

Status: This version of this provision is prospective.

Changes to legislation: Police, Crime, Sentencing and Courts Act 2022, Section 101 is up to date with all changes known to be in force on or before 20 July 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. (See end of Document for details) View outstanding changes



Police, Crime, Sentencing and Courts Act 2022

2022 CHAPTER 32

PART 6

CAUTIONS

Diversionsary cautions

PROSPECTIVE

101 Rehabilitation and reparation conditions

- (1) Conditions with one or both of the objects in subsection (2) may be attached to a diversionsary caution.
- (2) The objects are—
 - (a) facilitating the rehabilitation of the offender;
 - (b) ensuring that the offender makes reparation for the offence.
- (3) The conditions which may be attached to a diversionsary caution for the objects referred to in subsection (2) include—
 - (a) restrictive conditions,
 - (b) unpaid work conditions, and
 - (c) attendance conditions.
- (4) A restrictive condition is a condition requiring the offender—
 - (a) not to meet or communicate with specified individuals;
 - (b) not to be in, or go to, specified addresses, places or areas in the United Kingdom;
 - (c) not to carry out or participate in specified activities;

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- (d) not to engage in specified conduct (which may include conduct constituting a criminal offence).
- (5) An unpaid work condition is a condition requiring the offender to carry out unpaid work of a specified description for a specified number of hours, which may not exceed 20.
- (6) An attendance condition is a condition requiring the offender to attend a specified place—
 - (a) for a specified purpose, and
 - (b) for a specified number of hours, which may not exceed 20 where the condition only has the object referred to in subsection (2)(b).
- (7) Where an attendance condition requires the offender to attend somewhere for the purpose of participating in any education or training, or receiving any other service, the attendance condition may also require the offender to pay for the reasonable cost of the provision of the education, training or service to the offender.
- (8) Regulations may amend subsection (5) or (6)(b) (or both) so as to substitute a different number of hours.
- (9) A condition authorised by this section may—
 - (a) contain further details as to how it must be complied with (including the times at or between which something must or must not be done);
 - (b) provide for those details to be supplied, after the giving of the caution, by a specified person or a person of a specified description.
- (10) A condition authorised by this section may not require a person to remain at their own or anyone else’s residence for any period of time.
- (11) In this section “specified” means specified in the caution.

Commencement Information

II S. 101 not in force at Royal Assent, see [s. 208\(1\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 2 Ch. 3A inserted by [2024 c. 21 s. 28](#)
- s. 44F inserted by [2024 c. 21 s. 29](#)