 The Serious Fraud Office.

- (1) A Serious Fraud Office shall be constituted for England and Wales and Northern Ireland.
- (2) The Attorney General shall appoint a person to be the Director of the Serious Fraud Office (referred to in this Part of this Act as “the Director”), and he shall discharge his functions under the superintendence of the Attorney General.
- (3) The Director may investigate any suspected offence which appears to him on reasonable grounds to involve serious or complex fraud.
- (4) The Director may, if he thinks fit, conduct any such investigation in conjunction either with the police or with any other person who is, in the opinion of the Director, a proper person to be concerned in it.
- (5) The Director may—
 - (a) institute and have the conduct of any criminal proceedings which appear to him to relate to such fraud; and
 - (b) take over the conduct of any such proceedings at any stage.
- (6) The Director shall discharge such other functions in relation to fraud as may from time to time be assigned to him by the Attorney General.

[^{F1}(6A) The Director has the functions conferred on him by, or in relation to, [^{F2}Part 2, 4, 5, 7] or 8 of the Proceeds of Crime Act 2002 (c. 29) ([^{F3}confiscation proceedings in England and Wales and Northern Ireland, civil recovery proceedings, money laundering and investigations]).]

Status: Point in time view as at 27/04/2017. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice Act 1987, Section 1. (See end of Document for details)

(7) The Director may designate for the purposes of subsection (5) above any member of the Serious Fraud Office who is—

- (a) a barrister in England and Wales or Northern Ireland;
- (b) a solicitor of the [^{F4}Senior Courts]; or
- (c) a [^{F5}solicitor of the Court of Judicature of Northern Ireland].

(8) Any member so designated shall, without prejudice to any functions which may have been assigned to him in his capacity as a member of that Office, have all the powers of the Director as to the institution and conduct of proceedings but shall exercise those powers under the direction of the Director.

^{F6}(9)

^{F6}(10)

^{F6}(11)

(12) Any member so designated who is a barrister in Northern Ireland or a [^{F5}solicitor of the Court of Judicature of Northern Ireland] shall have—

- (a) in any court the rights of audience enjoyed by [^{F5}solicitors of the Court of Judicature of Northern Ireland] and, in the Crown Court in Northern Ireland, such additional rights of audience as may be given by virtue of subsection (14) below; and
- (b) in the Crown Court in Northern Ireland, the rights of audience enjoyed by barristers employed by the Director of Public Prosecutions for Northern Ireland.

(13) Subject to subsection (14) below, the reference in subsection (12)(a) above to rights of audience enjoyed by [^{F5}solicitors of the Court of Judicature of Northern Ireland] is a reference to such rights enjoyed in the Crown Court in Northern Ireland as restricted by any direction given by the Lord Chief Justice of Northern Ireland under section 50 of the ^{M1}Judicature (Northern Ireland) Act 1978.

(14) For the purpose of giving any member so designated who is a barrister in Northern Ireland or a [^{F5}solicitor of the Court of Judicature of Northern Ireland] additional rights of audience in the Crown Court in Northern Ireland, the Lord Chief Justice of Northern Ireland may direct that any direction given by him under the said section 50 shall not apply to such members.

(15) Schedule 1 to this Act shall have effect.

(16) For the purposes of this section (including that Schedule) references to the conduct of any proceedings include references to the proceedings being discontinued and to the taking of any steps (including the bringing of appeals and making of representations in respect of applications for bail) which may be taken in relation to them.

(17) In the application of this section (including that Schedule) to Northern Ireland references to the Attorney General are to be construed as references to him in his capacity as [^{F7}Advocate General for Northern Ireland].

Textual Amendments

F1 S. 1(6A) inserted (1.4.2008) by [Serious Crime Act 2007 \(c. 27\)](#), s. 94(1), [Sch. 8 para. 152](#); [S.I. 2008/755](#), art. 2(1)(a) (with arts. 3-14)

Status: Point in time view as at 27/04/2017. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice Act 1987, Section 1. (See end of Document for details)

- F2** Words in s. 1(6A) substituted (27.4.2017 for specified purposes) by [Criminal Finances Act 2017 \(c. 22\)](#), s. 58(5)(6), **Sch. 5 para. 4(a)**
- F3** Words in s. 1(6A) substituted (27.4.2017 for specified purposes) by [Criminal Finances Act 2017 \(c. 22\)](#), s. 58(5)(6), **Sch. 5 para. 4(b)**
- F4** Words in s. 1(7)(b) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), **Sch. 11 para. 4**; S.I. 2009/1604, art. 2(d)
- F5** Words in Act substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), **Sch. 11 para. 5**; S.I. 2009/1604, art. 2(d)
- F6** S. 1(9)-(11) repealed (31.7.2000) by 1999 c. 22, s. 106, **Sch. 15 Pt II** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2000/1920, **art. 2(c)**
- F7** Words in s. 1(17) substituted (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), **Sch. 26 para. 21**; S.I. 2008/1586, art. 2(1), Sch. 1 para. 48(h)

Marginal Citations

- M1** 1978 c. 23.

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Changes to legislation:

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