



**CPS**

**Conditional Cautioning Data**

**Crown Prosecution Service**

**Quarter 4 2010/2011**

**January – March 2011**

Explanatory Notes

▪ **Assumptions**

Data are presented on a quarterly basis; the 'Comparison Quarter' is the same period in the previous year.

▪ **Number of Conditional Cautions**

The total number of Conditional Cautions administered before charge in Quarter 4 2010/11 was 1,571; this is down on the comparison quarter by 368. Data in the first table does not include conditional cautions issued post charge. The highest number of pre-charge Conditional Cautions in the current quarter and in the comparison quarter was administered in Merseyside and in London (126 and 150 respectively).

The second table incorporates those cases where the defendant has been charged with an offence but as part of the file review prior to the first court hearing, and in accordance with paragraph 25 of the Director of Public Prosecutions' Guidance on Charging (4th Edition: January 2011), a prosecutor has determined that a Conditional Caution is a more appropriate way to proceed than charge. It is not possible to filter the data into type of Conditional Caution, offence, compliance etc. Accordingly, Conditional Cautions issued post charge are not accounted for, or included in, any of the other tables in this report. **These data have only been collated and included from January 2011 onwards.** In Quarter 4 2010/11 248 conditional cautions were administered post charge compared to 154 in the fourth quarter of 2009/10.

▪ **Type of Conditions**

*Please note: a Conditional Caution can have more than one 'Condition Type', the total types are likely to be more than the total number of Conditional Cautions administered. For example: A Conditional Caution administered for theft may have both a restrictive element, such as not to enter a particular shopping centre, and also a rehabilitative element, if the offence was committed due to a drink or drug dependency.*

Conditional Cautions administered within the quarter most commonly contain Reparative – Compensation condition types, 1,897 of these were administered.

<b>Type</b>	<b>Commentary</b>
Rehabilitative	<ul style="list-style-type: none"> <li>▪ 163 Conditional Cautions contained Drugs Intervention Programme conditions, this number has declined by 22 when compared with the comparison quarter.</li> <li>▪ 66 Conditional Cautions contained Alcohol-Related conditions, this number has declined by 80 on the comparison quarter.</li> <li>▪ 111 Conditional Cautions contained Other Rehabilitative conditions, this number has increased by 12 on the comparison quarter.</li> </ul>
Reparative	<ul style="list-style-type: none"> <li>▪ 48 Conditional Cautions contained Restorative Justice conditions, this number has declined by 27 when compared with the comparison quarter.</li> <li>▪ 1,440 Conditional Cautions contained Compensation conditions, this number has declined by 206 when compared with the comparison quarter.</li> <li>▪ 394 Conditional Cautions contained Letter of Apology conditions, this number has declined by 98 when compared with the comparison quarter.</li> <li>▪ 15 Conditional Cautions contained Other Reparative conditions, this</li> </ul>

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	number has declined by 19 when compared with the comparison quarter.
Restrictive	▪ 54 Conditional Cautions contained Restrictive conditions, this number has declined by 45 when compared with the comparison quarter.

▪ **Number of Conditional Cautions Administered by Offence**

Conditional Cautions administered within the quarter were most commonly for destroying and damaging property which totalled 924, a decrease in volume on the comparison quarter of 172.

▪ **Outcome of CPS Decisions following Non-Compliance**

A Non-Compliance is the number of active Conditional Cautions where the offender failed to comply with the conditions within the quarter.

The number of Conditional Cautions in the quarter where the offender failed to comply was 255. This is a decrease on the comparison quarter of 15.

The CPS proceeded to prosecution in 178 of these cases; 39 cases were not prosecuted and 38 had their conditions varied.

The overall compliance rate for the last 12 months is 85.6%. When compared with the previous period there is a decline in compliance by 0.2 percentage points. This rate reflects all conditional cautions which were administered in the last 12 months compared to all conditional cautions where the defendant failed to comply during the same period.

