



Criminal Conviction Disclosure Process

Leeds City College
Stay Safe Team

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Criminal Conviction Procedure

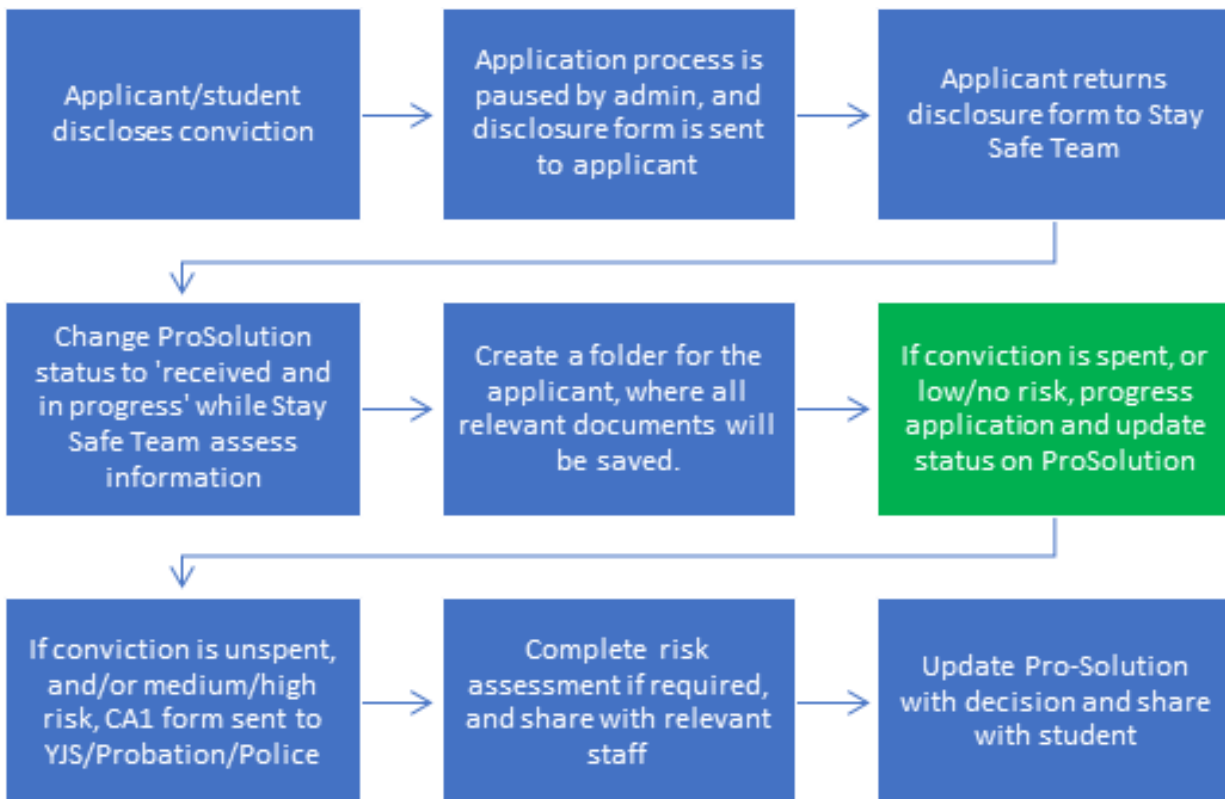
It is necessary to collect information of unspent criminal convictions of all students (both applicants and enrolled). This is to ensure that students with criminal convictions are given every opportunity to benefit from the programmes the College offers, while maintaining the college's duty to provide a safe and secure environment for all its students, staff and visitors.

1) Purpose of Procedures

- Students are not refused access to college programmes which they are academically suited for on the grounds of a previous criminal record unless their presence at the college is demonstrated to pose a risk to others or to College property, or unless their criminal record significantly limits their chance of success on their programme.
- All students are asked to disclose unspent criminal convictions and pending court cases. If the unspent conviction is disclosed during enrollment, the student will not be fully enrolled until the criminal conviction process has been followed and any decisions made as necessary.
- Students' failure to disclose any conviction is a disciplinary issue, which may result in the student being excluded.
- All records will be kept securely and confidentially in a confidential place.
- Assessment of risk is undertaken in a sensitive, discreet and confidential way, taking into account the needs of all concerned.
- Students are provided with appropriate advice and guidance in relation to their chosen progression route if it is impacted by their criminal conviction through the careers team.
- The college has the opportunity to network as appropriate with other agencies involved with the student to ensure a fair risk assessment and good support for the student if they undertake a programme.
- In most cases only the Stay Safe Officers and Designated staff will know the nature of a student's conviction. This information will only be passed to a Director of the Curriculum area or other third parties if there is a risk to students and staff.
- The College recognises that it plays an appropriate part in the rehabilitation of offenders.

Process

2.1) Procedure Flow Chart



2.2) Disclosure

An unspent criminal conviction may be disclosed in a number of ways:

1. **On Application** – they will tick to say they have a criminal conviction that is unspent. Admissions will send out the criminal conviction letter and disclosure form. Applicants should return the completed disclosure form by email to safeguarding@leedscitycollege.ac.uk. The Admissions team will flag the ProSolution system to advise to stop process and a criminal convictions Letter has been sent
2. **In Interview/Enrolment** – If an applicant discloses an unspent conviction at interview or enrolment, the interview may continue, but the applicant should be made aware that they will be required to complete a criminal conviction disclosure form. This may be completed by hand, placed in a sealed envelope and given to a Stay Safe Officer by hand, or the form can be emailed to the applicant, and they can return it to safeguarding@leedscitycollege.ac.uk. The person completing the interview/enrollment must ensure to inform a Stay Safe Officer. The Stay Safe team will flag the ProSolution system to advise to stop the process whilst the disclosure is reviewed.
3. **During the academic year** - a student may receive a new unspent conviction whilst they are already a student at college. We may be made aware of this by the student, the police, or social care. The Stay Safe Team will need to follow the same steps to assess the risk and put necessary steps in place to ensure the safety of staff and students. This may involve temporarily asking the student to work remotely while information is gathered and assessed.

