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# WEST MIDLANDS POLICE

## Force Policy Document

<b>POLICY TITLE:</b>	<b>Caution and Combined Caution Policy</b>
<b>POLICY REFERENCE NO:</b>	<b>CJ/21</b>

### Executive Summary.

*The intention of this policy is to simplify the use of all cautions and ensure they are used lawfully, proportionately, ethically and effectively. It will not repeat information held in national guidance, and will be supplemented with training and best practice notes on the force intranet. This policy should be read in conjunction with the forces Positive Justice policy, the Directors Guidance on Charging / Conditional Cautions, and the national guidance documents on the use of cautions.*

*\*\*Any enquiries in relation to this policy should be made directly with the policy contact / department shown below.*

### Intended Policy Audience.

*West Midlands Police Officers, Special Constables, PCSOs and Police Staff*

<b>Current Version And Effective Date.</b>	<b>V2.1</b>	<b>25/02/2016</b>
<b>Business Area Owner</b>	<b>Central Justice Services</b>	
<b>Department Responsible</b>	<b>Central Justice Services</b>	
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<b>Approved By</b>	<b>ACC Cann</b>	
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<b>Suitable For Publication – Freedom Of Information</b>	<b>Yes</b>	

### Please Note.

**PRINTED VERSIONS SHOULD NOT BE RELIED UPON. THE MOST UPTO DATE VERSION OF ANY POLICY OR DIRECTIVE CAN BE FOUND ON THE EQUIP DATABASE ON THE INTRANET.**

### **Force Diversity Vision Statement and Values**

“Maximise the potential of people from all backgrounds through a culture of fairness and inclusion to deliver the best service for our communities”

“All members of the public and communities we serve, all police officers, special constables and police staff members shall receive equal and fair treatment regardless of, age, disability, sex, race, gender reassignment, religion/belief, sexual orientation, marriage/civil partnership and pregnancy/maternity. If you consider this policy could be improved for any of these groups please raise with the author of the policy without delay.”

### **Code of Ethics**

West Midlands Police is committed to ensuring that the Code of Ethics is not simply another piece of paper, poster or laminate, but is at the heart of every policy, procedure, decision and action in policing.

The Code of Ethics is about self-awareness, ensuring that everyone in policing feels able to always do the right thing and is confident to challenge colleagues irrespective of their rank, role or position

Every single person working in West Midlands Police is expected to adopt and adhere to the principles and standards set out in the Code.

The main purpose of the Code of Ethics is to be a guide to "good" policing, not something to punish "poor" policing.

The Code describes nine principles and ten standards of behaviour that sets and defines the exemplary standards expected of everyone who works in policing.

Please see [http://www.college.police.uk/docs/Code\\_of\\_Ethics.pdf](http://www.college.police.uk/docs/Code_of_Ethics.pdf) for further details.

The policy contained in this document seeks to build upon the overarching principles within the Code to further support people in the organisation to do the right thing.

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## 1. INTRODUCTION.

1.1. This policy replaces the below policies:

- P15a Adult Simple Caution
- P15b Prosecution Policy – Conditional Cautioning
- P15e Prosecution Policy – Reprimands and Final Warnings Policy, Crime and Disorder Act 1998

1.2. This policy should be read in conjunction with the forces Positive Justice policy, the Directors Guidance on Charging, and Authorised Professional Practice relating to the use of cautions.

1.3. The intention of this policy is to simplify the use of all cautions and ensure they are used lawfully, proportionately, ethically and effectively. It will not repeat information held in national guidance, and will be supplemented with training and best practice notes on the force intranet.

1.4. Cautions available are:

- **Simple Caution** (for adult offenders aged 18yrs or over)
- **Youth Caution** (for offenders aged under 18yrs)  
(Known as 'simple' cautions)
- **Conditional Caution** (for offenders aged 18yrs or over)
- **Youth Conditional Caution** (for offenders aged under 18yrs)

(NB: The age of the offender at the time the caution is administered is the relevant age)

1.5. Same policy applies whether suspect is arrested or dealt with voluntarily. It is expected that a higher proportion of cases dealt with voluntarily will be suitable for a caution.

