



Police, Crime, Sentencing and Courts Act 2022

2022 CHAPTER 32

PART 6

CAUTIONS

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

Status: This is the original version (as it was originally enacted).

(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.