▪ **Number of Conditional Cautions broken down by Gender and Area**

The total number of Conditional Cautions administered for women in Quarter 4 2010/2011 was 220; this is down on the comparison quarter by 36.

The total number of Conditional Cautions administered for men in Quarter 4 2010/2011 was 1,351; this is down on the comparison quarter by 332.

In Quarter 4 2010/2011 the percentage gender split for those who have received a conditional caution is 14.0% for women and 86.0% for men. In the comparison quarter these figures were 13.2% for women and 86.8% for men.

▪ **Data Sources and quality**

The data presented on Conditional Cautions are drawn from the CPS Case Management System. Although care is taken when processing and analysing the returns, the detail collected is subject to inaccuracies inherent in any large-scale recording system. While figures shown have been checked as far as practicable, they should be regarded as approximate and not necessarily accurate to the last whole number.

Data on releases are extracted around two weeks after the end of the previous quarter, allowing CPS staff time to update the case records. Amendments to records after this time are not published.

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▪ **Further Questions**

*Any enquiries may be directed to: [Enquiries@cps.gsi.gov.uk](mailto:Enquiries@cps.gsi.gov.uk). National media enquiries should be directed to CPS Press Office on 020 3357 0906. Local media enquiries may be directed to Communications Officers in individual CPS Areas. See our website ([www.cps.gov.uk](http://www.cps.gov.uk)) for contact details.*

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**Number of Pre-Charge Conditional Cautions Administered by Area**

Area	Q4 2010/2011	Q4 2009/2010
Avon & Somerset	45	44
Bedfordshire	42	18
British Transport Police	22	24
Cambridgeshire	96	76
Cheshire	30	42
Cleveland	14	18
Cumbria	40	46
Derbyshire	8	14
Devon and Cornwall	53	62
Dorset	34	24
Durham	8	17
Dyfed Powys	12	20
Essex	45	84
Gloucestershire	3	13
Greater Manchester	23	19
Gwent	6	9
Hampshire & IOW	72	86
Hertfordshire	77	26
Humberside	56	74
Kent	55	60
Lancashire	104	149
Leicestershire	28	31
Lincolnshire	12	23
London	118	150
Merseyside	126	98
Norfolk	58	71
Northamptonshire	21	30
Northumbria	23	26
North Wales	29	73
North Yorkshire	34	65
Nottinghamshire	38	45
South Wales	21	43
South Yorkshire	12	35
Staffordshire	19	35
Suffolk	13	24
Surrey	23	30
Sussex	53	59
Thames Valley	48	46
Warwickshire	10	20
West Mercia	5	24
West Midlands	9	34
West Yorkshire	23	33
Wiltshire	3	19
<b>Total</b>	<b>1571</b>	<b>1939</b>

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**Number of Post Charge Conditional Cautions Administered by Area**