## 2. OBJECTIVES.

2.1. The objectives in the use of cautions are:

- To deal quickly and simply with less serious offences committed by emerging offenders, where the offence is admitted
- To reduce the likelihood of re-offending
- To divert offenders, where appropriate, from appearing in the criminal courts in cases when the most likely outcome is a fine.

## 3. PRE-REQUISITES.

3.1. The following conditions are required before any caution can be offered and administered:

- A suitable criminal offence (recordable or non-recordable)
- A PACE compliant admission recorded (or in the case of a Conditional Caution an admission on the MG14 combined with sufficient additional evidence to charge the offender with the offence)
- An offender aged above the age of criminal responsibility.
- Sufficient evidence to prosecute: the Full Code test is met

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- The public interest can be met without a prosecution
- The correct authority to caution:
  - Indictable only offences: CPS
  - All other offences: police

### 4. DECISION MAKING.

4.1. Our Positive Justice policy takes decision makers through the decision making process for cases that it may not be necessary to prosecute. If this process is followed then the best outcomes will be achieved.

4.2. The offender should not be pressed to make an instant decision on whether to accept a Caution. They should be allowed to consider the matter, and if need be, take independent legal advice. In order to facilitate this, a suspect may be required to attend at a later date to enable the Caution to be administered.

#### **Evidential standards**

4.3. It is important for investigators not to lose sight of the fact that if the conditions of a Conditional Caution are subsequently breached; a prosecution for the original offence is likely to follow. Therefore evidence should be retained pending confirmation of compliance with the Conditional Caution.

#### **Adults**

4.4. Where a CPS decision is not required, decisions on all cautions will be made by an officer of the rank of Sergeant or above (this will be the Custody Officer for cases in custody), or by a suitably authorised and trained officer.

#### **Young People**

4.5. Police and their local Youth Offending Teams have procedures for joint decision making in cases involving young people. Any case where the decision maker believes this approach would add value can be referred for joint decision making. This will involve a more in-depth assessment of the young person's motivation for offending and for working with the relevant agencies to tackle it.

4.6. Police may issue a maximum of one Youth Community Resolution to any individual without recourse to the joint decision making process. Police will not issue any Youth Conditional Cautions without referring the case first to the joint decision making process.

4.7. Where the joint decision making process cannot come to an agreed way forward, the case will be referred to both line managers for a second attempt at joint decision making. If the situation ever occurs where this does not resolve the matter, then the views of CPS will be obtained and their advice followed.

#### **Indictable Only Offences**

4.8. All indictable only offences will be referred to the Crown Prosecution Service for a decision on whether a caution is the most appropriate disposal. This will be by way of a standard prosecution file, with an MG14 explaining the proposed conditions.

#### **Multiple Offences**

4.9. An offender may be Conditionally Cautioned for more than one offence on the same Cautioning occasion. Generally, it will be appropriate to offer a single Conditional Caution for the totality of the offending rather than prefer individual Conditional Cautions for each offence.

**5. ADMINISTERING ALL CAUTIONS.**

**Simple Cautions**

- 5.1. It is important that the officer administering the caution is aware of the consequences of receiving one and can clearly explain this to the recipient. They must also be able to make the most of this opportunity to intervene in their criminal behaviour. Cautions will only be administered by officers of Sergeant rank or above, or by a suitably authorised and trained officer.
- 5.2. The officer administering the caution must confirm that the offender admits the offence, making it clear that an admission should not be made simply to receive a Caution.
- 5.3. The full implications of accepting a caution must be explained to the suspect, including the fact that this will form part of their criminal record, and be provided in writing (WG 571). Once administered, the offender and administering officer will both sign the WG 571, and the offender given a copy.