2.3) Criminal Conviction Letter and Disclosure Form (annex 1)

When a Stay Safe Officer receives a Disclosure Form they will use their professional discretion to determine next steps. Details of the conviction should not be shared with curriculum staff at this stage.

When recruiting a student, there are two combined factors to consider when looking at an applicant's criminal record:

1. **The particular course:** This includes considering the responsibilities and circumstances of the study pathway and work experience opportunities. This can, to some extent, be done in advance of recruitment. However, it is also a relevant consideration depending on the person's criminal record. For example, courses with placement opportunities or career pathways where the learner is likely to work with children, young people or vulnerable adults may not be suitable for persons with specific offending histories.
2. **The details of the criminal record:** This will be gathered by the Stay Safe Officer from the CA1 form and through discussions with relevant professionals and/or the student.

If the conviction is spent or does not require any further action, i.e. the applicant poses low risk or no risk, the Stay Safe Officer will process the application and allow the admissions process to continue.

If a student has been **ticked in error**, the student should be asked to send an email to

safeguarding@leedscitycollege.ac.uk advising that they ticked the box in error and they do not have a conviction. This is then moved by a Stay Safe Officer in the 'Criminal Convictions Ticked in Error' folder in the Safeguarding Box. They will then email the admissions team to inform them to progress the application. The Stay Safe Officer should email the student to confirm we have amended our records.

Contacts for admissions teams:

Tajinder Sihra - Enterprise and employability, Leeds Sixth form, Harrogate college

Rebecca Stubbs- Sport, applied science, health and social care, childcare, public services, creative arts

Lauren Hault - Travel food and drink, animal and land-based, foundry, hair and beauty, motor vehicle, digital and IT, business

Natalie Clark - Keighley college

Elaine Wright - Adult and community

Jenna Wilkinson - HE for Harrogate, Keighley and Leeds

2.8) Storing information

Create a file for each applicant/student in the Criminal Convictions folder on Google Drive. All relevant documents will be stored here. This will enable any member of the Stay Safe Team to be able to check the progress of any Criminal Convictions if required.

If a Risk Assessment is put in place this should be added to the student's CPOMS record in addition to the Criminal Conviction folder, and shared with relevant staff on a need to know basis and only share the necessary information. The CPOMS case can be closed once support is in place, unless there are any ongoing safeguarding concerns.

2.4) CA1 Form and Categorising Risk

If convictions are unspent and indicate a Medium or High Level of potential risk, Stay Safe Officers must send the CA1 to the Offender Manager, Youth Justice Worker, Probation Officer or Prison for them to complete and return by email. We are unable to continue with progression or enrolment until this is returned.

Risk of Serious Harm must be assessed using the Risk of Serious Harm definitions below

For the purpose of this Guidance, serious harm is defined as:

"An event, which is life-threatening and/or traumatic, from which recovery, whether physical or psychological, can be expected to be difficult or impossible."

The level of risk of serious harm is the likelihood of this event happening. The levels are:

Low: current evidence does not indicate a likelihood of causing serious harm.

Medium: there are identifiable indicators of serious harm. The offender has the potential to cause such harm, but is unlikely to do so unless there is a change in circumstances, for example failure to take medication, loss of accommodation, relationship breakdown, drug or alcohol misuse.

High: there are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious.

Very High: there is an imminent risk of serious harm. The potential event is more likely than not to happen imminently and the impact would be serious.

This provides a categorisation of risk levels for all MAPPA offenders. (Please note that the definitions used by YJTs will be different. Local YJT teams can advise.) The categorisation of risk is refined by reference to those who may be the subject of that harm. They include:

- The public: either generally or a specific group such as the elderly, vulnerable adults (for example, those with a learning disability), women or a minority ethnic group.
- Prisoners: within a custodial setting.
- A known adult: such as a previous victim or partner.
- Children: who may be vulnerable to harm of various kinds, including violent or sexual behaviour, emotional harm or neglect, or because they are in custody.
- Staff: anyone working with the offender whether from the Probation Trust, the Prison Service, the Police or any other agency. This relates to all forms of abuse, threats and assaults that arise out of their employment.
- Self: the possibility that the offender will commit suicide or self-harm.

2.5) Risk Assessments

It is best practice to consider a risk assessment for the following offences, particularly if another professional deems the applicant high risk

- Sexual Offence
- S47 Child Protection Order
- Supply of class A drugs and Gang involvement
- Violent crimes

2.6) Recording

Any discussions, meetings and information gathered through the decision making process, and the final decision regarding the student's place at college, should be recorded on the Decision Making form. This is so there is a clear record of any decisions made.

2.7) ProSolution

During the process the Stay Safe Team has a responsibility to 'flag and tag' where in the process the applicant is and what is the current status of the application process. Here are some instructions for using ProSolution.

- Open ProSolution
- Open Student Facilities tab
- Click on Potential Students tab
- Click and adjust year of application
- Right click on Name or Family name, input name and search name

- Details open – open user tab (See Below,) then ‘User Defined 3’ menu as highlighted below

The screenshot shows a web-based interface with a top navigation bar containing tabs: Student, Enquiries, Applications, Quals on Entry, All Enrols, and Diary. Below this is a secondary navigation bar with tabs: Personal, Addresses, Other, International, Photo, Health, HE, Ref, User, Employment, Loans, ALS, and Dest. The 'User' tab is active, and within it, 'User Defined 3' is selected. The form contains the following fields:

- Risk Assessment Status: A dropdown menu showing '3a. Complete - Progress Application'.
- Risk Assessment Status Cha...: A dropdown menu showing '28/08/18'.
- Meal card issue no: A text input field containing '0'.
- Maytas Traineeid: An empty text input field.
- Has expressed safeguarding ...: A dropdown menu.
- Login Direct Access: An empty text input field.
- Allow Contact Destination Su...: A dropdown menu.

