



# Police stations

# What happens when you are arrested

This factsheet looks at what happens at the police station when the police think you have committed a crime. This factsheet may help you if you, or someone you know, has been arrested.



- You can be taken to the police station because the police arrest you for committing a crime.
- The police can also take you to the police station as a place of safety if they are worried about how you are.
- Everyone who has been arrested has three basic rights. You can get free legal advice, ask the police to let someone know you have been arrested and look at the police Codes of Practice.
- If you are vulnerable, you should have an appropriate adult with you at the police station to help you understand what is going on.
- If you have mental health problems, the police should deal with this sensitively. They should get you an appropriate adult and ask a medical professional to see you. They can try and get you in touch with health services.
- The custody sergeant is responsible for everybody the police keep in the station. They decide if you are vulnerable and are should make sure you are ok.
- The Police and Criminal Evidence Act 1984 (PACE, 1984) is the law that explains how the police should behave and treat you if you are arrested.

# This factsheet covers:

- 1. Why might I be taken to the police station?
- 2. What are my rights when I am arrested?
- 3. Who might be involved?
- 4. The process of being arrested and held at the police station
- 5. How do the police deal with mental health?
- 6. What might happen after I have been arrested?
- 7. Flowchart of the criminal justice system

# 1. Why might I be taken to the police station?

There are three ways you might come in to contact with the police.

- 1. The police take you from a private place to a place of safety if you seem to have a mental illness and need care (section 135 of the Mental Health Act).
- 2. The police take you from a public place to a place of safety if they think you have a mental illness and need care (section 136 of the Mental Health Act).
- 3. The police think you have committed a crime.

This factsheet looks at what happens when the police arrest you and hold you at the police station because you committed a crime or they think you have.

You can find more about section 135 and 136 in our factsheets '**Section 135**' and '**Section 136**'. You can download these for free from <u>www.rethink.org</u> or call 0121 522 7007and ask us to send you a copy.

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# 2. What are a person's rights when arrested?

If the police arrest you, you have the right to:1

- get free legal advice,
- ask the police to tell someone you have been arrested, and
- look at the Codes of Practice. This is a book about what the police can do and how they should do things.

If you are vulnerable because of a mental illness, you have the right to have an appropriate adult.<sup>2</sup> An appropriate adult can be a family member

or friend. But there are professionals who work in police stations as appropriate adults.

An appropriate adult is there to help you communicate with the police and understand what is going on.

You can find out more in our '**Appropriate adult**' factsheet. You can download this for free from <u>www.rethink.org</u> or call 0121 522 7007.

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#### 3. Who might be involved?

If the police think you have committed a crime and keep you at the police station, you might come across a few different people. Below are some people you may hear about or meet.

#### **Police officers**

Police officers have different ranks depending on how much experience they have. You may come across police constables, sergeants, inspectors or superintendents at the police station.

Each officer will wear a badge on the shoulder of their uniform that shows their rank. They all have a unique number, for example, PC 1234 (police constable), PS 1234 (police sergeant).

It can help to know which police officers have been involved in your case if you need to contact them in the future. If the officer does not wear a uniform you can ask to see their warrant card for their details.

#### **Custody sergeant**

The custody sergeant allows someone to be held at the police station. They will tell you why you have been arrested and are being held at the station.<sup>3</sup> They will:

- check you understand the caution,
- tell you your rights,<sup>4</sup>
- · decide if you are vulnerable because of your mental health, or
- need an appropriate adult.<sup>5</sup>

The custody sergeant is responsible for all of the people in the cells of the police station.

#### The legal representative

This is someone who is legally trained to advise you if the police think you have committed a crime. Some of them can prepare your case if you have to go to court.

If the police arrest you because they think you have committed a crime you have the right to speak to a legal representative.

You can use the police station duty solicitor scheme if you can't arrange your own legal representative. You can speak to a legal representative in person or on the telephone.<sup>6</sup>

You can ask to see a specific solicitor. This might be one you have met before. A legal representative in the police station is free.<sup>7</sup> They may be a qualified solicitor or someone who is trained to carry out police station work. They will work for a law firm who can take over your case if you have to go to court.

#### **Appropriate adult**

A family member, friend or more often a volunteer or care worker can be an appropriate adult.

Most police stations will have professional appropriate adults that work with people who are arrested there. They are not part of the police.