**Conditional Cautions**

- 5.4. For Conditional Cautions we must confirm that the offender is willing to comply with the conditions and understands how to request a variation in those conditions, and how to notify ourselves or the activity provider if they are unable to comply with any element of it. This is all recorded on an MG14 which the offender must sign and be provided with a copy of.
- 5.5. Where a Conditional Caution is offered, and accepted by the offender, the Caution will be administered at the earliest opportunity. Registration on PNC (via ICIS) will take place at this point. The conditions will be completed subsequent to this, meaning that in cases of full compliance there will be no need for further formal actions on completion.
- 5.6. Where a Conditional Caution is offered, and accepted by the offender, the Caution will be administered at the earliest opportunity. Registration on PNC (via ICIS) will take place at this point. The conditions will be completed subsequent to this, meaning that in cases of full compliance there will be no need for further formal actions on completion.

**Removal of Cautions**

- 5.7. On some occasions a request is made to remove a caution from the PNC following a justified complaint that the administering of a caution was unsafe. These requests may come from PSD; LPU Inspectors or legal services. Typically, an individual complains to West Midlands Police that they should not have been cautioned. Following an investigation, it is established that the caution is indeed unsafe because, for example, further information has come to light.
- 5.8. In these circumstances, the caution should be withdrawn, PNC amended and the 'caution' replaced with 'NFA'. The Investigating Officer will:
- Request the PNC Bureau (via email) to remove the caution from PNC and replace with 'NFA' (C\_PNC\_BUREAU);
  - Arrange for the relevant ICIS and CRIMES record to be updated.

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5.9. As a result of the Protection of Freedoms Act (PoFA), this has the following consequences for DNA and fingerprints:

- If the offender has a pre-existing criminal record, the DNA and fingerprints will be retained indefinitely.
- If the disputed offence represented the first time biometrics had been taken from the offender, they will be destroyed automatically after three years.
- Individuals who have been wrongly cautioned have the right to apply to the Chief Officer for earlier destruction under the Exceptional Deletion Process.

See PoFA Policy for further guidance.

**6. SUITABLE CONDITIONS.**

6.1. It is for the decision maker to identify the most suitable conditions to form part of a conditional caution. Each case will be different and the aim should be to reduce reoffending and achieve the best possible outcome for all those involved, including the broader community. Each LPU OMU and Partnership Team has access to a wide range of possible interventions. West Midlands Police are particularly keen to increase the use of rehabilitative interventions (e.g. drugs / alcohol / anger management interventions or debt advice) and / or Restorative Justice as a part of our use of both Simple and Conditional Cautions.

6.2. Local areas and departments are encouraged to develop further activities with local partners, to tackle specific issues of concern to their communities. A good example is programmes for kerb-crawlers in areas affected by on street prostitution. The public interest will be best met by having a wide range of activities that offenders can agree to participate in to address their offending behaviour, give reparation or otherwise make good the harm caused.

6.3. The conditions will also need be recorded on the investigation log on CRIMES, to ensure that this information is in the organisational memory.

6.4. Conditions cannot be attached to a 'simple' Caution. The OIC should therefore weigh up whether a conditional caution would be more effective than a simple caution in preventing reoffending.

6.5. It is acceptable to offer further support to an offender after a simple Caution has been completed, but participation must be voluntary on the part of the offender. If they fail to complete such voluntary activity no formal action can be taken, but the fact can be presented to the CPS and Courts in support of any subsequent criminal charges.

6.6. Any limitation on the commencement of proceedings must be considered when determining the time period for conditions. In cases involving Summary offences, proceedings (subject to minor specified exceptions) must be commenced within 6 months from the date of the offence. With this in mind, the following should be considered when deciding upon the timescales for compliance with the conditions:

- Time it would take to investigate and prove compliance/non-compliance.
- Time it would take to assess validity of any reasons for non-compliance given by the offender.
- The additional time it would take to comply with the conditions should they be varied or the timescales extended.
- Time to process issue of summons.