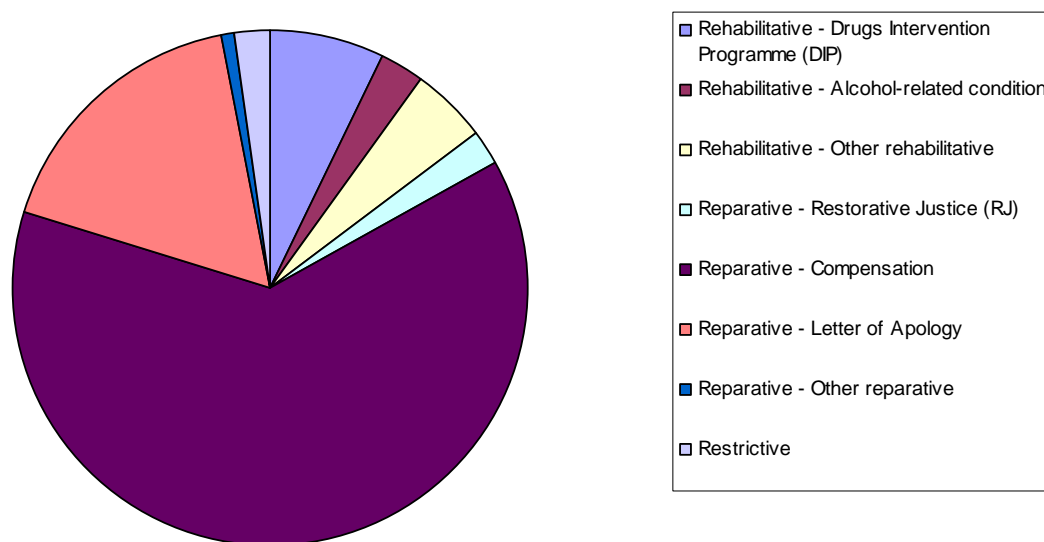
Area	Q4 2010/2011	Q4 2009/2010
Avon & Somerset	0	4
Bedfordshire	0	0
British Transport Police	6	1
Cambridgeshire	11	4
Cheshire	4	1
Cleveland	2	0
Cumbria	5	3
Derbyshire	0	0
Devon and Cornwall	4	3
Dorset	4	1
Durham	3	3
Dyfed Powys	1	5
Essex	2	4
Gloucestershire	2	3
Greater Manchester	19	13
Gwent	0	1
Hampshire & IOW	3	7
Hertfordshire	0	0
Humberside	9	2
Kent	10	6
Lancashire	2	13
Leicestershire	3	3
Lincolnshire	1	0
London	25	14
Merseyside	89	27
Norfolk	7	4
Northamptonshire	0	1
Northumbria	3	0
North Wales	4	3
North Yorkshire	2	5
Nottinghamshire	0	2
South Wales	2	3
South Yorkshire	5	3
Staffordshire	4	0
Suffolk	2	1
Surrey	1	1
Sussex	8	4
Thames Valley	3	2
Warwickshire	0	1
West Mercia	0	2
West Midlands	1	0
West Yorkshire	0	2
Wiltshire	1	2
<b>Total</b>	<b>248</b>	<b>154</b>

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**Type of Condition attached to Cautions**

Type of Conditional Caution	Q4 2010/2011	Q4 2009/2010
Rehabilitative - Drugs Intervention Programme (DIP)	163	185
Rehabilitative - Alcohol-related condition	66	146
Rehabilitative - Other rehabilitative	111	99
Reparative - Restorative Justice (RJ)	48	75
Reparative - Compensation	1440	1646
Reparative - Letter of Apology	394	492
Reparative - Other reparative	15	34
Restrictive	54	99
<b>Total</b>	<b>2291</b>	<b>2776</b>

**Current Quarter Breakdown**



**Note:**

- As a Conditional Caution can have more than one condition the total conditions are likely to be more than the total number of Conditional Cautions administered. For example: A Conditional Caution issued for theft may have a condition not to enter a particular shopping centre (restrictive) and condition to attend drug and alcohol awareness sessions (rehabilitative: if the offence was committed due to a drink or drug dependency).

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**Number of Conditional Cautions Administered by Offence**

<b>Summary offences and offences triable only summarily</b>	<b>Q4 2010/2011</b>	<b>Q4 2009/2010</b>
Common assault	172	200
Assaulting a police officer	28	27
Section 4 and 4A Public Order Act 1986	34	30
Destroying or damaging property	924	1096
Unlawful taking of a motor vehicle	1	0
Interference with vehicles	1	1
Section 5 Public Order Act 1986	12	18
Obstructing a police officer	4	7
Drunk and Disorderly	14	61
Indecent exposure	0	0
Simple drunk	0	3
Violent behaviour in a police station	0	0
Other summary only offences	90	146
<b>Total</b>	<b>1280</b>	<b>1589</b>

<b>Either Way Offences and Attempts</b>	<b>Q4 2010/2011</b>	<b>Q4 2009/2010</b>
Theft	253	290
Removal of articles from places open to the public	0	0
Abstracting electricity	0	1
False accounting	0	0
Handling stolen goods	7	7
Going equipped for stealing etc	1	0
Making off without payment	66	69
Making a false representation	76	87
Failing to disclose information	0	2
Fraud by abuse of position	1	8
Possession of articles for use in frauds	1	2
Making or supplying articles for use in frauds	1	1
Obtaining services dishonestly	4	7
Threats to destroy or damage property	7	2
Possessing anything with intent to destroy or damage property	2	0
Possession of any class of drug (consistent with personal use)	169	169
Other Forgery	3	3
<b>Total</b>	<b>591</b>	<b>648</b>

Please note: it is possible to have more than one offence dealt with by the same Conditional Caution. Therefore the total number of offences may often be greater in number than the total number of Conditional Cautions administered.

