

Assisting offender debriefing

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[Section 71](#) and [section 72](#) of the Serious Organised Crime and Police Act 2005 (SOCPA) and certain sections of the [Sentencing Act 2020](#) ('the Sentencing Act') may be used by prosecutors to secure intelligence or evidence from offenders to assist in an investigation or prosecution (of an indictable offence or an offence triable either way). Offenders who provide such assistance are known as assisting offenders and may receive:

- immunity from prosecution ([section 71 SOCPA](#))
- restricted use undertakings ([section 72 SOCPA](#))
- a reduction in sentence ([section 74 of the Sentencing Act](#))
- a review of their sentence ([section 388 of the Sentencing Act](#))

The decision as to whether it is appropriate to offer a formal written agreement in any particular case is entirely that of the specified prosecutor.

If an offender is believed to fall within the remit of the SOCPA or Sentencing Act, consultation should take place with the relevant police debrief unit.

Only a specified prosecutor can offer any agreement or undertaking. Only those who are trained and accredited should assist with any agreement or undertaking.

Further information

- [See the Crown Prosecution Service's legal guidance, Assisting Offenders \(Immunity, Undertakings and Agreements\)](#)

Tags

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