Use the ‘Risk Assessment Status’ tab within ‘User defined 3’ to track the stage of the process.

Email Sent: Admin will select this when the criminal conviction letter has been sent.

Received and in Progress: Criminal Conviction letter received by Stay Safe and assessment in progress.

Complete Progress Application: Stay Safe assess that risk can be managed appropriately based on conviction and/or information shared by external professionals. A risk assessment may be required to allow the applicant to progress.

Complete – Alternative Provision: Stay Safe Officer has received CA1 form but deems risk and or supervision needs and recommends alternative provision, typically with a risk assessment in place.

Complete – Refusal: The risk to students, staff or visitors is deemed too great. Any refusal will need to be authorised by the Head of Safeguarding and they will arrange to send a refusal letter to the student.

In Error: Student may tell us they have ticked the application form by accident, we then progress the application.

Annex 1 – Criminal Conviction Disclosure Form

Disclosure of Criminal Conviction(s) Questionnaire

Confidential to the Leeds City College Admissions Office

Name:
Student Ref. No:
Course applied for:
DOB:

Please complete both sides of this questionnaire. When we receive your questionnaire, we will assess the details of your conviction(s) and your application will either be referred to the curriculum area for a course interview, or in certain circumstances you may be invited for an initial meeting to discuss your conviction(s) in more detail. We will contact you to arrange a private and confidential meeting with a member of the College management team if this is necessary.

If you have ticked this form in error please tick here:

Please list the date and nature of each offence, and the penalty:

Date of offence:	Nature of offence:	Sentence and/or penalty:

If you are currently in detention, please tell us where, and your expected release date below

Name & Address of Prison/YOI:

Tel no: Your expected release date:

Continues Overleaf

Name:

Student Ref. No:
Course applied for:

Please use the space below to describe the circumstances of the offence(s):

Please include any details which you feel might be useful, for example, how old you were when the offence happened, any mitigating or special circumstances which might have affected your behaviour etc. This is often our first impression of you, so please take time to fill out this section fully (use an extra sheet of paper if you need to).

If you have a Probation Officer (PO) or Youth Offending Team Worker (YOTW) please give their full name, contact telephone number(s) and the location/centre they work from below.

Full Name:

Tel No(s):

Address/Centre they work from:

Please sign and date the form below:

Your Signature:

Date:

Please return your completed form to the Safeguarding Inbox:
safeguarding@leedscitycollege.ac.uk

Annex 2 – CA1 Form

Nov 2018) **CA1** (updated)

CRIMINAL CONVICTION RISK ASSESSMENT RECORD YOT / PROBATION

Applicant Name: **Ref No:**

Course Applied For:

Probation Officer/YOT Name:

Tel No/s:..... **Date:**

Offence Given:			
Date of Offence/s:			
<ul style="list-style-type: none"> • Actual Conviction (if different): • Offence Confirmed (who by): • Date to be spent 			
Sentence:			
Start Date:		End Date:	
Circumstances:			
Any Drug or Alcohol Involvement or Gangs/Peer Pressure?			
First offence: Yes <input type="checkbox"/> No <input type="checkbox"/>			
If NO, details of history of offending (if not provided in questionnaire):			
Work with Probation/ YOT:			
Attended all sessions, Behaviour during meetings, Timekeeping, Engaged/participated?			
Courses / sessions attended (please tick):			
Drug Awareness/Rehabilitation	Anger Management	Drink Impaired Drivers	
One-to-One	Building Better Relationships	Supervision Requirement	

Community Sex Offenders Prog	Attendance Centre	Unpaid Work
Alcohol Awareness/Treatment	Drugs Awareness/Treatment	Thinking Skills Problems group
Offender Behaviour	Specified Activity	Other (see below)
Other programmes attended / Quals or Certs gained:		
Risk Rating (please tick):		
Risk of Re-Offending: <input type="checkbox"/>	Risk of Harm: <input type="checkbox"/>	Other Risks <input type="checkbox"/>
High	High	Identified Risk to Others?
Medium	Medium	Identified Risk to Self?
Low	Low	Identified risk to Staff?

Other Risks Continued <input type="checkbox"/>		
Identified as Vulnerable themselves?	MAPPA Registered (Multi Agency Public Protection Arrangements)	IOM Registered (Integrated Offender Management)
Any Safeguards required:		
Supervision	Counselling	Buddy / Mentor
Information Sharing re: progress	Learning Support Referral	Other:
Could the course present any temptations for the student to re-offend?		
Any reservations about the applicant attending college / specific course / campus?		
Family Background:		
At family home	In Care	Lives Alone
Independent supported living	Other	
Family Support/Circumstances		
Does the applicant have any Learning Difficulties/Disabilities: Yes <input type="checkbox"/> No <input type="checkbox"/>		
If Yes, Details:		

Any additional details or information picked up during the conversation: including support required when at College:

Completed By: Position:
.....

Signature: Date:
.....

