



Home Office

Outcomes for Recorded Crimes

Guidance for Frontline Officers and Staff

April 2026

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Outcomes for recorded crime

Please refer to your force procedures in relation to claiming or applying any outcome to recorded crimes.



Before applying the outcome, ensure the victim or their representative, or in the case of a child, their parent/guardian has been informed of the Outcome (Victim based crime only) in line with the [Code of Practice for Victims of Crime \(CPVC\)](#).



In respect of outcome types 1-4 and 6-10, 21 and 22 inclusive the suspect must have been made aware that they will be recorded as being responsible for committing that crime and what the full implications of this may be.

Threshold Test

Where a suspect who is in police custody presents a substantial bail risk if released, but not all of the evidence in the case is yet available, a preliminary assessment of the evidence may be made under the Threshold Test. This allows the police to charge the suspect and bring them before a court in custody without applying the Full Code Test.

There are strict criteria for applying the Threshold Test. All of the following conditions must be met.

- Insufficient evidence is currently available to apply the evidential stage of the Full Code Test.
- There are reasonable grounds to believe that further evidence will become available within a reasonable period.
- The seriousness or circumstances of the case justify making an immediate charging decision.
- There are substantial grounds under the Bail Act 1976 to detain the suspect in custody after charge and an application to withhold bail can properly be made at court by a prosecutor.
- If any of these conditions are not met, the Threshold Test cannot be applied, or the suspect charged.

When considering the evidence under the Threshold Test, the decision maker must ask:

- is there a reasonable suspicion that the suspect has committed the offence?

The evidence currently available must be relevant and capable of being put into admissible format for presentation in court and would be used in the case.

- Can further evidence be gathered to provide a realistic prospect of conviction?

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There must be reasonable grounds to believe that further investigation will provide additional identifiable (not merely speculative) evidence within a reasonable period of time. The evidence as a whole should then be capable of meeting the [Full Code Test](#), that is to provide a realistic prospect of conviction.

If both parts of the Threshold Test are met, the public interest stage of the [Full Code Test](#) should be considered, based on the information available at the time.

Prosecutors must keep any decision to charge under the Threshold Test under review. They should regularly assess the evidence gathered to ensure the charge is still appropriate and that continued objection to bail is justified. The [Full Code Test](#) must be applied as soon as reasonably practicable and, in any event, before any custody time limits expire. The charging decision should be recorded on the MG3/3A forms.

The Threshold Test is not a shortcut to obtaining a charging decision to place offenders before a court quickly. If a suspect is deemed suitable to be released on bail, the investigation should be completed and the [Full Code Test](#) applied.

Full Code Test

The Full Code Test is a two-stage test, under the Code for Crown Prosecutions, applied by a prosecutor when determining whether an offender is to be charged with an offence. The first stage is consideration of the evidence. If the case does not pass the [evidential stage](#) it must not go ahead no matter how important or serious it may be. If the case does pass the [evidential stage](#), the prosecutor must proceed to the second stage and decide if a prosecution is needed in the [public interest](#).

Prosecutors must only start or continue a prosecution when the case has passed both stages of the Full Code Test. The exception is when the Threshold Test may be applied (see section 5).

- The Full Code Test has two stages: (i) [the evidential stage](#); followed by (ii) [the public interest stage](#).
- The Full Code Test should be applied:
 - a) when all outstanding reasonable lines of inquiry have been pursued; or
 - b) prior to the investigation being completed, if the prosecutor is satisfied that any further evidence or material is unlikely to affect the application of the Full Code Test, whether in favour of or against a prosecution.
- In most cases prosecutors should only consider whether a prosecution is in the public interest after considering whether there is sufficient evidence to prosecute. However, there will be cases where it is clear, prior to reviewing all the evidence, that the public interest does not require a prosecution. In these instances, prosecutors may decide that the case should not proceed further.

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- Prosecutors should only take such a decision when they are satisfied that the broad extent of the criminality has been determined and that they are able to make a fully informed assessment of the public interest. If prosecutors do not have sufficient information to take such a decision, the investigation should continue and a decision taken later in accordance with the Full Code Test set out in this section

Principal Crime Related Offence Rule

Related Crime Definition – Is any crime within a series of crimes arising from the same incident that involves the same victim and offender(s) which under the rules cannot ordinarily be recorded ([Principal Crime/Finished Incident rules](#)). In addition, where during the course of an investigation, the victim alleges a more serious historic crime against the same offender which results in the reclassification of the original recorded crime’.

These less serious crimes should be regarded as related crimes (sometimes referred to as included classifications) and not recorded in addition to the [Principal Crime](#) unless the following conditions apply:

- Where there is **only evidence to charge** one of the related crimes then the principal crime cannot be allocated an outcome under type 1 (Charge), 2 (Caution), or 4 (TIC) and should be allocated the appropriate alternative outcome (Outcome 15 for example).
- The related crime for which there is **sufficient evidence to charge** should then be additionally recorded and assigned outcome 1.
- If there is evidence to charge more than one related crime the principal crime rule should be re-applied to the related crimes.