NB: Criminal damage, regardless of the value, is treated as an either-way offence.

## **7. USE OF BAIL.**

7.1. The Custody Sergeant may give bail as per the provisions of ss.34. and 37 of PACE.

7.2. Reasons for bail before a disposal decision include the following:-

- For further investigation
- To enable the CPS to make a decision regarding case disposal
- Referral to YOT to check local records of offending history, to assess the young person, and to make a decision on case disposal
- To enable a youth caution to be delivered by trained police officer

## **8. MONITORING COMPLIANCE.**

8.1. It is essential that compliance with the conditions of a Conditional Caution must be monitored to ensure they are fully completed. Failure to do so will lead to bringing the police service and criminal justice system into disrepute. It is anticipated that in many cases we will be assisted in this task by the partner who will providing the conditional activity (Consider asking the offender to sign a data protection form for exchange of information between WMP and the referral agency whenever possible). It may be that the offender themselves has to provide evidence of completion to us (eg a completed debt management plan).

8.2. LPUs and Departments will need to ensure that practical and effective systems are in place to monitor compliance, decide on action where there is information suggesting non-compliance, and where necessary trigger prosecutions.

8.3. Monitoring systems will need to incorporate a final proactive check of compliance before a case is marked up as completed. It will not be sufficient to assume completion where a partner has not reported non-compliance to us.

### **Young People**

8.4. The Youth Offending Team is responsible for monitoring offenders' compliance with their conditions. All incidences of non-compliance must be discussed with the YCO, and a joint decision as to how to progress the case will be made. All such information and decisions need to be recorded on the investigation log on CRIMES. This will make that information accessible to colleagues.

### **Variation of Conditions**

8.5. The conditions may be altered in the light of any change of circumstances since the Conditional Caution was imposed, although the decision maker should be satisfied that the change in circumstances is genuine and impacts directly on the ability of the offender to complete the original conditions. The decision maker should consider the effect on the victim of any significant variation of conditions and should arrange for the victim to be consulted where appropriate. Variations in conditions can only be made with the agreement of the offender, and recorded on a new MG14 against their signature. This information will also need to be updated on the investigation log on CRIMES. Where agreement and consent is not forthcoming then an alternative disposal will need to be considered – most often this will be a prosecution.

**9. DEALING WITH COMPLIANCE.**

- 9.1. Any person having information suggesting the conditions of a Conditional Caution are not being complied with should report the matter to the person/role monitoring compliance. This person will then determine what level of investigation is required (it is not a criminal investigation and therefore does not need to be a full formal investigation). That person should seek to obtain such information as to the non-compliance as is practicable and proportionate, including giving the offender an opportunity to provide an explanation. This does not necessarily require an arrest and instead the offender may be invited to attend the police station or elsewhere for the purposes of providing an explanation.
- 9.2. Once the circumstances of the situation are understood the decision-maker will then consider whether there has been a failure to comply and if so, whether there is a reasonable excuse for the non-compliance. Where it is determined that there is a reasonable excuse, the decision-maker will determine whether it is appropriate to extend the period of time for completion of the conditions or vary the original conditions.
- 9.3. All other breaches of Conditional Cautions must result in a postal charge for the original offence.
- 9.4. It is not possible to reopen the original custody record for this purpose; a new record should therefore be opened. This will generate a new A/S reference and the PNC Bureau should be requested to marry up the two A/S references.

**Revert to Prosecution**

- 9.5. On those occasions when the decision maker decides to prosecute for the original offence, the Conditional Caution shall cease to have effect. The case papers will need updating and any relevant partner supporting the conditions will need informing. It must be made clear as to whose responsibility it is to submit a prosecution file, and in what timescales (bearing in mind any limitation on proceedings). Victims and witnesses will also need to be updated.
- 9.6. If a compensation order was in place, HMC will be notified by email of [form CO5](#) within a period of 14 days.
- 9.7. PNC will need to be updated, with the Conditional Caution removed and the new prosecution recorded accurately.