People with mental health problems should have an appropriate adult present at the police station when arrested.<sup>8</sup>

The police should call an appropriate adult who can look after your interests. This might be someone to help you understand what is happening.

#### Appropriate Health Care Professional (AHCP)

This is a medical practitioner like a doctor, nurse or paramedic.

The police can ask this person to see you if you need medical care. This person may be called a Forensic Physician. In London, you might hear Forensic Medical Examiner (FME) instead.<sup>9</sup>

The AHCP can decide if you well enough for the police to interview you or keep you at the station. It they think you need a Mental Health Act assessment, they can arrange this.<sup>10</sup>

If your legal representative is worried about your mental health, they can ask the AHCP about a mental health assessment. You need to give your legal representative permission to do this.

#### Social worker or community psychiatric nurse

The police may know you if you have been in contact with them before. They may know about your mental illness. If so, they could contact your social worker, community psychiatric nurse or care co-ordinator. You might tell the police about your mental health professional and ask the police to contact them. They can be your appropriate adult if you feel comfortable with them.

# **Crown Prosecution Service (CPS)**

The CPS is a government department that go to court with criminal cases the police investigate. If you have to go to court, the CPS will decide on the charge, prepare the case and bring the case to court.

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# 4. The process of being arrested and held at the police station

- Arrest
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#### Arrest

The first contact you have with the police and criminal justice system is when the police arrest you.

Someone may have told the police that there has been a crime or think one is about to happen. They have to investigate reports like this.

When the police arrest you they will read the caution to you and take you to the police station. The caution is below and we explain what it means.

"You do not have to say anything. But it may harm your defence if you do not mention now something which you later rely on in court. Anything you do say may be given in evidence."<sup>11</sup>

This means you do not have to answer questions if you don't want to. If you do give answers the Crown Prosecution Service (CPS) may use what you say as evidence in your court case.

The police may ask you a question you didn't answer during the interview. If you give the answer to the question in court without telling the police it may damage your case. The judge, jury or magistrates may wonder why you didn't give this answer when the police interviewed you. They may feel you only thought of the answer after the police interviewed you. They might find it harder to believe if you only say it for the first time in court.

#### Being taken to the police station

The police can hold you at the police station to see if you have committed a crime or not.

The first person you may meet is the custody sergeant. They are on duty to meet people the police bring in. They are your main contact whilst you are there. The custody sergeant should call an appropriate adult for you if they think you are vulnerable.

#### Arriving at the police station

The custody sergeant will meet you at reception. They will check your name, address and date of birth. They will ask you questions about your health and if you are a risk to yourself.

The custody sergeant will check if you have any items with you. You may have to give them things you have with you, like your mobile phone and money.<sup>12</sup> They will put your things in an envelope or bag, seal it and make a note of it. The custody officer has to keep this safe.<sup>13</sup> They should give your things back unless they are part of the case you are involved in.

If you have medication on you, the custody sergeant should get an Appropriate Health Care Professional to check it. They should make sure you can take your medication while you are at the station.<sup>14</sup>

The custody sergeant will take a photo of you to put your details on the police computer system.

The custody sergeant should caution you again and make sure you understand it.<sup>15</sup> They may ask you to repeat it in your own words to see if you understand it. They have to caution you in front of your appropriate adult so they may caution you three times:

- 1<sup>st</sup> time when the police arrested you,
- 2<sup>nd</sup> time when the custody sergeant was checking you in, and
- 3<sup>rd</sup> time in front of your appropriate adult if they weren't there when the sergeant checked you in.

The appropriate adult can help explain the caution to you.<sup>16</sup>

If you would like to have a solicitor, the police will arrange for a duty solicitor to be there. Everyone can get a solicitor for free at the police station.

If you want a specific solicitor, you can ask for them at reception, or at any time whilst at the police station. They will contact that solicitor but this may mean you are there longer waiting for them.

You can speak to the solicitor on the phone before they come to the station instead of seeing someone face-to-face. This might be helpful if there are delays in the solicitor getting to the station. You may want to call them first if you aren't sure if you want a solicitor there in person.

Even if you decide not to have legal representation at first, you can change your mind. You can ask for a legal representative at any time when at the police station.

You can get the police to tell someone you have been arrested. This could be a carer, family member, friend, healthcare or social care professional such as your social worker.

If the custody sergeant thinks you might have a mental illness or are vulnerable, they should get an appropriate adult for you. They should ask an Appropriate Health Care Professional (AHCP) to see you.<sup>17</sup>

#### Searching and taking samples

The police may want to search you if they think you might be hiding something that:

- is related to a crime, or
- you might use to hurt yourself or others.