Alternate Offence Rule (other than Rape or Homicide)

Where a crime ([other than Murder or Rape](#)), is correctly recorded and there is no justification for reclassifying the crime, and:

- the offender is involved as a principal or accessory to that offence rather than associated offences which would require additionally recording under NCRS AND
- an alternative offence using the same material facts has been charged or cautioned

THEN the principal crime can be counted as Outcome Type 1A.

Example: A person is assaulted and sustained minor injuries; during the assault their mobile phone was damaged. A crime under classification Assault with Injury (class 8N) is recorded. Following investigation, the police consider that the suspect can be charged for the damage but not the assault. Applying the principal crime related offence rule the assault cannot be allocated outcome 1A (charged with alternate offence) and must be allocated an appropriate alternative outcome. An additional crime of criminal damage may be recorded and can be allocated outcome 1 (charge) if the suspect is charged.

Alternate Charge Requirements for Rape or Homicide

Murder Offences - Alternate Offence

Where the recorded crime is for an offence of Murder the alternate offence can only be applied where the offence charged is one of the four following offences:

- Manslaughter 4/1,
- Infanticide 4/2,
- Child Destruction 4/3 or
- Causing or Allowing Death of Child or Vulnerable Person 4/7

An FCR must ensure that all the three points below apply:

1. The Crown Prosecution Service confirms the offence of murder has been established.
2. There is evidence to show that the alternate offence(s) with which the person or persons are charged are directly related to the death of the victim.
3. The Crown Prosecution Service is satisfied that prosecution for the alternate offence(s) is in the public interest.

If all the above apply and the crime record is endorsed to that effect by a FCR, then the alternate offence can be applied to a recorded crime of murder.

Example:

1. A crime of murder is recorded and investigated. CPS advise that there is insufficient evidence to secure a conviction for murder and advise a charge of manslaughter.

The murder remains recorded and can be assigned outcome type 1A under the alternate offence.

Rape Offences - Alternate Offence

In the case of Rape -

- where the victim is a child aged under 13 and the offence charged is one of the following offences under the Sexual Offences Act 2003, involving penetration of the mouth, vagina or anus with a penis:
 1. Sec 6 (1) Assault of a child by penetration.
 2. Sec 8 (1) and (2) Causing or inciting a child under 13 to engage in sexual activity.
 3. Sec 9(2) Sexual activity with a child.
 4. Sec 13 Child sex offences committed by children or young persons.
 5. Sec 25(6) Sexual activity with a child family member.

OR

- where the CPS have indicated on an MG3 that on public interest grounds to charge with an alternate sexual offence.

OR

- where a charge is brought under
 1. Sec 2 Sexual Offences Act 2003, assault by penetration.
 2. Sec 30(3) Sexual activity with a person with a mental disorder impeding choice.
 3. Sec 34(2) Inducement, threat or deception to procure sexual activity with a person with a mental disorder.

In the case of Attempted Rape -

- where the CPS have indicated on an MG3 that an alternate sexual offence should be charged.

FCR discretion - An accredited FCR (and only an FCR) may authorise the application of an alternate offence to any case of rape (or attempted rape) where that alternate offence is a sexual offence.

Examples:

- 1: A 12-year-old girl willingly participates in intercourse with her 15-year-old boyfriend. This is correctly recorded as Rape as she is under the age to legally consent. CPS advises a charge under Section 13 of the Sexual Offences Act 2003.

The rape remains recorded and can be assigned outcome type 1A under the alternate offence (the victim is a willing participant).

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- 2: A. An offence of rape of a 15-year-old is recorded and investigated. The alleged offender aged 17 admits sexual intercourse but claims the victim consented. The victim denies having consented. CPS advise that there is insufficient evidence to secure a conviction for rape and prosecution for an alternate offence is not in the public interest.

There are no grounds for reclassification. The rape remains recorded and cannot have an outcome type 1 assigned to it and should be allocated the appropriate alternative outcome. (There is no justification for additionally criming an offence of causing sexual activity (class 22B) because the victim has confirmed the rape).

B. In the same circumstances if the CPS advises a charge under section 13 of the Sexual Offences Act 2003 outcome type 1A may be assigned to the recorded rape.

- 3: An offence of rape of a female is recorded and investigated. During the investigation the victim also discloses that two weeks prior, the alleged offender punched her to the face following an argument. The alleged offender admits the assault but claims the victim consented to the sexual intercourse. The victim denies having consented. CPS advise there is sufficient evidence to secure a conviction for the assault only and advise police to charge the alleged offender for assault.

There are no grounds for reclassification. Applying the principal crime related offence rule the rape cannot be allocated outcome 1A (Charged with alternate offence) and must be allocated an appropriate alternative outcome. An additional crime of assault may be recorded and can be allocated outcome 1 if the suspect is charged.