Annex 3 – Risk Assessment

Safeguarding Risk Assessment Plan

Name: Student Number: D.O.B: Campus:

Course / Year:

Tutor:

Person Completing Assessment:

Date of assessment:

Relevant Background:

SAFEGUARDING RISK RATING: H = High; M = Medium; L = Low

Severity of Outcome: Significant; Serious: Minor Concern

Safeguarding Problem or Situation	Level Of Risk	Severity of Outcome	Initial Risk Rating	<u>Protective Measures to be used</u> Strategies or actions will be put in place to eliminate the risk or reduce it to an acceptable level.	Person Responsible	Final Risk Rating

Additional notes/comments

Discussed and agreed with student/date of next review meeting						
CPOMS check						
Parents contacted (if appropriate)						
Social worker/CSC/ASC contact details						
Other (Please specify)						

Signed:

Date:

Review Date/s :

Terminology Glossary

Acquittal	A not-guilty verdict absolving an accused party of guilt. Release or absolution.
Arrest	The taking of an individual into custody by law enforcement personnel for the purpose of charging them with an illegal act.
Arson	Arson is the intentional burning of a structure or building. Usually, first-degree arson is charged when someone is injured or killed as a result of the fire. Second-degree arson is charged when the damage caused by the fire is extensive.
Bail	Bond money paid to a court, by or on behalf of a criminal defendant, as security that, when released from jail, the defendant will appear at future hearings. If another person posts the bail money, then that third party vouches that the defendant will appear at future court dates. Bail can be forfeited if the defendant fails to appear or violates release conditions.
Accessory	Anyone who helps someone else commit a crime, either before the crime takes place or afterward. If you know someone who is planning to commit a crime and you do anything to help - plan the crime, loan them money or tools, or even just give advice - you can be charged with accessory before the fact.
Activity Requirements Attendance Centre Order	There are three levels of generic Activity Requirements available: Low - 15 days; Medium - 30 days; High - 50 days (60 for a sex offender) Each Activity Requirement can be made up of a range of group work or one-to-one sessions.. The 'days' of the Activity Requirement should be meaningful sessions, each of which helps to address the identified needs of the individual offender. Those days can be made up of a range of activities dependent on need and the days available. An Activity Requirement can involve: challenging attitudes towards offending and ensuring offenders see the victim's perspective; work to promote personal and behavioural change; monitoring and reviewing behaviour patterns; work to increase motivation and provide support to increase compliance; group work to address behaviour/offending; individual counselling
Affray	A criminal offense generally defined as the fighting of two or more persons in a public place that disturbs others. An affray is a type of Disorderly conduct and a breach of the peace since it is conduct that disturbs the peace of the community. It is punishable by a fine, imprisonment, or both.
Aiding and Abetting	Anyone who directly helps someone else in the commission of a crime, even if they do not participate in the actual crime itself. Specifically, a person is guilty of aiding and abetting if he willfully "aids, abets, counsels, commands, induces or procures" the commission of a crime. Whereas an accessory to a crime usually faces lesser punishment than the person who actually committed the crime, someone charged with aiding and abetting is punished as a principal in the crime, just as if they did the crime. If someone "puts in motion" the plan to commit a crime, they can be charged with that crime even if they intentionally refrained from participating in the actual criminal act itself.
Anti-Social Behaviour	There is no precise definition of antisocial behaviour. Broadly, it is acting in a way that causes or is likely to cause alarm or distress to one or more people in another household. Antisocial behaviour must be persistent and can include:- noise; rowdy behaviour such as shouting,

	<p>swearing and fighting; intimidation of neighbours and others through threats or actual violence; harassment, including racial harassment or sectarian aggression, particularly if it takes place at or near a football match; verbal abuse ; intimidation; systematic bullying of children in public recreation grounds, on the way to school or even on school grounds, if normal school disciplinary procedures do not stop the behaviour; abusive behaviour aimed at causing distress or fear to certain people, for example, elderly or disabled people; driving in an inconsiderate or careless way, for example, drivers congregating in an area for racing; abandoned cars, burned-out cars, joyriding; dumping rubbish; dropping litter/fly tipping; animal nuisance, including dog fouling; vandalism, property damage and graffiti; noise pollution - playing music persistently too loud or persistently making other loud or intrusive noise; drunkenness; stealing/ mugging/ shoplifting; begging; loitering; drug dealing or drug taking; spitting</p> <p>Anti-Social Behaviour Orders (ASBOs) are civil orders and as such, the defendant has no right to evidence that might disprove the assertions of the plaintiff, though violating an ASBO can incur up to five years imprisonment. This means getting an ASBO does not give you a criminal record, but breaking the ASBO could.</p> <p>ASBOs are designed to limit and correct the recipient's behaviour. For example, by forbidding a return to a certain area or shop, or by restricting public behaviour such as swearing or drinking. In the United Kingdom, an ASBO may be issued in response to "conduct which caused or was likely to cause harm, harassment, alarm or distress, to one or more persons not of the same household as him or herself and where an ASBO is seen as necessary to protect relevant persons from further anti-social acts by the Defendant."</p>
Assault	<p>When someone physically strikes another person or attempts to strike them. But it can also mean any intentional physical contact with another person without their consent.</p> <p>A person can be charged with assault even if they never touch the victim. Most jurisdictions include any attempt to commit a violent injury on another person as assault. Likewise, someone can be charged with simple assault if they touch someone inappropriately even if they did not intend to touch them.</p> <p>If the actions of one person puts someone else in reasonable fear of bodily harm, the crime of assault can be charged. Spitting on someone or otherwise exposing them to bodily fluids can be considered assault. However, verbal abusing or swearing at another person is not usually considered assault unless the verbal attack includes a threat of violence.</p> <hr/> <p>Common assault was an offence under the common law of England, and has been held now to be a statutory offence in the United Kingdom of Great Britain and Northern Ireland. It is committed by a person who causes another person to apprehend the immediate use of unlawful violence by the defendant. It was thought to include battery but it does not</p> <hr/> <p>Aggravated An aggravated assault is simply a more serious assault and battery. It consists of physical actions that cause serious bodily harm or an assault made with a dangerous weapon (e.g., gun, knife, etc). Such actions may be considered an aggravated assault instead of a regular assault and battery. A common example is assault with a deadly weapon, or assault with intent to carry out another.</p> <hr/> <p>By beating: 'Assault by beating' is a variation on the charge of 'common assault'. (The 'assault by beating' wording is used when a person is alleged to have 'committed a battery'. The definition is that "a battery is committed when a person intentionally and recklessly applies unlawful force to another").</p> <hr/> <p>Vehicular Assault</p> <p>If you are driving and cause an injury accident, you may have bigger issues than dealing with your insurance company. Depending on the circumstances of the accident, you may be charged with the crime of vehicular assault.</p> <p>You can be found guilty of vehicular assault if you operate or drive a vehicle in a reckless manner which then causes substantial bodily harm to another. The injured person can be a pedestrian, in another vehicle, or a passenger in your vehicle.</p> <p>Vehicular assault charges are often added if a person involved in an injury accident was driving while intoxicated. These charges are added on top of the usual drunk driving charges.</p>

