

# Legal Aid, Sentencing and Punishment of Offenders Act 2012

**2012 CHAPTER 10** 

## PART 3

SENTENCING AND PUNISHMENT OF OFFENDERS

## CHAPTER 7

OUT OF COURT DISPOSALS

### Cautions

### 133 Conditional cautions: involvement of prosecutors

- (1) The Criminal Justice Act 2003 is amended as follows.
- (2) In section 22(3A) (conditions that may be attached to a conditional caution) for "by a relevant prosecutor" substitute " in the condition ".
- (3) In section 23(2) (relevant prosecutor must decide there is sufficient evidence to prosecute and that a conditional caution should be given) after "a relevant prosecutor" insert " or the authorised person ".
- (4) In section 23A(5) (relevant prosecutor must specify amount of financial penalty and how it is to be paid etc) for "a relevant prosecutor must also" substitute " the condition must ".
- (5) In section 23B (variation of conditions by relevant prosecutor) after "A relevant prosecutor" insert " or an authorised person ".
- (6) In section 25 (code of practice) in subsection (2)(ga) (Secretary of State's code of practice may include provision about what a relevant prosecutor may provide under section 23A(5)(b)) for "by a relevant prosecutor" substitute " in a condition ".

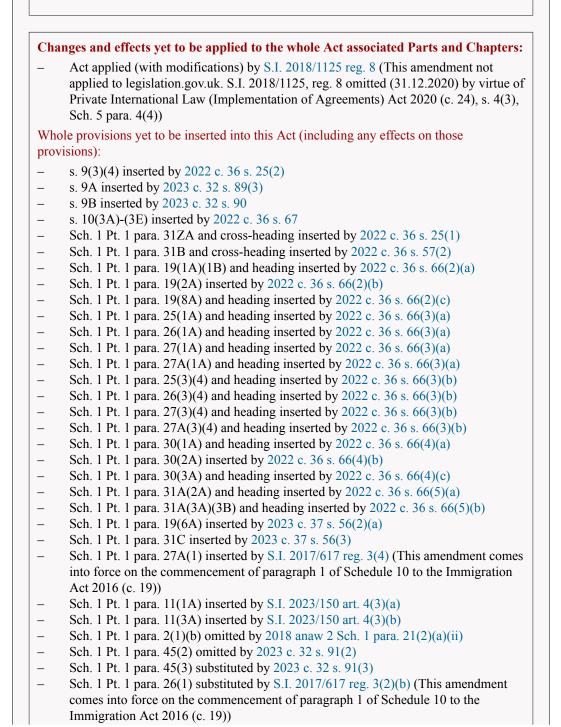
#### Changes to legislation:

Legal Aid, Sentencing and Punishment of Offenders Act 2012, Section 133 is up to date with all changes known to be in force on or before 17 April 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.

View outstanding changes

#### Changes and effects yet to be applied to :

- s. 133 omitted by 2022 c. 32 Sch. 11 para. 38(1)(d)
- specified provision(s) amendment to earlier commencing S.I. 2016/286, art. 4(1) by
  S.I. 2017/225 art. 2



_	Sch. 1 Pt. 1 para. 27(1) substituted by S.I. 2017/617 reg. 3(3)(b) (This amendment
	comes into force on the commencement of paragraph 1 of Schedule 10 to the
	Immigration Act 2016 (c. 19))
_	Sch. 1 Pt. 1 para. 19(10) words inserted by 2023 c. 37 s. 56(2)(b)
_	Sch. 1 Pt. 1 para. 31(1)(a) words inserted by S.I. 2023/147 art. 2(2)(a)
_	Sch. 1 Pt. 1 para. 31(1)(a) words inserted by S.I. 2023/147 art. 2(2)(b)
_	Sch. 1 Pt. 1 para. 31(1)(a) words omitted by 2016 c. 19 Sch. 11 para. 2(1)
_	Sch. 1 Pt. 1 para. 45(4) words omitted by 2023 c. 32 s. 91(4)
_	Sch. 1 Pt. 1 para. 26 heading words substituted by S.I. 2017/617 reg. 3(2)(a) (This
	amendment comes into force on the commencement of paragraph 1 of Schedule 10
	to the Immigration Act 2016 (c. 19))
_	Sch. 1 Pt. 1 para. 27 heading words substituted by S.I. 2017/617 reg. 3(3)(a) (This
	amendment comes into force on the commencement of paragraph 1 of Schedule 10
	to the Immigration Act 2016 (c. 19))
_	Sch. 1 Pt. 3 para. 16A inserted by 2023 c. 37 s. 56(4)
-	Sch. 1 Pt. 3 para. 11(b) and word inserted by S.I. 2017/617 reg. 3(6)(b) (This
	amendment comes into force on the commencement of paragraph 1 of Schedule 10
	to the Immigration Act 2016 (c. 19))
_	Sch. 1 Pt. 3 para. 8(b) omitted by S.I. 2017/617 reg. 3(5) (This amendment comes
	into force on the commencement of paragraph 1 of Schedule 10 to the Immigration
	Act 2016 (c. 19))
-	Sch. 1 Pt. 3 para. 11(a) and word omitted by S.I. 2017/617 reg. 3(6)(a) (This
	amendment comes into force on the commencement of paragraph 1 of Schedule 10
	to the Immigration Act 2016 (c. 19))
_	Sch. 1 Pt. 4 para. 8 inserted by 2022 c. 36 s. 66(6)