Disclosure and Barring Services (DBS)

When deciding whether information should be disclosed as part of a standard or enhanced DBS, the following points are taken into consideration:

1. Information must only be provided if it is relevant for the prescribed purpose
2. Information should be viewed as sufficiently serious
3. Information should be sufficiently current
4. Information should be sufficiently credible

[Statutory Disclosure Guidance](#)

Outcome Types

For Home Office purposes, all recorded crimes will be assigned one of the following outcome types:

Description	Requirements
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Outcome Type 1 - Charge / Summons

A person has been charged or summonsed for the crime (irrespective of any subsequent discontinuation or acquittal at court).	There must be a verifiable record that the named suspect was charged (court date provided) or issued with a summons/postal requisition (summons/requisition number provided), and this must be for the crime recorded. Further guidance on Police and CPS charging standards can be found here.
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Outcome Type 1A – Charge (Alternate Offence)

A person has been charged or summonsed for the crime but following the application of the CPS charging standards and the provisions of the HOCR, the charge/summons relates to an alternate offence to that recorded (irrespective of any subsequent acquittal at court).	All of the clarification stipulations in respect of Outcome Type 1 also apply to Outcome Type 1A. In addition; Where a crime (other than Murder or Rape), is correctly recorded, there is no additional verifiable information to reclassify the crime and: - the charge given is for an alternate offence where the material facts of the offence are the same AND - the principal crime related offence rule cannot be applied... THEN the principal crime can be counted as Outcome Type 1A. The FCR will have quality assurance oversight of the process. Further guidance on Police and CPS charging standards can be found here.
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Outcome Type 2 – Youth Caution

A child offender has been cautioned by the police.

Simple caution and Conditional Caution

- Does the age of the offender and their conviction history make them eligible for this outcome?
- For indictable-only offences, ensure there is a record showing CPS authorised the caution.
- Ensure the offender has made a clear and reliable admission of the offence, supported by evidence that is admissible under PACE.
- Confirm the gravity factor matrix has been applied taking account of the aggravating/mitigating factors?
- Confirm the offence is one for which the police may issue a caution without CPS approval, in line with the Director's Guidance on Charging.
- Ensure there is reference to Youth Justice Service (YJS) decisions or views regarding issuing the caution.
- Verify the offender has signed the caution pro forma, including acceptance of the caution, explanation of the consequences, acknowledgement they do not have to accept the caution and details of the officer administering the caution.
- Confirm an appropriate adult present during the cautioning process.
- Verify the victim's views were considered and, in cases involving child victim's, that parents/guardians were consulted about the outcome.
- Ensure the caution offences matches the recorded crime. If not, see [Outcome 2A Alternate Offence](#)

[How to use out of court resolutions](#)

[Code of Practice for Youth Conditional Cautions](#)

Where the conditions of the Conditional Caution have not been met.

If a young person appears to breach any conditions, the YOT should first give them the chance to explain, show compliance, or present a reasonable excuse. After investigating, the YOT must send a report to the authorised person or prosecutor to decide how to proceed with the youth conditional caution. If the young person does not respond, or if the decision-maker finds no reasonable excuse or believes the non-compliance will continue, the case will usually be prosecuted for the original offence.

Child knife crime

The government does not consider Child Cautions to be appropriate for knife possession offences as they do not guarantee an intervention will be provided. Where there is evidence or risk of criminal behaviour, a Child Conditional Caution or Deferred Prosecution, where appropriate, should be issued.

Outcome 2A – Youth Caution (Alternate Offence)

A child offender has been cautioned by the police, but following the application of the CPS charging standards and the provisions of the HOCR, the caution relates to an alternate offence to that recorded	All of the clarification stipulations in respect of Outcome Type 2 also apply to Outcome Type 2A in addition to the clarification set out below. Where a crime (other than Murder or Rape), is correctly recorded, there is no additional verifiable information to reclassify the crime and: - the caution given is for an alternate offence where the facts of the offence are the same AND principal crime related offence rule cannot be applied in these circumstances THEN the principal crime can be counted as Outcome Type 2A. The FCR will have quality assurance oversight of the process
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Outcome Type 3 – Adult Caution

An adult offender has been cautioned by the police.	Adult simple caution (For Domestic Abuse or Hate Crime only) Has the offender been cautioned for the offence recorded. If not, refer to 3A - Confirm that the offender is eligible for an adult simple caution (i.e. that they are 18 or over and their conviction history allows this outcome). - Ensure that, for any indictable-only offences, a Superintendent authorised the referral to CPS. - Verify that there is a recorded decision showing CPS authorised the simple caution for any indictable-only offence. OR - The case relate to an offence whereby virtue of the Director's Guidance on charging police are entitled to make a caution decision without reference to the CPS? - If the offence relates to an offence specified in Appendix B of the Criminal Justice and Courts Act, 2015 confirm the caution has been authorised by Inspector or higher? - If the offender has prior cautions/convictions, in the past two years, confirm that the caution has been authorised in “exceptional circumstances” by an Inspector or above? Simple Cautions for Adult Offenders
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	Adult conditional caution (not restricted to Domestic Abuse or Hate Crime) In addition to above criteria for simple caution; • Confirm that the offender was eligible for a conditional caution? (i.e. they are 18 years or over, and their conviction history make them eligible for a conditional caution?) • Ensure that an appropriate adult was present during the cautioning process if the offender was vulnerable in any way. <u>Where the conditions of the Conditional Caution have not been met.</u> When it appears that an offender is failing to comply with any conditions, the authorised person or monitoring agency should give them an opportunity to explain, demonstrate compliance, or provide any reasonable excuse. If another agency is monitoring compliance, it must submit a report of the non-compliance and the offender's response to the authorised person. If the offender does not respond, or the decision maker finds no reasonable excuse or believes non-compliance will continue, prosecution for the original offence should normally follow. Code of Practice for Adult Conditional Cautions
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Outcome Type 3A – Adult Caution (Alternate Offence)

