



# Police, Crime, Sentencing and Courts Act 2022

## 2022 CHAPTER 32

### PART 6

#### CAUTIONS

PROSPECTIVE

#### *Introductory*

#### **98      Diversionary and community cautions**

- (1) This Part makes provision for cautions known as—
  - (a) diversionary cautions, and
  - (b) community cautions.
- (2) A diversionary caution may, in accordance with this Part, be given by an authorised person to a person aged 18 or over in respect of an offence.
- (3) A community caution may, in accordance with this Part, be given by an authorised person to a person aged 18 or over in respect of an offence other than an excluded offence.
- (4) Diversionary and community cautions must have one or more conditions attached to them.
- (5) Breach of a condition may, in accordance with this Part, result in—
  - (a) prosecution for the offence, in the case of a diversionary caution, or
  - (b) a financial penalty, in the case of a community caution.
- (6) In this Part “excluded offence” means—
  - (a) an indictable-only offence;

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**Status:** This version of this cross heading contains provisions that are prospective.

**Changes to legislation:** There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Cross Heading: Introductory. (See end of Document for details)

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- (b) an offence triable either way which is prescribed in regulations, or
- (c) a summary offence which is prescribed in regulations.

(7) In this Part “authorised person”, in relation to a diversionary or community caution, means—

- (a) a constable,
- (b) an investigating officer, or
- (c) a person authorised by a prosecution authority for purposes relating to cautions of that kind.

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#### **Commencement Information**

**II** S. 98 not in force at Royal Assent, see [s. 208\(1\)](#)

**Status:**

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