

*“the offence was committed in order to facilitate more serious offending”.*

Additional factors were included in the list of public interest factors tending against prosecution including,

*“The seriousness and the consequences of the offending can be appropriately dealt with by an out-of-court disposal which the suspect accepts and with which he or she complies” and “The suspect played a minor role in the commission of the offence”.*

151. The wording of other factors were changed, the most relevant of which was the change to the consideration of the age and health of the offender. The reference to whether the offender was *elderly* was removed so that the mental or physical ill health continued to be factors tending against prosecution but the advanced age of the offender did not.

2013 Code, Seventh Edition [Exhibit GM/12]

152. The 7<sup>th</sup> edition was published in January 2013 after a 3 month public consultation which ran from July 2012 to October 2012. This remains the current edition of the Code and is around 4,500 words, approximately two-thirds of the length of the 6<sup>th</sup> edition. It is now an overarching statement of principles, making it more streamlined and applicable to the variety of cases handled by prosecutors and police.
153. The aim of this edition was to provide a shorter, more streamlined version. Therefore, where information, such as that relating to victim's rights, could be found elsewhere in the publically available guidance and policies a decision was taken not to include it in the Code. Greater clarity of the police and CPS roles was provided with specific focus on the CPS's inability to investigate nor to direct an investigation. A reference to consideration of whether the prosecution was proportionate was added having previously been included in the 1986 edition of the Code.
154. The Code no longer poses factors tending for and against prosecution, but now prosecutors are asked to address their minds to a series of questions to assist them in