An adult offender has been cautioned by the police but following the application of the CPS charging standards and the provisions of the HOCR, the caution relates to an alternate offence to that recorded.	All of the clarification stipulations in respect of Outcome Type 3 also apply to Outcome Type 3A in addition to the clarification set out below. Where a crime (other than Murder or Rape), is correctly recorded, there is no justification for reclassifying the crime and: • the caution given is for an alternate offence where the material facts of the offence are the same AND • the principal crime related offence rule cannot be applied... THEN the principal crime can be counted as Outcome Type 3A. The FCR will have quality assurance oversight of the process
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Outcome Type 4 – Taken Into Consideration (TIC)

The offender admits the crime by way of a PACE compliant interview and asks for it to be taken into consideration by the court on form mg18.	• Confirm that the offences taken into consideration is similar to, but not more serious than, the offence charged. • Ensure the record show that the TICs were directly linked to criminal proceedings where the offender has been charged with other offence(s)? • Record a crime under this outcome type only when all the following are met: - there is a recorded PACE compliant admission, - the offender has shown guilty knowledge of the offence, - the TIC acceptance form (MG18) has been signed and - the DDM is satisfied that there is additional information connecting the person to the crime. • Verify that if the offence was previously unreported, a victim has been traced and confirmed that the admitted offence occurred. - If yes, the crime should be recorded, and the outcome applied - If no, a crime should not be recorded, and the offence cannot be taken into consideration • For TIC(s) in other Police Force Areas it is acceptable for the originating Force's DDM to state that this requirement has been met. It is not necessary for the receiving Force's DDM to perform the same task. • In exceptional circumstances crimes can also be TIC'd once there is a PACE compliant admission and the offender, having previously failed or declined to sign the TIC acceptance form (MG18), whilst at court during sentencing asks for the offence(s) to be taken into consideration by the court, and the DDM is satisfied that there is additional information connecting the person to the crime. In these circumstances it is preferable for the TIC acceptance form to be signed during the proceedings; where for any reason this doesn't happen, the force must prove the offence(s) were taken into consideration by the court, before assigning an outcome.
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Outcome Type 5 – Offender Deceased (Sufficient Evidence to Charge)

The offender has died – all offences (sufficient evidence to charge)	• A crime has been confirmed; forces must ensure that the DDM involved in this decision-making process is at an appropriate level for the seriousness of the offence being considered (FCR for Homicide and Rape crimes). • Ensure the supporting documentation or case papers contain sufficient evidence to charge the deceased, had they not died before proceedings could begin. • Record the date and circumstances of the death, along with details of the information source, in a clear and auditable format. • Inform the victim (where applicable) that, because the offender has died, the case will be finalised with no further criminal justice action.
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Outcome Type 6 – Penalty Notice for Disorder (PND)

A penalty notice for disorder (or other relevant notifiable offence) has been lawfully issued under S1-11 of the Criminal Justice and Police Act 2001.

- Confirm that the offence falls within the scope of the PND scheme.
- Ensure the PND recipient is issued aged 18 or over.
- Verify that sufficient evidence exists to support a successful prosecution
- Record that the suspect has been informed an outcome has been attributed to them and that they will be shown to be responsible for the offence and been informed of the implications of accepting a PND, including possible disclosure as part of an enhanced DBS check.
- Assess the suspect's suitability for a PND, by confirming they are compliant, able to understand, not drunk or otherwise impaired and that their previous offending history has been taken into consideration.
- Check and confirm the suspect's identity before issuing the PND
- Inform the suspect that they are not required to accept a PND as a disposal option
- Document the justification for issuing a PND if aggravating factors were present
- Where it is later established that the PND guidance has not been followed the outcome applied to the crime report will remain unchanged unless the police revoke the PND in which case the outcome must be amended.

[Penalty Notices for Disorder : guidance for police officers](#)

Outcome Type 7 – Cannabis/Khat Warning

A warning for cannabis or khat possession has been issued in accordance with college of policing guidance.

- Confirm there is sufficient evidence to show the offender was in possession of a small quantity of cannabis or khat for personal use, and that a realistic prospect of conviction exists.
- Verify that the suspect has admitted knowing the substance was cannabis or khat during a PACE-compliant interview and has not raised a defence.
- Ensure the offender is aged 18 or over.
- Record that the suspect has been informed an outcome has been attributed to them, that they will be shown as responsible for the offence, and that this may be disclosed to third parties through an enhanced DBS check.
- Check PNC, PenTip, and local records to confirm the offender is eligible to receive a warning before issuing it

Outcome Type 8 – Community Resolution

A community resolution (with or without formal restorative justice) has been applied in accordance with College of Policing guidance.

