



2011 CHAPTER 24

PART 6

ALTERNATIVES TO PROSECUTION

CHAPTER 2

CONDITIONAL CAUTIONS

PROSPECTIVE

The five requirements

72.—(1) The first requirement is that the authorised person has evidence that the offender has committed an offence, other than an offence triable only on indictment.

(2) The second requirement is that a Public Prosecutor decides—

- (a) that there is sufficient evidence to charge the offender with the offence, and
- (b) that a conditional caution should be given to the offender in respect of the offence.

(3) The third requirement is that the offender admits to the authorised person that the offender committed the offence.

(4) The fourth requirement is that the authorised person explains the effect of the conditional caution to the offender and warns the offender that failure to comply with any of the conditions attached to the caution may result in the offender's being prosecuted for the offence.

Status: *This version of this provision is prospective.*

Changes to legislation: *There are currently no known outstanding effects for the Justice Act (Northern Ireland) 2011, Section 72. (See end of Document for details)*

(5) The fifth requirement is that the offender signs a document which contains—

- (a) details of the offence,
- (b) an admission by the offender that the offender committed the offence,
- (c) the consent of the offender to being given the conditional caution, and
- (d) the conditions attached to the caution.

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Justice Act (Northern Ireland) 2011, Section 72.