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| A close up of a logo  Description automatically generated | 12/2019  Official final version 3  **Deferred Caution** |

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| Custody Record No.: | CRO: | PNC ID: |
| Station originating: | | Arrest date: |

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| **A. Personal Details** | | | | |
| Last name / family name: | | First name(s): | | |
| Address: | | | | |
| Contact number: | | | | |
| Place of birth: | Date of birth: | | Gender: | |
| Occupation: | | | | Ethnicity: |

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| **B. Details of the offence(s)** (Include facts **as if charged**, date(s) of offence / arrest as shown in PNLDB) | | |
| **Crime No.** | **Offence Title and Wording** | **CJSSS Offence Code** |
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| **C. Conditions** | | |
| I agree to comply with the following conditions of the deferred caution: | | |
| **Condition(s)** | **Compliance requirements, including completion / progress check dates** | **Evidence required** |
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| **1. I agree to engage in accessing support for any need that is linked to my offending.**  This is called a rehabilitative condition. Sometimes, people commit an offence because there are issues in their life that they need support with.  (This condition will not be set until you have spoken to a Pathfinder worker. Failure to set this condition will mean you have not complied with the contract.) |  |  |
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| **2. I will participate in an initial Restorative Justice conversation with a trained practitioner if required \*** |  |  |
| OIC can add additional condition here |  |  |
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| **\* Restorative processes bring those harmed by crime or conflict, and those responsible for the harm, into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward.** |

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| **D. Offender Declaration** |
| I understand and accept the following:  1. That I have been informed of the evidence against me and the decision by the Police to administer a Deferred Caution.  2. I have been informed before completion of this form of my right at any time to consult and communicate with a solicitor and that free and independent legal advice is available.  3. I have admitted to committing the offence(s) shown at B. I understand that if the Deferred Caution is issued this is not a criminal conviction but the details of my Deferred Caution will be kept on Police databases. This may become disclosable in certain circumstances as per point 12.  4. That if I fail within the agreed time to comply with, or to complete, any of the conditions attached to this Deferred Caution, this signed form containing my admission to the offence(s) will result in a Simple Caution being recorded.  5. A Deferred Caution is not a criminal conviction, but I understand that if I am subsequently found to be ineligible or fail to comply with the conditions of the Deferred Caution this will result in a caution and details will be kept on Police national databases. A record of this Deferred Caution will be kept; Deferred Cautions will be entered on the Police National Computer if they have been administered for a recordable offence (i.e. an offence for which we are legally required to keep a record).  6. If I am charged with a new offence, prior to the completion of the conditions above, this will be considered an automatic breach of this Deferred Caution.  7. I will inform the Pathfinder team without delay in the following circumstances:  • I am unable to comply with any of these conditions and explain why; or  • I no longer wish at any stage to comply with the terms of the Deferred Caution; or  • I change my normal place of residence, as recorded overleaf.  8. Information on my compliance with the conditions may be provided to the scheme coordinators by service providers who are involved with rehabilitative or restorative services where this is necessary (e.g. details provided to the “Make Amends” team where a restorative justice approach is appropriate). This information may include your name, date of birth, contact details, and details of the offence.  9. If new evidence comes to light suggesting that the offence(s) I have committed is more serious (or involves further offences) I understand that the initial decision to deal with matters by way of a Deferred Caution may be reviewed leading to a possible prosecution before the courts.  10. That the Deferred Caution does not preclude subsequent civil action. Where there are any victims as a result of the offences which are the subject of this Deferred Caution, they may still take civil action against me, and you may give my name and address to the victims so they can do this.  11. If I am charged with another offence and I go to court, you will tell the court that I have received this Deferred Caution and any resulting caution due to non-compliance with the conditions.  12. If I currently work in a job which is included in a list of notifiable occupations (these are jobs where you are in a position of trust or responsibility, for example, teachers, care workers, taxi drivers, soldiers and doctors) you might tell my employer about this if I do not comply with the conditions of this Deferred Caution (and I can ask you for a copy of the full list of notifiable occupations).  13. If I apply for certain jobs, either paid or unpaid, and the organisation requires me to have a criminal records check via the Disclosure and Barring Service (DBS check), you may disclose this Deferred Caution on a Standard or Enhanced Disclosure Certificate. DBS checks may be requested by an employer for jobs or voluntary work where you work with vulnerable groups including children, as well as for other sensitive jobs involving a high level of trust.  14. If the offence I have admitted is included in the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009 (as amended), failure to comply with the conditions of this Deferred Caution (which results in a caution being issued) will mean I may not be allowed to do certain activities which involve working with children or adults. You have told me if this is the case, and I understand that I will be committing an offence if I carry out (or try to carry out) any of those activities. You will provide details of this Deferred Caution to the Disclosure and Barring Service, who may consider me for inclusion in the Children’s Barred List and / or the Adults Barred List, which are lists kept by the Disclosure and Barring Service used to reach decisions about the suitability of persons to work with vulnerable groups.  15. That accepting this Deferred Caution may mean that some countries will not allow me to live there permanently and some may not allow me to visit (for example, on business, holiday or as a student). |