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**Outcome of CPS Decision Following Non-compliance**

<b>Non-Compliance - Disposal Options</b>	<b>Current Year Q4 2010/2011</b>	<b>Previous Year Q4 2009/2010</b>
Charge and request full file	178	199
No Prosecution	39	41
Conditions Varied	38	30
<b>Total</b>	<b>255</b>	<b>270</b>

There are 3 courses of actions available to the CPS in the event of a failure to comply:

1. Charge the offender for the original offence and proceed to court.
2. Take the decision not to prosecute, known as No Prosecution.
3. Vary the original conditions either by extending the timescales or by varying the detailed conditions of the Conditional Caution.

The table above shows the number of Conditional Cautions for the quarter where the offender has failed to comply with the terms of the Conditional Caution and the CPS has taken the actions above.

**Rolling 12 Month Compliance Rate**

<b>Non Compliance Rates</b>	<b>April 2010 - March 2011</b>	<b>April 2009 - March 2010</b>
Compliance Rate	<b>85.6%</b>	<b>85.8%</b>
Non Compliance Rate	14.4%	14.2%

The compliance rate is based on data over a rolling 12 months. This rate reflects all conditional cautions which were issued in the last 12 months compared to all Conditional Cautions which were breached during the same period.

It is not possible to produce a reliable compliance rate over a quarterly period, as a Conditional Caution can be administered for durations of up to 16 weeks. This means a failure to comply could happen at any point within those 16 weeks. Therefore a 12 month assessment offers an aggregated figure which has more statistical value.

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**Number of Conditional Cautions broken down by Gender and Area**

Area	Q4 2010/2011 Female	Q4 2010/2011 Male	Q4 2009/2010 Female	Q4 2009/2010 Male
Avon & Somerset	2	43	1	43
Bedfordshire	4	38	1	17
British Transport Police	6	16	1	23
Cambridgeshire	13	83	6	70
Cheshire	3	27	4	38
Cleveland	1	13	8	10
Cumbria	7	33	8	38
Derbyshire	0	8	2	12
Devon and Cornwall	4	49	6	56
Dorset	5	29	4	20
Durham	1	7	1	16
Dyfed Powys	4	8	3	17
Essex	2	43	14	70
Gloucestershire	0	3	1	12
Greater Manchester	3	20	4	15
Gwent	0	6	1	8
Hampshire & IOW	8	64	15	71
Hertfordshire	11	66	2	24
Humberside	8	48	11	63
Kent	7	48	6	54
Lancashire	17	87	21	128
Leicestershire	6	22	3	28
Lincolnshire	4	8	8	15
London	13	105	16	134
Merseyside	32	94	27	71
Norfolk	9	49	11	60
Northamptonshire	2	19	1	29
Northumbria	7	16	4	22
North Wales	4	25	14	59
North Yorkshire	9	25	3	62
Nottinghamshire	5	33	7	38
South Wales	2	19	7	36
South Yorkshire	2	10	4	31
Staffordshire	0	19	4	31
Suffolk	3	10	2	22
Surrey	1	22	5	25
Sussex	6	47	4	55
Thames Valley	3	45	6	40
Warwickshire	1	9	2	18
West Mercia	1	4	2	22
West Midlands	1	8	3	31
West Yorkshire	3	20	2	31
Wiltshire	0	3	1	18
<b>Total</b>	<b>220</b>	<b>1,351</b>	<b>256</b>	<b>1,683</b>

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