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Investigation Outcomes Explained

Sub Charter



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There are many disposals available to police when deciding the outcome in a case they are investigating. This information explains more about possible outcomes.

No Further Action

An investigation will be closed with No Further Action (NFA) if there is not enough evidence to prove guilt, or it is not in the public interest to proceed. This means that the case will be closed but it could be re-opened if circumstances change or further evidence comes to light.

Post-Charge Bail

If you are charged with a crime you will be released on bail with a date to go to court. The police may apply conditions stating what you can and can't do while on bail.

If you fail to attend court a warrant may be issued for your arrest.

You must not make any contact with victims or witnesses as this would become a separate offence and lead to you being arrested again.

Pre-Charge Bail

There are circumstances where the Police have the option to bail you before an outcome has been reached and they can either; release you on bail, or release you 'under investigation'

Pre charge bail can occur for a number of reasons. There may be evidence that cannot be gathered whilst you are in custody or the nature of the offence could mean that the case must be referred to CPS for a charging decision.

The investigation will remain active and you are still a suspect. A date and time will be set for you to return and this can be changed or extended. You may be given bail conditions. You and your solicitor have the right to make representations in relation to your bail or conditions

What is Police Bail?

Bail is when you are released from the police station with a set date and time to return to the police station, or to attend court if you have been charged. During this time the police will continue the investigation and if/when there is sufficient evidence an outcome will be decided.

Released Under Investigation (RUI)

If there is insufficient evidence to charge or caution you the police can release you with no date to return. However they will continue the investigation and you will remain a suspect. The Police will contact you when the investigation is complete to tell you whether or not you will be charged.

As with post-charge bail you must not make any contact with victims or witnesses as this would become a separate offence.

Bail Conditions

Conditions can be put in place if the police think it is necessary;

To prevent you committing further offences

To safeguard victims or witnesses

To ensure you attend court

Conditions can include a home curfew, restrictions on who you can communicate with or be with such as the victim. Or restrictions in relation to where you can go.

Police Records

Information of convictions, cautions and warnings for recordable offences is held on the Police National Computer (PNC), known as a police criminal record.

DBS Standard and Enhanced checks provide employers and organisations with information about convictions, cautions and warnings held on PNC

Going to Court

All cases will go to a Magistrates court first, from there, serious cases will be sent to Crown Court for trial and less serious case will usually be dealt with by the Magistrates.

What is a Magistrate Court?

Magistrates Court will deal with cases known as '**summary offences**' which include:

Motoring offences

Minor criminal damage

Being drunk and disorderly

Theft

It can also deal with some more serious offences, such as: Burglary; Drugs and Assaults

What is Crown Court?

Crown Courts will always deal with serious crimes, such as:

Murder, Rape and Robbery

Crown Court cases are known as a '**trial**'; when a jury will listen to all the evidence and decide whether the defendant is guilty or innocence.

A Judge decides the sentence.

Breach of Bail

If you break any bail conditions, this is known as 'breach' of bail.

The police can arrest you for breaking bail, they can also ask the court to keep you in custody until a date is set to go to court.

Out of court disposals

Many cases can avoid court, being resolved with an Out of Court Disposal

Community Resolution (CR)

CR is a way of dealing with crime which is a non-serious first offence. CR can only be used if the offender admits the crime and agrees to it; the victim also has to also agree.

CR can include Restorative Justice Interventions, where the victim meets the offender to tell them the impact the crime has had on them. CR can prevent people from going on to break the law again.

Cautions

Cautions are used to give the offender a formal warning rather than send them to court. They must admit the offence and agree to accept the caution.

The decision to give a caution depends on the offender's criminal history, the offence and the chance of them re-offending.

If the suspect is sent to court within 3 years of having a caution, the court can take it into account when sentencing.

Like bail, a caution can also have conditions set; the offender must agree to the conditions, if they break them, they can be sent to court for the original crime.



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