



Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART V

QUESTIONING AND TREATMENT OF PERSONS BY POLICE

[^{F1}60B Notification of decision not to prosecute person interviewed

- (1) This section applies where—
 - (a) a person suspected of the commission of a criminal offence is interviewed by a police officer but is not arrested for the offence, and
 - (b) the police officer in charge of investigating the offence determines that—
 - (i) there is not sufficient evidence to charge the person with an offence, or
 - (ii) there is sufficient evidence to charge the person with an offence but the person should not be charged with an offence or given a caution in respect of an offence.
- (2) A police officer must give the person notice in writing that the person is not to be prosecuted.
- (3) Subsection (2) does not prevent the prosecution of the person for an offence if new evidence comes to light after the notice was given.
- (4) In this section “caution” includes—
 - (a) a conditional caution within the meaning of Part 3 of the Criminal Justice Act 2003;
 - (b) a youth conditional caution within the meaning of Chapter 1 of Part 4 of the Crime and Disorder Act 1998;
 - (c) a youth caution under section 66ZA of that Act.]

Textual Amendments

- F1** S. 60B inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), [ss. 77, 183\(1\)\(5\)\(e\)](#); [S.I. 2017/399](#), [reg. 2](#), [Sch. para. 25](#)

Changes to legislation: *Police and Criminal Evidence Act 1984, Section 60B is up to date with all changes known to be in force on or before 10 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Modifications etc. (not altering text)

- C1** S. 60B applied (with modifications) (1.4.2018) by [The Welsh Revenue Authority \(Powers to Investigate Criminal Offences\) Regulations 2018 \(S.I. 2018/400\)](#), regs. 1(2), 3(1)(3), **Sch.** (with regs. 4-8)

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Changes and effects yet to be applied to :

- s. 60B(4) word substituted by [2022 c. 32 Sch. 11 para. 15\(a\)](#)
- s. 60B(4)(a) substituted by [2022 c. 32 Sch. 11 para. 15\(b\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 17(1)(cza) inserted by [2021 c. 17 s. 26\(9\)](#)
- s. 47A(3A) substituted by [2022 c. 35 Sch. 2 para. 7](#)
- s. 61(6BA) inserted by [2008 c. 28 s. 10\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 63(3D) inserted by [2008 c. 28 s. 10\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 64(1AA) inserted by [2008 c. 28 s. 10\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 64A(1B)(cb) inserted by [2022 c. 32 Sch. 11 para. 18\(a\)](#)
- Sch. 1A para. 21A added by 1995 c. 32, s. 8B(1) (as inserted) by [2006 c. 12 Sch. 3 para. 13](#)