

# Pre-Court Procedures

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The aims of the criminal justice system are wide-ranging. The principle aims are to:

- Apprehend and provide appropriate sanctions against people who have committed offences,
- Ensure that individuals who are guilty of offences are convicted, and that people who are innocent of offences are acquitted,
- Ensure that individuals who have committed offences do not commit offences in the future,
- Deter people who might commit offences from becoming offenders, and
- Ensure that members of the public and communities have confidence in the criminal justice system to deal with individuals who commit offences.

So-called “Out of court disposals” allow the police to deal quickly and appropriately with low-risk, low-level and mostly first-time young offenders outside of the court system.

If a young person is involved in *low level crime* and *admits their guilt* the police could recommend:

- No Further Action or released without charge
- Community Resolution
- Youth Caution
- Youth Conditional Caution

If none of these options is suitable, the young person faces being charged and prosecuted through the courts.

## **Community Resolution Disposal (CRD):**

This is a non-statutory disposal and is only an option for minor offences where the young person admits they are guilty, and where it is possible for the young person to apologise and put right the harm or loss they have caused and the victim has agreed that they do not want more formal action taken. It aims to strike the right balance between addressing the offence and providing support for young people in encouraging them to not commit further instances of crime or anti-social behavior.

If you receive a community resolution your details will be sent to the Youth Offending Team (YOT) and we will contact you to arrange any help or support you may need to help you stay out of trouble.

Even though the crime will still be recorded, a Community Resolution Disposal will not go on your formal police record.

## **Youth Caution:**

This is a formal action taken by the police. It might be used when the young offender admits they are guilty of a low level offence and a conviction is a realistic prospect.

If you receive a youth caution it will either be delivered by the police, and the YOT informed, or alternatively the YOT will contact you to complete an assessment. The aim of the assessment is to see what work or support you may need to help you stay out of trouble.

A youth caution will go on your formal police record.

### **Youth Conditional Caution:**

This is a formal action taken by the police and is used as a way to deal with low level offending without the young person going to court.

If you are given a youth conditional caution the YOT complete an assessment to look at what has got you into trouble, how you can repair the harm and what support you need to stay out of trouble in the future.

A number of conditions can be applied to a youth conditional caution which you will need to complete. These could include sessions on victim awareness, or a requirement to stay away from certain areas. If you do not keep to the conditions you could be charged for the offence.

A youth conditional caution will go on your formal police record.

Following the appointment the young person will be expected to comply with a short programme of work that will include:

- Raising their awareness about the dangers of offending and their awareness about the feelings of the victims of crime, and the impact of crime on the wider community,
- Attending a session which focuses on specific factors within their offence (for example, the dangers of alcohol misuse),
- Making an apology to the victim by letter or in person, and
- Making reparation to the victim either directly or indirectly and make sure that the offender takes responsibility for their actions. The aims of reparation are to:
  1. Restore the well-being and feelings of safety to victims and communities that have been affected by crime, and
  2. Prevent a young person committing further offences.
  3. Look at the consequences of reoffending.