The police can strip search you if they think you have committed a crime.<sup>18</sup> A strip search is when you have to take off more than your outer clothing.

At least 2 people need to be there, a police officer and your appropriate adult. They should try and make sure the police officer is the same gender as you. But, you can ask for a male or female officer if you want.

The police do not strip search unless they are worried you are hiding something, especially if it may harm anyone.<sup>19</sup>

Your appropriate adult should be there when the police need to take your fingerprints, DNA samples or photograph you. The police will ask you to sign a form to agree you let them take the samples and know what the police might use them for.

The appropriate adult should be there when you sign anything to make sure you understand:<sup>20</sup>

- what is going on, and
- what you are agreeing to.

# Meeting the legal representative and appropriate adult

You have the right to see your legal representative in private.<sup>21</sup>

It is important that you understand that only things you tell your legal representation are confidential.

Your appropriate adult does not have to know what you and your legal representative talked about. You should not tell them anything you don't want them to know.

If you agree, your legal representative can share information with your appropriate adult and the police. But most of the time your meetings with the legal representative are confidential. This means the representative will not tell anyone else what you have spoken about, unless you say they can.

The appropriate adult can meet with you in private but it is important to remember that these meetings are not confidential. This means that if you share any information about the crime the police think you have committed, the appropriate adult has to tell this to the police.<sup>22</sup>

#### Interview

The interview is when the police ask you about if and how you were involved in a crime.

It is important to know that if the police are questioning you it doesn't mean they have charged you yet. The interview is your chance to give your version of events.

At the interview, there should be 2 police officers, you, your solicitor if you asked for one, and an appropriate adult.<sup>23</sup>, <sup>24</sup>

Interview rooms can be small. But it should be comfortable enough for everyone to sit around a table. The police will record the interview on a tape recorder.

At the start of the interview, a police officer will say where the interview is taking place and the date and time the interview started.

The police should caution you again on tape and ask if you understand what this means.

The police officer starting the interview will say who is in the room. They will also ask each person to say their name and what they are doing there. You will need to identify yourself when asked to do so.<sup>25</sup>

During the interview, a police officer will say if and when there are any breaks during. At the end, the police officer will say the time the interview ends on the tape.<sup>26</sup>

The police will be trying to understand your version of events. The police officers may ask detailed questions about the crime, or may just ask general questions. For example, they may ask you where you were or what you were doing at a certain time.

The police may show you evidence during the interview, such as CCTV records or an item such as clothing or a weapon.

During the interview the police should not be argumentative in the way they ask questions or in their body language. The appropriate adult or solicitor can speak up during the interview. They can do this if they feel the police are being intimidating or if they feel you are becoming distressed.<sup>27</sup>

Regular meal and refreshment breaks should be allowed during the interview.<sup>28</sup>

At the end of the interview, the police officer will remove the tape from the tape recorder and seal it in a tape box with a sticker.<sup>29</sup> They will ask everyone there to sign the sealed tape. This shows that everyone agrees that the tape was of your interview and also that the tape has not been tampered with if the police need to listen to it in the future.

The police may then give you or your legal representative a copy. If they do not, you or your legal representative can ask for it later if you have to go to court.

#### After interview

After the interview you will need to stay in a cell while the CPS and police decide what to do. We look at what could happen afterwards in the next section of this factsheet.

#### Decision to prosecute

This is the decision the police and Crown Prosecution Service (CPS) make to charge someone with a crime and take them to court.

If the police accuse you of a minor crime they may decide not to charge you. A minor crime might be shoplifting something that isn't expensive or littering. If the crime is serious, or you have been arrested for it before, the police could pass the case to the CPS. The CPS decides to prosecute someone. They do this by looking at the evidence, and information about the crime. They look at:

- how serious the crime is,
- if you put other people at risk because of your crime, and
- if it is better for other people to punish you for the crime.

They deal with criminal cases that the police investigate. If you have to go to court, the CPS will try to show that you are guilty.

#### Timings

If you are held in a police station, the police have to keep checking that you need to be there.<sup>30</sup> A police officer, called a review officer, does these reviews. This could be the custody sergeant.

The review officer decides if you should still be held in the police station. If the police do not have enough evidence to keep you in custody then they should let you go. If the police need time to get evidence, they can keep you in the station for longer.