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| **E. Acknowledgement of Offence(s) and Caution** | |
| I admit the offence(s) stated on this form and understand I have the right to legal advice. I acknowledge the deferred caution.  Signature of person cautioned: | |
| Signature of appropriate adult (where applicable): | |
| Caution issued by (name, rank, force no.): | Signature of issuing officer: |
| Station caution issued: | Date caution issued: |
| Authorised by (gatekeeper, name, rank, force no.): | Station of authorising officer: |
| **Following signature by both parties, a copy of this form must be given to the person cautioned. Original to be retained and sent with the Police File to the Pathfinder Deferred Caution, Devonport Police Station.** | |

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| **For Admin use ONLY – To be completed by Pathfinder** | | |
| **Successfully completed** | | |
| I confirm that       has successfully completed all of the conditions of their deferred caution conditions on (date):  Please update your records to show this as an Outcome 22. | | |
| Print name: | Signed: | Date: |

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| **Breached** | | |
| A decision has been made that       has **breached** their conditions of their deferred caution conditions on (date):  Please update your record to show a caution has been issued for the listed offence(s): | | |
| Print name: | Signed: | Date: |

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| **Ineligible** | | |
| This offence(s) or/and offender is ineligible for deferred caution.  Please update your record to show a caution has been issued for the listed offence(s): | | |
| Print name: | Signed: | Date: |

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**Information Sharing**

**Why we share information:**

You have agreed to engage with the Pathfinder Deferred Caution Scheme as an alternative to receiving a caution and having a criminal record in relation to the Offence for which you were investigated by Police and have admitted. You will be contacted by a Pathfinder worker to set the rehabilitative condition of your contract. This is a condition designed to be tailored to your needs. It will be added to the deferred caution form that you have signed.

The objective of Pathfinder is to look at what has happened, why it happened and to take steps to try to prevent it from happening again. In order to do this the Pathfinder worker will be make contact with you, and will need to gather detailed information about you.

In this contact, they will ask you if you have any specific needs that are related to your circumstances that are a barrier to making positive changes that will reduce your risk of reoffending. These can include:

Accommodation  Alcohol  Drugs

Education / Training  Family Issues  Financial Issues

Health Issues  Employment  Day Services

In order to support you in accessing support and reduce your chances of reoffending, or, in some cases to protect you or prevent harm to someone else it may be necessary for us to talk to or refer your case to other agencies who may be able to offer you more bespoke support. You may already be linked in with other support agencies and it would be helpful for your Pathfinder worker to link in with them to enable them to better understand your needs and ensure you are receiving the support you need.

For example if you have an alcohol or drug dependence issue we may well seek to link in with agencies who could provide expert help in relation to these matters, or if you currently have financial issues and debt we may well seek to link you in with Debt Management Advices services. In order to do this we require your written consent to talk to these other agencies.

In **all** cases before sharing information with other agencies and discussing your case, your Pathfinder worker will discuss what is involved, for example in making a referral on your behalf to another service. They will outline what information they propose to share, with who, and why. They will at that point confirm you are happy with this.

**Right to withdraw information sharing consent:**

It is important to note that you retain the right to withdraw your consent for information sharing at any point in the process. To do this you will need to speak with your Pathfinder Worker and advise them of your decision and withdrawal of consent. The only time we may consider sharing information without your consent is if there is a Safeguarding Concern about you or any other person. This means we may, make a safeguarding referral if we are worried that you may harm yourself or any other person.

Please be aware that if you do withdraw consent, it can limit the rehabilitative condition of the contract and what will be accessible to you.

**Agreement / consent to share information**

**Consent for Devon & Cornwall Pathfinder Key Workers to Share my information**

“I hereby provide consent for my Devon & Cornwall Police Pathfinder Worker to share as appropriate information about my case with relevant Agencies and Organisations who may be able to support and assist me. I also formally provide my consent for other Agencies and Organisations if contacted by my Pathfinder Worker and provided with a copy of this, my consent form, to share appropriate information such as my attendance and engagement at any of my appointments and appropriate information about the support services they are currently providing me with”.

Name:       Date of Birth:

Signed: Date: