



Police, Crime, Sentencing and Courts Act 2022

2022 CHAPTER 32

PART 6

CAUTIONS

Community cautions

PROSPECTIVE

109 Deciding on the conditions

- (1) The conditions attached to a community caution are to be decided upon by—
 - (a) an authorised person, or
 - (b) in a case where a prosecution authority has taken the decision that the caution should be given, the prosecution authority.
- (2) The conditions which may be attached to a community caution are those authorised by—
 - (a) section 110 (rehabilitation and reparation conditions), and
 - (b) section 111 (financial penalty conditions).
- (3) When deciding what conditions to attach to a community caution the authorised person or prosecution authority must—
 - (a) make reasonable efforts, or ensure that reasonable efforts are or have been made, to obtain the views of any victim or victims of the offence, and
 - (b) take those views into account.
- (4) The views referred to in subsection (3) include in particular views as to whether the offender should carry out any of the actions listed in the community remedy document.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Section 109. (See end of Document for details)

- (5) Where it is the view of the victim or all the victims that the offender should carry out a particular action listed in the community remedy document, the authorised person or prosecution authority must attach that as a condition unless it seems to the authorised person or prosecution authority—
- (a) the action is not one that can be attached as a condition to a community caution, or
 - (b) it would be inappropriate to do so.

Commencement Information

- II** S. 109 not in force at Royal Assent, see [s. 208\(1\)](#)

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Section 109.