	If you have been charged with vehicular assault, you should consult with a lawyer as soon as possible.
Battery	<p>An intentional, unwanted and forceful/violent touching of another person, or something closely connected with that person.</p> <p>A Battery is any physical contact with another person, to which that other person has not consented. An Assault is an attempt to commit a battery. An assault is when someone intentionally attempts to inflict <i>immediate</i> injury or offensive contact onto you and you suffer injury (physical or mental) as a result.</p>
Bind Over	<p>A finding at a preliminary examination that sufficient evidence exists to require a trial at the Circuit Court level on the charges made against the defendant.</p>
Burglary	<p>The act of entering a premises, without the privilege to enter, with the purpose of committing a crime.</p> <p>Breaking and Entering: Using some force to enter a building (opening a door, raising a window, taking screen off, etc.); damage need not result.</p>
Breach of Order	Didn't follow instructions relating to the order
Caution	<p>A police caution is a formal alternative to prosecution in minor cases, administered by the police and other law enforcement agencies. It is commonly used to resolve cases where full prosecution is not seen as the most appropriate solution</p> <p>A caution is a formal warning that is given to a person who has admitted the offence. If the person refuses the caution then they will normally be prosecuted through the normal channels for the offence. Although it is not technically classed as a conviction (as only the Courts can convict someone) it can be taken into consideration by the Courts if the person is convicted of a further offence.</p> <p>Cautions are covered by the Rehabilitation of Offenders Act 1974 and become spent immediately (apart from conditional cautions which will become spent after 3 months. Cautions will always remain on a person's record. Cautions can show on standard and enhanced Disclosure and Barring Service (DBS) checks.</p>

<p>Community Sentence /Order / Payback/ community responsibility order</p>	<p>A community sentence is given when convicted of a crime by a court but not sent to prison. The sentence/order combines punishment with unpaid work/activities carried out in the community. It can include one or more of 12 requirements on an offender.</p> <p>The full list of requirements are: Unpaid work for up to 300 hours; Specific activities, such as developing skills or making amends to their victim; Undertaking a particular programme to help change offending behaviour; Prohibition from doing particular activities; Adherence to a curfew, so the offender is required to be in a particular place at certain times; An exclusion requirement, so that the offender is not allowed to go to particular places; A residence requirement so that the offender is obliged to live at a particular address; Mental health treatment/drug rehabilitation/alcohol treatment requirements with the offender’s consent Supervision by the Probation Service Where offenders are under 25, they may be required to go to a centre at specific times over the course of their sentence.</p> <p>The treatment or programmes are intended to help with problems that led to the crime being committed and to stop you committing more crime. If you don’t complete a treatment or programme, or fail a drugs test, or follow the rules, you could be sent back to court and your punishment could increase.</p> <p>Conditional cautions You have to stick to certain rules and restrictions as part of a conditional caution, eg: going for treatment for drug abuse fixing damage to a property You could be charged with a crime if you don’t stick to the conditions.</p>
<p>Community Resolution</p>	<p>Community Resolution is an innovative approach to dealing with minor offences, such as trivial thefts, public disorder, criminal damage (such as vandalism), and inconsequential assaults. It is also an alternative to a Reprimand, which is the regular legal consequence imposed on young offenders.</p> <p>How does it work? Instead of the offence being handled by the justice system, a Community Resolution is issued by the police officer called in to deal with the crime, by which the officer decides an appropriate manner for the offender to redeem himself/herself before the victim. The decision is reached by consulting with the victim and must be accepted by the offender in order to take effect. It can consist of receiving advice about their behaviour, a verbal or written apology to the victim, reparation (which can include fixing material damages) or financial compensation. The offender’s history is considered, as well as the possible history between the offender and victim.</p> <p>Why is it beneficial? It is a valuable improvement to the already overloaded justice system, as it significantly cuts down on the number criminal cases needing to be resolved in court and reduces bureaucracy. This is suitable to everyone involved, considering victims’ reluctance to a lengthy waiting period and all inconveniences afferent to a trial, and the offenders’ preference for a quick solution. In addition to that, police officers have a more personal input and evaluate the situation according to their conscience and professional training, ensuring that there is a fair outcome.</p> <p>Must all parties agree for a Community Resolution to be issued? A Community Resolution can only be issued after consulting the victim. Normally, the officer’s decision is made in concordance with the victim’s wishes; however, should they be exaggerated or not justifiable, the officer can disregard them and proceed according to his own conclusions. It is mandatory for the offender to agree, as well as to complete the Resolution, as in case they fail to do so, that will result in an imminent forwarding of the case to the justice system.</p> <p>How will the effectiveness of Community Resolutions be assessed? A monthly survey will be made by telephoning a number of victims chosen at random, enquiring about their perspective of how efficiently the crimes were handled.</p> <p>What impact are Community Resolutions expected to have on minor delinquency? Trivial crime is expected to decrease, as most offenders are minors and it will no longer be possible for them to act on the assumption that they can avoid penalties due to their age. A Community Resolution is an immediate consequence of the offender’s actions and involves more communication on a human level between police officers and the community, which will have positive effects, instead</p>