There are rules about when the police should review if you still need to be kept at the police station.<sup>31</sup>

- The first review must be no later than 6 hours after you were first held at the police station.
- The second review must be no later than 9 hours after the first review.
- After the second review, they should review it at least every 9 hours apart.

The time begins when you first arrive at the police station. If the police take you to hospital, the clock stops. It then starts again when you are taken back to the police station.

If the police question you in hospital, this counts as time in custody and should be included in the review times.

It can be against the law to keep you at the station if the police do not do the reviews they are supposed to do. This means you might be able to get compensation for false imprisonment.<sup>32</sup>

The police should record their reviews on your custody record, which your appropriate adult and legal representative can look at and check.

The review officer should tell you if they are going to keep you at the police station and why as soon as possible. Before deciding they must ask

you, your legal representative and appropriate adult for your views on you staying there.

#### After 24 hours at the police station

The police should not keep you in the station for more than 24 hours without charging you.

If they don't charge you after 24 hours, the police should let you go with or without bail.

Sometimes, a police officer of superintendent rank or above, or magistrates' court, can allow you to stay longer than 24 hours.<sup>33</sup> This may happen if the police need to find or protect evidence in relation to a serious crime.

If you have a mental illness and you are vulnerable the police might not be able to keep you at the station for more than 24 hours. The police should think about options other than keeping you at the police station. The police should allow your legal representative to give their view on if you should stay at the police station any longer.<sup>34</sup>

A magistrates' court can allow the police to hold you for longer but not for more than four days. The police will need to give magistrates information about your case before allowing them to hold you for longer. You are allowed to see this information.<sup>35</sup>

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#### 5. How do the police deal with mental health?

The police or the custody sergeant may be concerned that you are mentally vulnerable. If you agree your legal representative, friend or relative could tell the police you have mental health issues. If so, they should get an appropriate adult for you as soon as possible.

You can find more on this in our **'Appropriate Adult'** factsheet, which you can download for free from <u>www.rethink.org</u>. Or call 0121 522 7007 and ask us to send you a copy.

#### What is mentally vulnerable?

The police have to use a code of practice. This you might be mentally vulnerable if you struggle to understand what's going on or communicating because of a mental health condition.

The code of practice says that you should be seen as vulnerable if you:<sup>36</sup>

- become confused or unclear,
- give unreliable, misleading or incriminating information without wanting to,
- do what other people tell you to do without wanting to, or
- agree with everything someone is saying without questioning it.

# Responsibility of the custody sergeant

The custody sergeant should contact an Appropriate Health Care Professional (AHCP) when a mentally vulnerable person is at the police station.

The AHCP will see you and let the custody sergeant know if there are any risks or problems with keeping you at the police station. They will also say if you are well enough for the police to interview and anything the police need to do to keep you safe.

The custody sergeant should call an appropriate adult if you need one, even if the AHCP says this or not.

#### Medication

If you take any medication the custody sergeant should discuss this with the AHCP before allowing you to take it.

The custody sergeant has to look after the medication and make sure you get the chance to take it.<sup>37</sup> If you have medication that your doctor didn't prescribe the police may not give these back. An example might be if you have benzodiazepine but your GP has not prescribed them to you.

# Monitoring

If you have a mental illness, the police should check on you in your cell at least once an hour.

#### At interview

Your legal representative should talk to you about what the police think you have done. They should act in your best interests.

They should remind you that the police haven't proven anything. The interview gives you chance to give your side of the story.

You should tell your legal representative about your mental health. They will think about whether this could have played a part in the crime the police think you have carried out.

The legal representative should discuss if you should answer police questions or not, or give them a written statement. Even though you have

the right to remain silent, this can be held against you if your case goes to court as we discussed in section 4.

The legal representative and appropriate adult are there for you and can ask for breaks if they feel you need this. They can interrupt the police if they think you are becoming distressed from questioning.

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# 6. What might happen after I have been arrested?

After you have been arrested, there are a number of things that can happen. Below are some things below that mean you do not need to go to court.

- No further action: nothing else happens
- Warning or reprimand: this is for under 18 year olds only
- Caution or conditional caution
- Fixed Penalty Notice: this is a fine
- Going to hospital under the Mental Health Act
- Going to hospital voluntarily

The police can charge you without going to the CPS for some offences. Some of these offences include:<sup>38</sup>

- summary only offences such as theft, criminal damage (of less than £5000) driving offences and common assault,
- shoplifting, and
- some offences which they think the Magistrate's court will be able to deal with.