**Offence Detection Issues**

- 9.8. In those cases where the conditions have been breached and the offender is prosecuted for the original offence, there is no requirement for submission of a further WC201: the original Clear Up Code (CUC) will stand unaltered.

**10. EQUALITY IMPACT ASSESSMENT (EQIA).**

10.1 The policy has been reviewed and drafted against all protected characteristics in accordance with the Public Sector Equality Duty embodied in the Equality Act 2010. The policy has therefore been Equality Impact Assessed to show how WMP has evidenced 'due regard' to the need to:

- Eliminate discrimination, harassment, and victimisation.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

*Supporting documentation in the form of an EQIA has been completed and is available for viewing in conjunction with this policy.*

**11. HUMAN RIGHTS.**

11.1 This policy has been implemented and reviewed in accordance with the European Convention and principles provided by the Human Rights Act 1998. The application of this policy has no differential impact on any of the articles within the Act. However, failure as to its implementation would impact on the core duties and values of WMP (and its partners), to uphold the law and serve/protect all members of its community (and beyond) from harm.

**12. FREEDOM OF INFORMATION (FOI).**

12.1. Public disclosure of this policy document is determined by the Force Policy Co-ordinator on agreement with its owner. Version 2.1 of this policy has been GPMS marked as Not Protectively Marked.

12.2. Public disclosure does not automatically apply to supporting Force policies, directives and associated guidance documents, and in all cases the necessary advice should be sought prior to disclosure to any one of these associated documents.

Which exemptions apply and to which section of the document?	Whole document	Section number

**13. TRAINING.**

13.1. Training in the use of Conditional Cautions is on-going.

**14. PROMOTION / DISTRIBUTION & MARKETING.**

14.1 The following methods will be adopted to ensure full knowledge of the Policy:

- Updated policy on the Force Policy Portal
- Neighbourhood Justice page on the CJS website
- Message of the Day / Newsbeat articles and other similar messaging to officers
- Printed material as necessary

**15. REVIEW.**

- 15.1 The policy business owner CJS maintain outright ownership of the policy and any other associated documents and in-turn delegate responsibility to the department/unit responsible for its continued monitoring.
- 15.2 The policy should be considered a 'living document' and subject to regular review to reflect upon any Force, Home Office/ACPO, legislative changes, good practice (learning the lessons) both locally and nationally, etc.
- 15.3 A formal review of the policy document, including that of any other potential impacts i.e. EQIA, will be conducted by the date shown as indicated on the first page.
- 15.4 Any amendments to the policy will be conducted and evidenced through the Force Policy Co-ordinator and set out within the version control template.
- 15.5 Feedback is always welcomed by the author/owner and/or Force Policy Co-ordinator as to the content and layout of the policy document and any potential improvements.



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**16. VERSION HISTORY.**

Version	Date	Reason for Change	Amended/Agreed by.
v1.0	February 2013	Original draft	2228 Hobday
v2.0	March 2013	Updated in response to feedback from internal consultation	2228 Hobday
V2.0	19/08/2013	Added Policy Ref	56408 Couchman
V2.1	25/2/2016	Updated as a result of Protection of Freedoms Act 2012 and Legal Aid, Sentencing and Punishment of Offenders Act 2012	7046 Lloyd
V2.1	25/02/2016	Amended formatting	56408 Parkinson

17. **APPENDIX ONE – Offences that can be Conditionally Cautioned - Adults**

**DPP GUIDANCE: OFFENCES THAT MAY BE CONDITIONALLY CAUTIONED FOR ADULTS**

The following specific offences may be considered for diversion by way of a Conditional Caution;

**SUMMARY ONLY OFFENCES**

Any **summary only offence**, including (as examples)