	of offenders simply being processed through a system. And even though the crime will still be recorded, the offender will not have a criminal record, which will avoid stigmatizing young people and possibly keep them from reoffending.
Conviction	The outcome of a criminal prosecution which results in the defendant being found guilty of a crime
Criminal Damage	In English law, causing criminal damage was originally a common law offence. The offence was largely concerned with the protection of dwellings and the food supply, and few sanctions were imposed for damaging personal property. Liability was originally restricted to the payment of damages by way of compensation.

Custodial (Prison Sentence)	<p>Prison sentences are given when an offence is so serious that it is the only suitable punishment. A prison sentence will also be given when the court believes the public must be protected from the offender.</p> <p>There are three different types of prison sentence:</p> <ul style="list-style-type: none"> ● Suspended sentences ● Determinate sentences ● Indeterminate sentences (including life sentences) <p>Suspended sentences A court may give an offender a 'suspended' prison sentence if the time they would otherwise spend in prison is under 12 months. With a suspended sentence, the offender doesn't go directly to prison - but they do have to meet conditions in the community, set by the court. For example, the offender on a suspended sentence may have to:</p> <ul style="list-style-type: none"> ● live within a curfew, which restricts the times they can go outside ● do unpaid work for the community (called Community Payback) ● be supervised by a probation officer ● stay away from certain places or areas ● have treatment for drug, alcohol or mental health problems. <p>These conditions can last for up to two years. If the offender breaks these conditions, or commits another offence, they will usually have to serve the original sentence in prison.</p> <p>Determinate sentences If a court fixes the length of a prison sentence, it's called a 'determinate' sentence. For example, a judge may say an offender is sentenced to six years. When an offender is given a determinate sentence, half of the sentence is served in custody and half of the sentence in the community. Offenders sentenced to 12 months or longer in prison will be put on licence when they are serving the second part of their sentence. This licence is supervised by the Probation Service and includes conditions that offenders must meet, like not having contact with victims. If the offender doesn't meet the terms of their licence, they might have to go back to prison for the rest of their sentence. Offenders sentenced to less than 12 months also serve the second half in the community but are not actively supervised by Probation. If offenders commit another offence while they're serving the second half of their sentence, they may be sent back to prison. They will also be punished for the new offence. So offenders given determinate sentences always have to complete their full sentence. But half of it is in prison, and half of it is outside prison.</p> <p>Indeterminate sentences (including life sentences) A court can give a sentence setting the minimum time the offender must spend in prison - but not an end point. This is called an 'indeterminate' sentence. For example, a judge may say an offender must go to prison 'for a minimum of ten years'. This minimum period set by the judge is called a 'tariff'. These sentences are usually given for violent and sexual offences and where the court thinks the offender is a risk to the public.</p>
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	<p>If an offender is given an indeterminate sentence, they have no automatic right to be released. They will always serve the 'minimum' sentence set by the court.</p> <p>When the minimum time in prison is over, an independent body (the Parole Board) will decide if it is safe to release an offender.</p> <p>If they think it is, the offender will be released under 'licence'. This will mean that there are specific conditions they will have to follow when they leave prison.</p> <p>Once they are released, they will be checked by the Probation Service to make sure they are meeting the conditions of the licence.</p> <p>But if the Parole Board thinks an offender is still a risk to the public, they will remain in prison. Some may never be released.</p> <p>Life sentences</p> <p>A life sentence means the offender will be subject to specific conditions for the rest of their life. But only one of these conditions may be a period of time in prison.</p> <p>For most life sentences, the judge sets a minimum time the offender will spend in prison before being considered for release on licence by the independent Parole Board, who assess whether it's safe for the offender to be released.</p> <p>If an offender is released on licence, they'll be under the supervision of the Probation Service and will have to follow specific rules.</p> <p>Offenders given life sentences stay under licence for the rest of their life. If they break the terms of their licence at any time, they will be called back to prison.</p> <p>But in some very serious cases, a judge may give an offender a 'whole life term'.</p> <p>This means that there is no minimum term set by the judge, and the offender will never be released.</p> <p>Life sentences must be given to offenders who are found guilty of murder. A judge may also choose to give a life sentence for serious offences, where the law allows, for example manslaughter, rape, armed robbery or arson.</p>
Detention & Training Order	<p>DTO's are given when the offence is punishable with imprisonment in a case of an adult; the offence (or the offence in combination with other associated offences) is so serious that only a custodial sentence is justified; or in the case of a violent or sexual offence, only a custodial sentence would be adequate to protect the public from serious harm from that individual child or young person.</p> <p>DTO's are for 4, 6, 8, 10, 12, 18 & 24 months. Half of the sentence will be spent in custody and the other half in the community.</p> <p>For 12-17 year olds. The DTO can be for a term of four, six, eight, ten, 12, 18 or 24 months, half of which is served in detention, the remainder in the community under the supervision of a probation officer, social worker or a member of a YJT. It is available for young offenders who have been convicted of an offence punishable by imprisonment in the case of someone aged 21 or over. It is available for males and females.</p> <p>It is envisaged that the offender will be granted early release as recognition of very good progress, measured against an agreed sentence plan.</p> <p>Late release will occur when poor progress has been made by the offender to address their offending behaviour.</p>
Discharge	<p>Discharges are given for the least serious offences such as very minor thefts. The court may give an absolute discharge, which means it decides not to impose a punishment because the experience of going to court has been punishment enough. However, the offender still gets a criminal record.</p> <p>A conditional discharge can also be given – this means that if the offender commits another crime within a set period of time, they can be sentenced for the first offence and the new one.</p>
Domestic Violence	<p>What is domestic violence? Domestic violence is the systematic pattern of behaviour on the part of the abuser designed to control his partner. The abuse can be physical, emotional, psychological, financial or sexual. Anyone forced to alter their behaviour because they are frightened of their partner's reaction is being abused.</p>

