

CEP Magazine – January 2021 UK Serious Fraud Office releases DPA guidance

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The United Kingdom's Serious Fraud Office published new guidance related to deferred prosecution agreements (DPAs).^[1] The guidance, nested in the office's internal *SFO Operational Handbook*, offers insight into how the office will approach DPAs, what is required of companies that seek to enter such an agreement, and some of the standard requirements placed upon companies that do enter DPAs.

The guidance also clearly delineates the procedures involved in securing a DPA; what information, if any, is released to the public; how a DPA looks when entered into the legal record; and the criminal offenses to which DPAs can apply.

One of the most salient parts of the guidance, from a company's point of view, describes the procedures prosecutors must go through in order to determine whether a company should be prosecuted in court or whether the Crown should enter into a DPA.

¹ United Kingdom Serious Fraud Office, "Deferred Prosecution Agreements," *SFO Operational Handbook*, accessed November 9, 2020, <https://bit.ly/3eftBRY>.

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