Common assault (level 5)  
Assaulting a police officer (level 5)  
Obstructing a police officer (level 3)  
Section 4 and 4A Public Order Act 1986 (level 5)  
Section 5 Public Order Act 1986 (level 3)  
Violent behaviour in a police station (level 1)  
Drunk and disorderly (level 3)  
Simple drunk (level 1)  
Indecent exposure (level 3)  
Prostitution (level 2, or if after similar conviction, level 3)  
Kerb crawling (level 3)  
Unlawful taking of a motor vehicle (level 5) section 12 Theft Act 1968  
Interference with vehicles (level 4) Criminal Attempts Act 1981

**but** excluding any offence under the Road Traffic Act 1988 and the Road Traffic Offenders Act 1988.

*EITHER WAY OFFENCES AND ATTEMPTS TO COMMIT THESE OFFENCES:*

**Theft Act 1968:**

Theft (section 1-7)  
Removal of articles from places open to the public (section 11)  
Abstracting electricity (section 13)  
\* Obtaining property by deception (section 15)  
\* Obtaining a pecuniary advantage by deception (section 16)  
False accounting (section 17)  
Handling stolen goods (section 22)  
Going equipped for stealing etc (section 25)

**Theft Act 1978:**

\* Obtaining services by deception (section 1)  
\* Evasion of liability by deception (section 2)  
Making off without payment (section 3)

*\* If the offence was committed before the 15th January 2007*

**Fraud Act 2006**

Making a false representation (sections 1 & 2)  
Failing to disclose information (sections 1 & 3)  
Fraud by abuse of position (sections 1 & 4)  
Possession of articles for use in frauds (section 6)  
Making or supply articles for use in frauds (section 7)  
Obtaining services dishonestly (section 11)

**Criminal Damage Act 1971**

Destroying or damaging property (section 1(1))  
Threats to destroy or damage property (section 2)  
Possessing anything with intent to destroy or damage property (section 3)

**Misuse of Drugs Act 1971**

Possession of any class of drug (consistent with personal use) (section 5)

**Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988**

Forgery of documents (including offences involving use of driving licence and insurance with intent to deceive) (section 173)

**Vehicle Excise and Registration Act 1994**

Forgery and Fraud (including fraudulent use of excise licence) (section 44)

**Indictable only offences**

All indictable only offences must be referred to the CPS for authority to offer a Conditional Caution. This is only likely to be given if there are exceptional circumstances to justify it.

**Hate Crime and Domestic Abuse**

These are specifically excluded from consideration and may not be Conditionally Cautioned.

18. **APPENDIX TWO – Offences that can be Conditionally Cautioned – Young People**

The offences for which a Youth Conditional Caution **cannot** be given are still to be determined by Ministers, but are likely to be specific offences such as those involving knives, domestic violence and serious sexual assaults. This Guidance is not yet available, and is due to be released imminently

## 19. SUPPORTING DOCUMENTS.

**Supporting Documents**

- *The Directors Guidance on Charging – 4<sup>th</sup> Edition 2011*
- *Authorised Professional Practice: Case Management and Prosecution, Module III Justice Outcomes (under construction)*
- *ACPO Out of Court Disposal Framework*
- *Home Office circular 30/2005 – Simple Cautions*
- *The Directors Guidance on Conditional Cautioning 2010 (new version due out soon)*
- *The Sentencing Guidelines Council – Overarching Principles, Sentencing Youths, Definitive Guidelines 2009*
- *ACPO Guidelines on the Investigation, Cautioning and Charging of Knife Crime Offences 2012*
- *CPS Guidance on Knife Crime Offences 2008*
- *WMP Positive Justice Policy*
- *Part I Order 7/2009 – Proportionate Investigations*
- *WMP guidance – Disclosure Issues for Police Disposals*
- *Code of Ethics ([http://www.college.police.uk/docs/Code\\_of\\_Ethics.pdf](http://www.college.police.uk/docs/Code_of_Ethics.pdf))*