- Ensure all interventions have a clear rehabilitative and/or reparative purpose.
- Confirm and record whether the suspect accepts responsibility or admits guilt for the offence.
- Verify that sufficient evidence exists to prove the offence.
- Provide a clear rationale explaining why a Community Resolution is an appropriate way to deal with the offence.
- Create a verifiable record showing that the suspect has been informed of the outcome attributed to them, understands they are being held responsible, and is aware of the implications—including potential disclosure on an enhanced DBS check.
- Demonstrate that the gravity factor matrix has been applied, taking into account both aggravating and mitigating factors.
- Document all details of any additional actions agreed as part of the resolution.
- Check PNC and local records to confirm the suspect is eligible for this type of outcome.

Clarification

A Community Resolution **should not** be issued for the following:

- Indictable only offences
- Intimate partner DA
- Other offences as determined by force policy

For Hate Crime and non-intimate DA crimes, Community Resolutions may only be issued in exceptional circumstances, with an **Inspector's** authority and the rationale must be recorded. Exceptional circumstances are those which relate to the person or the offence.

Youth knife crime

A non-statutory outcome that does not require a Youth Offending Team referral or an intervention to be carried out. Community resolutions should only be considered for low-level offences. The government does not deem a community resolution appropriate for a knife possession offence.

[Community Resolutions Guidance 2022](#)

Outcome Type 9 – Prosecution not in the Public Interest (CPS decision)

Prosecution not in the public interest - CPS decision not to prosecute or authorise any other formal action	The Crown Prosecution Service (CPS) by virtue of their powers under the Criminal Justice Act 2003 decides not to prosecute or authorise any other formal action. • Include in the supporting case papers a copy of the MG3a, certified by the Crown Prosecutor, confirming that there is sufficient evidence to charge the offender but that prosecution is not in the public interest. • Create a verifiable record showing that the offender (or, for a child, their parent or guardian) has been informed that an outcome has been attributed to them, that they will be shown as responsible for the offence, and that this may be disclosed to third parties as part of an enhanced DBS check.
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Outcome Type 10 - Prosecution not in the Public Interest (Police decision)

Prosecution is not in the public interest - police decision	• Confirm that the case involves an offence for which, under the Director's Guidance on Charging, police are authorised to make a charging decision without referring the matter to the CPS. • Record a clear rationale demonstrating that sufficient evidence existed to charge, and that the sole reason for not prosecuting is that doing so would not be in the public interest. Clarification • If police determine there is sufficient evidence to charge but the Director's Guidance on Charging requires the case is to be referred to the CPS for a charge decision, the Public Interest judgement must be made by a prosecutor and in such cases then Outcome Type 9 will be applied. • Ensure there is a verifiable record that the offender (or in the case of a child, their parent or guardian), has been made aware that an outcome has been attributed to them, that they will be shown to be responsible for the offence and that this may be disclosed to third parties under an enhanced DBS check?
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Outcome Type 11 – Suspect Below Age of Criminal Responsibility

Prosecution prevented – named suspect identified but is below the age of criminal responsibility.	• Confirm that the record contains sufficient evidence showing the named suspect was responsible for the offence. • Verify and record whether there is evidence indicating the suspect is under 10 years of age. • Ensure there is evidence confirming that an appropriate adult was present during any interview or questioning.
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Outcome Type 12 – Suspect Too Ill to Prosecute/Deceased Pre-Charge

Prosecution prevented – named suspect identified but is unable, due to physical or mental ill health, to participate in prosecution, or is confirmed to have died either before the crime was reported to police or before enough evidence to charge could be obtained.

Before using this outcome, consideration should be given to whether the case could be adjourned until the suspect recovers. Ill-health for this outcome refers to serious illness where the suspect is unlikely to recover.

- Ensure the record contains sufficient information demonstrating that the named suspect was responsible for the offence.
- Verify and document any information indicating that the suspect is too ill to face prosecution or has died.

Outcome Type 13 – Victim or Key Witness Deceased or Too Ill to Provide Evidence

Prosecution prevented – named suspect identified but the victim or key witness has died, or is unable, due to ill health, to give evidence.

In the case of victims or key witnesses who are ill, consideration should be given as to whether the case could be adjourned until they recover or if special measures could be put in place to assist. Ill-health for this outcome refers to serious illness where the victim or key witness is unlikely to recover.

- Ensure the record contains sufficient information demonstrating that the named suspect was responsible for the offence.
- Verify and document any record showing that the victim or key witness has died or is too ill to give evidence.

Outcome Type 14 – Victim Not Able to Support (Suspect NOT Identified)

Evidential difficulties: victim engagement – suspect not identified – The crime is confirmed, but further police action to identify the offender cannot progress because the victim is not able to support such action at this time.

