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**Changes to legislation:** There are currently no known outstanding effects for the Crime and Courts Act 2013, Cross Heading: Court approval of DPA: preliminary hearing. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 17

#### DEFERRED PROSECUTION AGREEMENTS

##### PART 1

##### GENERAL

###### *Court approval of DPA: preliminary hearing*

- 7 (1) After the commencement of negotiations between a prosecutor and P in respect of a DPA but before the terms of the DPA are agreed, the prosecutor must apply to the Crown Court for a declaration that—
- (a) entering into a DPA with P is likely to be in the interests of justice, and
  - (b) the proposed terms of the DPA are fair, reasonable and proportionate.
- (2) The court must give reasons for its decision on whether or not to make a declaration under sub-paragraph (1).
- (3) The prosecutor may make a further application to the court for a declaration under sub-paragraph (1) if, following the previous application, the court declined to make a declaration.
- (4) A hearing at which an application under this paragraph is determined must be held in private, any declaration under sub-paragraph (1) must be made in private, and reasons under sub-paragraph (2) must be given in private.

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#### **Commencement Information**

**II** Sch. 17 para. 7 in force at 24.2.2014 by [S.I. 2014/258](#), [art. 2\(b\)](#)

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