Driving	<p>UK driving licences may be endorsed by order of the courts if the driver has been convicted of an offence concerned with driving or operating a vehicle.</p> <ul style="list-style-type: none"> • Dangerous Driving • Driving while Disqualified • Ban 			
Drugs	<p>Class A Drugs : these drugs include heroin, cocaine, ecstasy, Meth Amphetamine.</p> <table border="1"> <tr> <td>Class A</td> <td>Possession :7 years + fine</td> <td>Supply Life + fine</td> </tr> </table>	Class A	Possession :7 years + fine	Supply Life + fine
	Class A	Possession :7 years + fine	Supply Life + fine	
	<p>Class B Drugs: Amphetamines, barbiturates, cannabis, codeine, methylphenidate (Ritalin), synthetic cannabinoids, synthetic cathinones (eg mephedrone, methoxetamine)</p> <table border="1"> <tr> <td>Class B</td> <td>Possession 5 years + fine</td> <td>Supply 14 years + fine</td> </tr> </table>	Class B	Possession 5 years + fine	Supply 14 years + fine
	Class B	Possession 5 years + fine	Supply 14 years + fine	
<p>Class C Drugs: Anabolic steroids, benzodiazepines (diazepam), gamma hydroxybutyrate (GHB), gamma-butyrolactone (GBL), ketamine, piperazines (BZP)</p> <table border="1"> <tr> <td>Class C</td> <td>Possession 2 years + fine</td> <td>Supply 14 years + fine</td> </tr> </table>	Class C	Possession 2 years + fine	Supply 14 years + fine	
Class C	Possession 2 years + fine	Supply 14 years + fine		
<p>Temporary class drugs: NBOMe and Benzofuran compounds Possession = Up to 2 years in prison, an unlimited fine or both Supply and Production = Up to 14 years in prison, an unlimited fine or both</p>				
Firearm	<p>Mandatory minimum sentences apply to certain firearm offences. The following are the offences to which this sentencing applies. Discretion is available to the judge for a first offence:</p> <p>Possession of a firearm with intent to endanger life: minimum of 10 years imprisonment</p> <p>Possession of a firearm while taking a vehicle without authority: minimum of 5 years imprisonment</p> <p>Use of a firearm to assist or aid escape: minimum of 10 years imprisonment</p> <p>Possession of a firearm or ammunition in suspicious circumstances: minimum of 5 years imprisonment</p> <p>Carrying a firearm with criminal intent: minimum of 5 years imprisonment</p> <p>Shortening the barrel of a shotgun or rifle: minimum of 5 years imprisonment</p>			
Fraud	<p>The three main Fraud Act offences, the offence of making or supplying articles for use in frauds and the common law offence of conspiracy to defraud are all punishable by up to ten years' imprisonment and/or a fine.</p>			
Grievous Bodily Harm	<p>Grievous Bodily Harm. (often abbreviated to GBH) is a term used in English criminal law to describe the severest forms of assault. It refers to two offences that are respectively created by sections 18 and 20 of the Offences against the Person Act 1861.</p>			
Handling Stolen Goods				
Homicide (Murder)	<p>The act of a human killing another human</p> <p>First degree murder is the worst one and is distinguished from the other three types of homicides by the fact first degree murder is premeditated or deliberate. Murder committed during the commission of another felony is also considered first degree murder.</p>			
	<p>Second degree murder is killing with intention to kill but without premeditation or deliberation. Second degree murder covers "accidental" killings where someone other than the intended target is killed. Second degree murder is often a catch-all for murders which cannot be classified as manslaughters.</p>			
	<p>Voluntary manslaughter is killing without the intention of doing so. Homicides as a result of "passion" are considered voluntary manslaughters. Note that "passion" doesn't mean anger, but</p>			

	any extreme emotion which suspends a person's judgment. The defendant is often "provoked" into committing the crime.
	Involuntary manslaughter is the killing of another person not through action, but through reckless or negligent conduct. E.g. Vehicular manslaughter , manslaughter through negligent driving,
On licence	Being released from prison on license it means the offender is expected to serve the remainder of their sentence in the community whilst complying with various conditions. Supervision during this period of time is undertaken by the Probation Service.
Referral orders	– when, with a panel of people from your local community and your youth justice workers, you are asked to agree a programme of work to address your behaviour
Reparation orders	– when you make up for the harm caused by your crime, like repairing any damage to the victim's property
Reprimand	In the UK, a police reprimand is given by a senior police officer if you have been arrested for an offence (there must be sufficient evidence for a prosecution). A record of the reprimand is kept by the police until the offenders eighteenth birthday and will be mentioned in any future court proceedings. It should be noted that unlike the old warnings and cautions there are no repeat reprimands or final warnings.
Section 1	An Act to prohibit the carrying of offensive weapons in public places without ... no known outstanding effects for the Prevention of Crime Act 1953, Section 1.
Section 18	Grievous bodily harm The offence under section 18 is variously referred to as "wounding with intent" or "causing grievous bodily harm with intent". The words "with intent" refer to the specific intent required for this offence.
Section 20	Grievous bodily harm. The offence under section 20 is variously referred to as "unlawful wounding", "malicious wounding" or "inflicting grievous bodily harm".
Section 47	A Section 47 enquiry means that CSC must carry out an investigation when they have 'reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm'1. ... The aim is to decide whether any action should be taken to safeguard the child.
Supervision Order	A court order placing a child or young person under the supervision of a local authority or a probation officer in a case of delinquency or where care proceedings are appropriate.
Suspended Sentences	Youth Rehabilitation Order – when a court decides on different things that you have to do or must not do, which can last for up to 3 years A suspended sentence involves the judge imposing a prison sentence but suspending it on certain conditions. This means that you do not go to prison if you do not break the conditions. A suspended sentence contains 3 elements: <ul style="list-style-type: none"> ● The term of imprisonment (for example, 4 years) ● The conditions on which it is suspended (for example, to keep the peace and be of good behaviour or to undergo certain treatment) ● The period for which the sentence is suspended If you break a condition during the period for which the sentence is suspended, you will have to serve the term of imprisonment originally imposed.
Suspended Sentences	When a court imposes a custodial sentence of between 14 days and two years (or six months in the magistrates' court), the court may choose to suspend the sentence for up to two years. This means that the offender does not go to prison immediately, but is given the chance to stay out of trouble and to comply with up to 12 requirements set by the court (listed above in Community Sentence)