Your legal representative will speak to the police about if they should charge you. Being charged is when you must go to court.<sup>39</sup> If this happens you can plead guilty or not guilty. If you did not commit the crime and you plead not guilty and there will then be a trial.

# Caution

The police can only issue a caution when you admit you are guilty and the case could have gone to court.

A caution is a strong warning from the police that if you commit another crime you may have to go to court.

Your appropriate adult should be there when the police caution you.

Your legal representative should check you understand what a caution means.

You have to agree to accept a caution.<sup>40</sup> You should talk to your legal representative before you agree to receive a caution.

A caution goes on your criminal record but is not a criminal conviction.<sup>41</sup> Depending on what it is for it may show up on a criminal record check.

You can find more about "**Criminal convictions - How and When to Tell Others Factsheet**" at <u>www.rethink.org</u>. Or call 0121 522 7007 and ask us to send you a copy.

#### **Conditional caution**

The police can give this to anyone 18. There are only certain times you can get a conditional caution so ask your legal representative.<sup>42</sup>

There are three types of conditions that you need to follow.<sup>43</sup> These conditions should:

- help you change your behaviour and not offend in the future,
- make sure you can undo any damage you have done when you committed the offence, or
- be a punishment to you for the offence you committed.

These conditions must not go on for more than 16 weeks. If you do not meet the conditions, you may need to go to court for the original crime.<sup>44</sup>

#### **Detention under the Mental Health Act**

You might be detained under the Mental Health Act. This will happen if:

- you have a mental disorder, and
- yours or other people's health and safety are at risk.

You can find out more about the '**Mental Health Act**' at <u>www.rethink.org</u>. Or call 0121 522 7007 and ask us to send you a copy.

#### When you may have to go to court

#### Bailed to return

You are allowed to leave the police station but there has been no final decision made about what will happen in your case. The police may need to do more investigation or the CPS may need more time to decide if they will charge you.

This gives your legal representative more time to speak to the CPS and explain why they should not charge you. This may be a chance to get a report about your mental health to support what your legal representative is saying. This can help to move you away from the criminal justice system. You have to return to the police station when you are told to or you will be in breach of bail and the police could arrest you again. The police should give you a sheet of paper called 'Bail Notice' which will give the date, time and address of the police station you need to return to.

#### Charge and bail

If the CPS feels you should be prosecuted in court, the custody sergeant will charge you for a specific crime. The appropriate adult must be there when they do this and you and the appropriate adult should get a copy of the charge sheet.<sup>45</sup>

If you are charged, you should apply for legal aid as soon as possible. You can find out more about this in our factsheet 'Legal advice- how to get help from a solicitor' at <u>www.rethink.org</u>. Or call 0121 522 7007 and ask us to send you a copy.

The police should let you leave the police station on bail until your court date. The police can decide not to grant bail if they think you:

- will not go to court if they give you bail,
- might commit more crimes whilst on bail, or
- might interfere with witnesses.46

If the police keep you at the station, you should get to go to court the following morning. Your legal representative could talk to the police about the effect being held would have on your mental health.

You can find more information about what happens in court in our **'Criminal courts and mental health'** factsheet at <u>www.rethink.org</u>. Or call 0121 522 7007 and ask us to send you a copy.

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# 7. Flowchart of the criminal justice system





We have factsheets that look at many areas of the criminal justice system (police, courts and prison) as well as forensic mental health services and hospital.

- Appropriate Adult
- Legal advice how to get help from a solicitor
- Forensic Sections (Individual Factsheets on the following sections of the Mental Health Act 1983 – Section 35, Section 36, Section 37, Section 37/41, Section 38, Section 47/49, Section 48/49, Section 135 and Section 136.
- The Mental Health Act
- Criminal courts and mental health
- Prison what happens while I am in prison?
- Complaints about the police
- Complaints about the court
- Complaints about prison
- Complaints about probation



# **Crown Prosecution Service**

They prosecute criminal cases the police in England and Wales investigate.

Telephone: 020 3357 0000 Address: Rose Court, 2 Southwark Bridge, London SE1 9HS Website: <u>www.cps.gov.uk</u>

# **Police Services in UK**

They provide helpful information on crime and policing in your area.

Website: www.police.uk

# The Faculty of Forensic and Legal Medicine

Their website has more information on forensic and legal medicine and the role of the Appropriate Health Care Professional.