- Is there sufficient information in the record to indicate that a named suspect was identified? If the answer is YES, then use an alternative outcome and link the suspect to the crime.
- Ensure there is an auditable record to show that the victim was not able to support such action at this time to identify the offender?

Outcome Type 15 – Evidential Difficulties (Suspect Identified / Victim Supports)

Evidential difficulties named suspect identified.

The crime is confirmed and the victim supports police action (or, in state-based matters, the points to prove the offence are made out), but evidential difficulties prevent further action. This includes cases where the suspect has been identified, the victim supports action, the suspect has been circulated as wanted but cannot be traced, and the crime is finalised pending further action.

Clarification

This includes cases whereby the suspect has been identified, the victim supports action, but the suspect cannot be traced and has been placed on PNC as Wanted.

State based offences

When considering state-based offences the decision maker (who must be appropriate for the seriousness of the offence in question) must satisfy themselves that the points to prove the offence are made out. If the decision maker does not believe that the offence is made out, consideration should be given to cancelling the crime (C4-recorded in error). This outcome should only be applied if the decision maker is satisfied that the offence is made out but the evidential standard for further action is not met.

- Ensure that all named suspect details included in the record meet the requirements set out in local policy and procedures.
- Confirm whether any individuals have been identified in the crime record as suspected of committing the offence.
- Verify that any identified individuals have been formally recorded in the crime record as suspects for the offence.
- Ensure there is a clear record outlining the evidential difficulties that prevent prosecution.
- Check whether the offence recorded is a rape or has been assessed as a High Risk domestic abuse case.
- If it is, ensure there is a record confirming that closure of the crime record was authorised by a police inspector, a police staff equivalent, or a member of an independent decision-making team working directly to the Force Crime Registrar unit.

Outcome Type 16 – Victim Not Able to Support (Suspect Identified)

Evidential difficulties: victim engagement – named suspect identified – the crime is confirmed, but further police action cannot progress because the victim is not able to support such action at this time.

Further police action cannot progress because the victim is not able to support such action at this time, or has indicated they are unable to continue engagement.

Clarification

This outcome should not be used where police are unable to contact the victim, or where the victim fails to respond to contact from police.

- Ensure that all named suspect details included in the record meet the requirements set out in local policy and procedures.
- Ensure there is an auditable record to show that the victim was not able to support such action at this time

Words of advice

Where the victim is not able to support such action at this time, or has indicated they are unable to continue engagement, but requests that the suspect is given words of advice, Outcome 16 should be applied.

However, if the words of advice results in a community resolution or a diversionary/educational activity, consider Outcome 8 or Outcome 22 if the circumstances are appropriate.

Evidence-led Prosecution

Victims may be unable to attend an interview, provide a statement or support an investigation at that time for a range of reasons. These may include intimidation and fear, shame, coercion, or the impact of trauma.

Where a victim is not able to support an investigation, the circumstances should be recorded. Consideration should be given to what support may assist the victim or witness to provide evidence, where appropriate. At the same time, the investigator must consider the threat of future harm, including any risk posed to the public. Specialist advice should be sought when considering whether an evidence-led prosecution may be appropriate.

Outcome Type 17 – Prosecution Time Limit Expired

Prosecution time limit expired - Suspect identified but the time limit for prosecution has expired.

This outcome may only be applied to a recorded crime where there is a statutory time limit for prosecution, namely:

Offences reported when the time limit has already expired as the prosecution window starts at the point of the commission of the offence

- summary only offences,
- those where it is clear from the outset that the CPS charging standard will result in a charge for a summary only offence, e.g. Section 47 assault. **the exception is a relevant DA case under the [DA Act 2021](#)

This outcome may only be applied to a recorded crime where either;

The recorded crime is for a matter which, when charged can only be dealt with at a magistrates court (summary only);

Or

Having applied CPS standards the crime that would have been charged is a matter which can only be dealt with at a magistrates court (summary only).

Warrant in the First Instance

The statutory time limit can be removed by obtaining a Warrant in the First Instance.

Purpose and Use

The first instance warrant is primarily used in situations where the police have not yet arrested the individual. It allows the court to compel the arrest of a suspect to ensure they appear before the magistrates' court. This is distinct from a bench warrant, which is issued when a person has already been charged or bailed but fails to appear in court as required

In essence, a first instance warrant is the initial legal tool used to secure the presence of a suspect in court when they have not yet been arrested, ensuring the judicial process can proceed. It is distinct from a bench warrant, which addresses non-appearance after bail or charge. Both types of warrants are crucial for maintaining court attendance and are formally recorded for enforcement purposes.

