

<b>THEMATIC TITLE</b>	DEFERRED PROSECUTION IN CRIMINAL CASE: THE CASE STUDY OF OFFENCES REGARDING PRODUCT LABEL BY THE CONSUMER PROTECTION ACT B.E. 2522
<b>KEYWORDS</b>	DEFERRED PROSECUTION
<b>STUDENT</b>	PAVEENA NAREELOES
<b>THEMATIC ADVISOR</b>	ASSOCIATE PROFESSOR PHATTHIYA SIRIBORWORNPIPHAT
<b>LEVEL OF STUDY</b>	MASTER OF LAWS CRIMINAL LAW AND CRIMINAL JUSTICE ADMINISTRATION
<b>FACULTY</b>	SCHOOL OF LAW SRIPATUM
<b>UNIVERSITY</b>	
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### **ABSTRACT**

The purpose of this paper aims to study deferred prosecution in case of offences regarding product label according to the Consumer Protection Act B.E. 2522 since the offenders do not admit imposing fines. These cause certain cases to the courts and significantly affect the criminal justice process. The offenders will also have criminal record, guilt including imprisonment.

The study found that the using of deferred prosecution measure instead of criminal prosecution by authorizing the public prosecutor to consider making a non-prosecution order with some conditions i.e. probation, attending public services, or restitution which benefit to the criminal justice. This process helps decreasing the number of criminal cases filed to the courts which can save government's outgoings from detention the offenders. Additionally, the offenders are able to realize and comply with the law without condemned and criminal record so they are able to be back to the society as normal life.

Deferred prosecution is such a provision using in the process regarding to Consumer Protection Act B.E. 2522 in order to reduce the number of criminal cases to the courts which

gives the offenders opportunity to not be imprisoned. However, there are some issues needed to be amended, the Criminal Procedure Code should authorize the public prosecutor to make a non-prosecution with conditions and make an order to terminate the deferred prosecution case without any consent from the judge. Another issue is to amend the Consumer Protection Act B.E. 2522 by letting the officers who in-charged can apply the deferred prosecution to the cases including announce the policy of deferred prosecution and penalty, and there should have a committee to cogitate the consideration of deferred prosecution of the public prosecutors.