**Supporting Documents, Other**

- *ACPO Memo Dec 2012 R v Killick and the Right of a Victim to Request a Review of a Decision Not to Prosecute*
- *Criminal Law Review 2012 – ‘Finality in Criminal Justice – When should the CPS Reopen a Case?’ by Kier Starmer*
- *Ministry of Justice Green Paper ‘Breaking the Cycle – Effective Punishment, Rehabilitation, and Sentencing of Offenders’ 2010*
- *Ministry of Justice White Paper ‘Swift and Sure Justice’ 2012*
- *‘Primary Justice – an Enquiry into Justice in our Communities’ All Party Parliamentary Local Government Group 2009*
- *‘Exercising Discretion: The Gateway to Justice’ CJI Inspection Report 2011*
- *NPIA National Decision Making Model 2012*
- *The Independent Commission on Youth Crime and Anti-Social Behaviour 2010*
- *HMCPSP Thematic Review of Youth Offender Casework 2011*
- *WMP ‘Tackling Youth Crime: a Review of the Forces Approach to Youth Crime and Recommendations for Improving it’ Pickles 2012*
- *Home Office ‘Assessing Young People In Police Custody: An Examination of the Operation of Triage Schemes’ 2012*
- *Audit Commission Youth Justice 2004 – A Review of the Reformed Youth Justice System*
- *‘Differential Treatment in the Youth Justice System’ Equality and Human Rights Commission 2010*
- *ACPO and YJB ‘The YOT Police Officer Review and Role Development’ 2010*
- *HMCS and YJB ‘Making It Count in Court’ 2009*
- *Home Office ‘Putting Victims First’ More Effective Responses to Anti-Social Behaviour’ 2012*
- *‘Changing Futures’ Birmingham’s Strategy for Addressing Crime and Anti-Social Behaviour Committed by Young People – 2010 and Beyond*
- *House of Commons Justice Committee – ‘Cutting Crime, The Case for Justice Reinvestment’, 2010*
- *CJS ‘Engaging Communities in Criminal Justice’ 2009*
- *Ministry of Justice Report on the Governments Strategy for Diverting Women Away from Crime 2009*

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- *'Why Invest?' How Drug Treatment and Recovery Services Work for Individuals, Communities and Society, NHS leaflet*
- *Restorative Justice – an Overview, Marshall 1999 for the Home Office*
- *'Facing Up to Offending – the Use of Restorative Justice in the Criminal Justice System' CJI 2012*
- *ACPO Restorative Justice Guidance and Minimum Standards 2010*
- *NOMS 'Better Outcomes Through Victim Offender Conferencing' 2012*
- *Ministry of Justice Restorative Justice Action Plan for the Criminal Justice System 2012*

## Evidence Based Research

Full supporting documentation and evidence of consultation in relation to this policy including that of any version changes for implementation and review, are held with the Force Policy Co-ordinator including that of the authorised original Command Team papers.

- *Ministry of Justice Research Summary 7 - Conditional Cautions – an Examination of Early Implementation of the Scheme 2007*
- *A State of Disorder – Moving Beyond the ASBO in Tackling Anti-Social Behaviour, from the Policy Exchange, 2010*
- *'It's a Fair Cop – Police Legitimacy, Public Cooperation and Crime Reduction' NPIA 2011*
- *'Procedural Justice, Trust and Institutional Legitimacy' Hough, Jackson, Myhill, Bradford, Quinton, Bradford, 2010*
- *'An Exploratory Analysis of Police Attitudes to the use of Community Resolution for Minor/Local crime; Professional Judgment and Discretion' C.Supt Byrne, 2012*
- *Overview of 'Imprisonment and Crime – Can both be Reduced?' Durlauf and Nagin ASC 2011*
- *'From Peel to Popper – The Case for more Scientific Policing' Neyroud ASC 2011*
- *'Rhetoric or restoration? A study into the restorative potential of the conditional cautioning scheme' Braddock 2011*
- *'Restorative Justice – the Evidence' Sherman and Strang 2007*
- *'Does Restorative Justice Affect Reconviction?' Shapland 2008 for the Ministry of Justice*