[Warrant in the First Instance application form](#)

Outcome Type 18 – No Suspect Identified – Investigation Complete

Investigation complete – No suspect identified. Crime investigated as far as reasonably possible – case closed pending further investigative opportunities becoming available.	This outcome should be applied to those cases where despite a full and extensive investigation the police are unsuccessful in identifying an offender, or where at an early stage it becomes apparent that there are no realistic investigative lines to follow. Where a crime is assigned Outcome Type 18 and the investigation is subsequently re-opened with the result that an offender is identified the type 18 Outcome should be amended to the appropriate outcome. • If the record indicates that a named suspect was identified, apply an alternative outcome.
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Outcome Type 20 – Further Action by Another Agency

Further action resulting from the crime report will be undertaken by another body or agency subject to the victim (or person acting on their behalf) being made aware of the action to be taken.	The objective is that the agency or body will work to ensure that safeguarding is addressed; the victim is supported and in cases where there is a named and identified person responsible that their behaviour will be managed (and where the agency holds relevant powers that a criminal investigation will be undertaken). Crime transferred to another Force Where a crime has been transferred to another Force to deal, Outcome Type 20 would not apply, and the crime should be submitted to the FCR for cancellation. • Confirm that the record contains sufficient information explaining why the crime was referred to another agency. • Verify that the decision to refer the crime to another agency has undergone the appropriate local review. • Ensure arrangements are in place to meet Victims Code requirements, including informing victims when another agency has investigative primacy and providing that agency's contact details.
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Outcome Type 21 – Investigation Not in the Public Interest (Police decision)

Further investigation, resulting from the crime report, which could provide evidence sufficient to support formal	Before deciding that no investigation will be undertaken in relation to a notifiable offence with a named suspect, police must have due regard to the public interest test considerations set out in the Code for Crown Prosecutors Para 4.12 a-g:
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action being taken against the named suspect, is not in the public interest – police decision.	The views of the victim, or their representative, will always be an important consideration when deciding whether to investigate an offence where there is a named suspect. However, there will be circumstances where it is in the public interest to proceed with an investigation even where the victim's preference is that it does not go ahead. Where this is the case, the decision must be endorsed by a supervisory officer with the rationale fully documented in the crime record. Outcome 21 is also used operationally as an indication to Disclosure and Barring staff, that care should be taken before routinely disclosing the information. It will not, therefore, normally be appropriate in relation to 'serious' offences such as domestic abuse, hate crime, child abuse or any indictable only matter; nor to any offence, e.g dishonesty, where the nature of the offending may be relevant to future employment with children and/or vulnerable adults. If, in exceptional circumstances, use of Outcome 21 is deemed appropriate for a 'serious' or 'relevant' offence, the decision maker must be appropriate for the seriousness of the offence in question and the rationale sufficient for future DBS staff consideration. It will usually be necessary for police to speak to the suspect and/or to their appropriate adult (parent/carer etc) to explain the implications. • Ensure the record indicates that a named suspect was identified. • Ensure the record contains sufficient information to explain the rationale for the decision that further investigation is not in the public interest. • If the offence recorded amounts to a 'serious' offence, ensure the outcome has been authorised by a decision maker appropriate for the seriousness of the offence. The FCR must maintain oversight of all records where Outcome 21 is applied.
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Outcome Type 22 – Diversionary / Educational or Intervention Activity Completed

Diversionary, educational or intervention activity, resulting from the crime report, has been undertaken and it is not in the public interest to take any further action.	Outcome 22 It is to be used where no further action is taken, but diversionary intervention has been undertaken to address offending behaviour or prevent further offending. Outcome 22 should NOT be used where there has been no rehabilitative diversionary, educational or intervention activity. The offender does not have to admit to the offence and therefore differs from formal action taken or in the case of a Community Resolution where the offender accepts responsibility for the offence.
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	Outcome Type 22 can only be applied once the offender has completed the diversionary activity/intervention. • Ensure the record clearly states whether a named suspect was identified. • Confirm the record demonstrates that diversionary, educational, or intervention activity was undertaken and explains why this makes further action not in the public interest. • Ensure details of any diversionary, educational, or intervention activity are recorded. • Verify that the rationale for selecting this outcome instead of a formal out-of-court disposal or charge is clearly documented. • For domestic abuse cases, ensure an inspector (or police staff equivalent) has authorised the outcome and provided their rationale. • Confirm the record shows the suspect agreed to complete the activity. • Confirm the record shows the suspect has completed the activity. <u>What happens if the offender does not complete the activity?</u> • Where the offender fails to complete the activity and the evidential threshold is met, the police have the power to enforce a formal disposal outcome. If an admission of guilt has not been made then this could mean a charge, since an admission of guilt is required to give an alternative Out of Court Disposal such as a caution. • Where there is no evidence or admission and the activity has not been completed and the victim is supporting police action, Outcome 15 should be applied. Conversely, if the victim is not supporting police action, Outcome 16 should be applied. NPCC Outcome 22 Guidance 2022
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Outcome Type 23 – Child Deferred Prosecution