	<p>If the offender does not comply with the requirements or is convicted of another offence during the suspension period, they are likely to serve the original custodial term in addition to the sentence they get for the new offence.</p> <p>In 2011, 47,798 offenders had a suspended sentence order imposed, representing four per cent of offenders sentenced. Immediate custody was imposed on eight per cent of those sentenced, representing a total of 102,698.</p>
TWOC	<p>Taken Without Consent</p> <p>In the United Kingdom, taking without owner's consent, also referred to as unauthorised taking of a motor vehicle and taking and driving away describes any unauthorised use of a car or other conveyance that does not constitute theft.</p>
Theft	<p>In common usage, theft is the taking of another person's property without that person's permission or consent with the intent to deprive the rightful owner of</p> <p>Theft: Theft (maximum penalty seven years) is the dishonest taking of property and robbery (maximum penalty life imprisonment) is theft with the use or threat of force in order to take property</p> <p>Thefts range from simple shoplifting through to violent street robberies.</p>
Warning	<p>A formal adult warning is given by the police to an adult for an offence. Formal warning schemes are operated by all police forces in consultation with the local procurator fiscal. A letter is sent to the person, who then has 28 days to respond to it by either accepting or refusing the warning.</p>
Weapons	<p>An offensive weapon is a tool made or adapted for the purpose of inflicting either mental or physical injury upon another person. Under the United Kingdom's Prevention of Crime Act 1953, it is an offence to carry an offensive weapon on or about the person whilst in a public place without a legitimate reason.</p> <ul style="list-style-type: none"> ● Firearms ● Knife, Bladed article ● Offensive Weapon
Wounding	<p>The Offences against the Persons Act 1861 sets out the law relating to wounding in England and Wales, and a considerable body of case law has been built up to assist in the definition of wounding, injuries and assaults. The principle offences are; Wounding or causing grievous bodily harm with intent (S. 18)</p>
Youth Conference Order	<p>Youth conferences: A youth conference is a meeting between the young person who offended, their family, their victim and the police. It gives offenders a chance to understand the effects of what they have done and a chance to make up for it.</p>

Spent?



The Rehabilitation of Offenders Act 1974 gives people with spent convictions, cautions, reprimands and final warnings the right not to disclose them when applying for most jobs, courses, insurance or other purposes.

Important changes reducing rehabilitation periods under the Act were implemented on 10 March 2014. The table below sets out the time it takes the main current sentences to become spent.

Rehabilitation periods for sentences with <u>no</u> buffer periods		
Sentence/disposal	Rehabilitation period for adults <i>(aged 18 or over at the time of conviction, or at the time the disposal is administered)</i>	Rehabilitation period for young people <i>(aged under 18 at the time of conviction, or at the time the disposal is administered)</i>
Absolute discharge	Spent immediately	Spent immediately
Bind over	At the end of the order	At the end of the order
Compensation order	When paid in full	When paid in full
Conditional caution/ youth conditional caution	3 months or when caution ceases to have effect if earlier	3 months or when caution ceases to have effect if earlier
Conditional discharge order	At the end of the order	At the end of the order
Endorsements (imposed by a court)	5 years	2½ years
Fine	1 year	6 months
Hospital order (with or without restriction)	When order ceases to have effect	When order ceases to have effect
Referral order	At the end of the order	At the end of the order
Relevant order	When order ceases to have effect	When order ceases to have effect
Reparation order	Spent immediately	Spent immediately
Simple caution/youth caution	Spent immediately	Spent immediately
Rehabilitation periods for sentences with buffer periods		
Community order or youth rehabilitation order	Total length of order plus 1 year	Total length of order plus 6 months
Prison sentence or detention in a young offender institution for 6 months or less	Total length of sentence (including licence period) plus 2 years	Total length of sentence (including licence period) plus 18 months
Prison sentence or detention in a young offender institution for over 6 months and up to and including 30 months (2½ years)	Total length of sentence (including licence period) plus 4 years	Total length of sentence (including licence period) plus 2 years
Prison sentence or detention in a young offender institution for over 30 months (2½ years) and up to 48 months (4 years)	Total length of sentence (including licence period) plus 7 years	Total length of sentence (including licence period) plus 3½ years
Prison sentence or detention in a young offender institution for over 48 months (4 years) or a public protection sentence	Never spent	Never spent

A full list of rehabilitation periods for all sentences can be found at nacro.org.uk

Nacro's Resettlement Advice Service Call 0300 123 1999, Mon-Fri 9am-5pm Email: helpline@nacro.org.uk

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