Address: Suite 416 1 Alie Street Aldgate London E1 8DE. Email: forensic.medicine@fflm.ac.uk Website: www.fflm.ac.uk



<sup>2</sup> As note 1, para 3.5(c).
<sup>3</sup> S 37 (5), Police and Criminal Evidence Act 1984 c60.
<sup>4</sup> As note 1, para 3.1.
<sup>5</sup> As note 1, para 3.5(c)
<sup>6</sup> As note 1, para 6.1.
<sup>7</sup> As note 1, para 6.1.

<sup>1</sup> Home Office. Police and Criminal Evidence Act 1984 (PACE) Code C, 2018. Para 3.1.

- <sup>8</sup> As note 1, para 3. 5
- <sup>9</sup> Taylor C, Krish J. Farnham F. *Advising Mentally Disordered Offenders: A Practical Guide.* London: The Law Society; 2010. Para 2.8.1, page 25.
- <sup>10</sup> As note 9, para 2.8.7, page 27.
- <sup>11</sup> As note 1, para 16.2.
- <sup>12</sup> As note 1, para 4.2
- <sup>13</sup> As note 1 para 4.1(b).
- <sup>14</sup> As note 9, para 2.5.7, page 21.
- <sup>15</sup> As note 1, para 3.2.
- <sup>16</sup> As note 1, para 1.7A.
- <sup>17</sup> As note 9, section 2.8.5, page 26.
- <sup>18</sup> As note 1, Annex A, para 2
- <sup>19</sup> As note 1, Annex A, para 2
- <sup>20</sup> As note 9, para 2.7.8, page 25.
- <sup>21</sup> As note 1, 17.6 (d) (ii).
- <sup>22</sup> As note 9, para 3.4.1, page 31.
- <sup>23</sup> Home Office, Interviewing Suspects, March 2014,
- www.gov.uk/government/uploads/system/uploads/attachment\_data/file/488510/Interviewing\_suspects\_v3.0\_EXT\_clean.pdf; (accessed July, 2016), Page 13.
- <sup>24</sup> As note 9, para 2.7.10, page 25.
- <sup>25</sup> Home Office. Police and Criminal Evidence Act 1984 (PACE) Code E, 3.4 (c)
- <sup>26</sup> As note 1, para 11.7
- <sup>27</sup> As note 9, para 4.3.1, page 45.
- <sup>28</sup> As note 1, para 12.8
- <sup>29</sup>As note 23, para 2.2
- <sup>30</sup> As note 9, para 2.5.7, page 21.
- <sup>31</sup> As note 3, S40.
- <sup>32</sup> English J, Card R (eds.). *Police Law* 12<sup>th</sup> ed. New York: Oxford University Press Inc; 2011.
- <sup>33</sup> As note 3, s42 (1).
- <sup>34</sup> As note 1, para 15.3
- <sup>35</sup> As note 1, para 15.7A (c).
- <sup>36</sup> As note 1, para 1 G.
- <sup>37</sup> As note 9, para 2.5.7, page 21.

<sup>38</sup> Crown Prosecution Service. *The Director's Guidance On Charging 2013 - fifth edition, May 2013 (revised arrangements): 15 – Police Charging decisions.* 

www.cps.gov.uk/publications/directors\_guidance/dpp\_guidance\_5.html#a02 [Access July 2016]

<sup>39</sup> Crown Prosecution Service. *The decision to charge; Role of the Crown Prosecution Service.* <u>www.cps.gov.uk/victims\_witnesses/reporting\_a\_crime/decision\_to\_charge.html</u> [Accessed July 2016]

<sup>40</sup> Ministry of Justice. Simple cautions for adult offenders.

www.gov.uk/government/uploads/system/uploads/attachment\_data/file/416068/cautionsguidance-2015.pdfAccessed July 2016] para 77

<sup>41</sup> As note 9, para 4.7.5, page 50

<sup>42</sup> Ministry of Justice. Code of practice for adult conditional cautions: Part 3 of the Criminal Justice Act 2003. Para 2.1

https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/243436/ 9780108512162.pdf [Accessed July 2016] <sup>43</sup> As note 42, para 2.14 <sup>44</sup> As note 9, para 4.7.6, page 51

<sup>45</sup> As note 9, para 4.7.9, page 52

<sup>46</sup> As note 9, para 5.6.1, page 58

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