Child - Deferred Prosecution – Agreed diversionary activity has been undertaken and completed by the offender and it is not in the public interest to take any further action	Where a deferred prosecution is offered the decision to prosecute is put on hold, whilst the offender completes the agreed diversionary conditions. Should the offender fail to comply, then the prosecution decision is upheld. However, successful completion of the conditions, will result in no further action being taken. Whilst the offender does not need to accept responsibility for the crime, there must be sufficient evidence to charge in line with charging standards. Outcome Type 23 can only be applied once the offender has completed the activity.
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	• Confirm the record indicates whether a named suspect was identified. • For child knife possession offences, ensure diversionary, educational, or intervention activity is implemented by the YJS. • Confirm the record shows diversionary, educational, or intervention activity was undertaken and explains why this makes further action not in the public interest. • Ensure all diversionary, educational, or intervention activity details are recorded. • Verify a clear rationale is documented explaining why this outcome is more effective than a formal out-of-court disposal or charge. • Confirm the suspect agreed to complete the activity. • Confirm the suspect has completed the activity. • Where the offender failed to complete the activity was the case progressed to a formal disposal outcome i.e. charge? If so, apply Outcome 1. <u>What happens if the offender does not complete the activity?</u> The appropriate authority should be sought to authorise the charge.
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Outcome Type 24 – Adult Deferred Prosecution

Adult- Deferred Prosecution – Agreed diversionary activity has been undertaken and completed by the offender and it is not in the public interest to take any further action	Where a deferred prosecution is offered the decision to prosecute is put on hold, whilst the offender completes the agreed diversionary conditions. Should the offender fail to comply, then the prosecution decision is upheld. However, successful completion of the conditions, will result in no further action being taken. Whilst the offender does not need to accept responsibility for the crime, there must be sufficient evidence to charge in line with charging standards. Outcome Type 24 can only be applied once the offender has completed the activity. • Confirm the record indicates whether a named suspect was identified. • Confirm the record shows diversionary, educational, or intervention activity was undertaken and explains why this makes further action not in the public interest. • Ensure all diversionary, educational, or intervention activity details are recorded. • Verify a clear rationale is documented explaining why this outcome is more effective than a formal out-of-court disposal or charge. • Confirm the suspect agreed to complete the activity.
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- Confirm the suspect has completed the activity.

What happens if the offender does not complete the activity?

The appropriate authority should be sought to authorise the charge.

Cancellations



Notifying Victims and Recording Action Taken

Where a decision is taken to either transfer (C1) or cancel (C2 and C5 only) a recorded crime the decision maker must assure themselves that the victim(s) have been informed of the police decision and that there is an auditable record providing details of that notification. That notification must have been made prior to the cancellation from the statistical records

C1 – Crime Transferred to Another Force

Transferred: crime committed outside the jurisdiction of the police force in which it was recorded – passed to that force.

Crimes committed within the jurisdiction of another police force area in England and Wales should be referred to the respective force – and the record may only be removed once a crime reference has been obtained from the receiving force and the victim has been advised of that new crime number.

- Is there additional, verifiable information which clearly shows that the location of the crime was outside the jurisdiction of the police force in which it was originally recorded?
- Is there a clear audit trail to show that the crime has been transferred to the relevant force and that the crime reference number has been obtained for the receiving force
- Has the victim been advised that the alternative force is now dealing with the incident and been provided with the crime reference number for that force?

C2 – Additional Verifiable Information

Cancelled: additional verifiable information that determines that no notifiable crime occurred becomes available.

Where following the report and recording of a crime additional verifiable information (AVI) is available that determines that no notifiable offence has occurred the crime may be removed.

- Is there clearly documented additional, verifiable information which determines that no notifiable offence has been committed?
- Is there a documented audit trail which identifies who cancelled the crime record?
- The person cancelling the crime must be independent of the investigation and suitably trained

C3 – Duplicate Record

Cancelled: duplicate record or part of a crime already recorded.	Crimes which constitute a duplicate record of a crime, or part of a crime that is already recorded within a force, must be cancelled to avoid duplication of statistics. • Does the available information clearly show that the offence which has been cancelled is a duplicate of another crime or part of a crime already recorded which is live and included in the force's crime data submission. i.e. reported at the same time with identical details? • Is there a documented audit trail which identifies who cancelled the crime? • Was the person who cancelled the crime independent of the investigation and properly trained?
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C4 – Crime Recorded in Error

Cancelled: crime recorded in error.	Crimes which have been recorded in error or by mistake as a notifiable crime should be cancelled to ensure accuracy of statistical records. • Is there clearly documented information which shows that on the balance of probabilities, no notifiable crime was committed and the decision to record a crime was a genuine mistake? • Is there a documented audit trail which identifies who cancelled the crime? • Was the person who cancelled the crime independent of the investigation and properly trained?
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C5 – Self-defence

Cancelled: self-defence claimed (for specific recorded assaults).	Where the recorded crime is one of assault within classification 8N (Section 47 ABH only) or classification 104 or 105A and evidence shows an offender has acted in self-defence a crime record may be cancelled. • The recorded crime is one of assault within classification 8N (Section 47 ABH only) or classification 104 Assault on a Constable or 105 Assault without Injury and there is clear additional, verifiable information that shows a suspected offender acted in self-defence? • Is there a documented audit trail which identifies who cancelled the crime record? • Was the person who cancelled the crime an authorised DDM?
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What is Additional, Verifiable Information (AVI)?

- **Additional** – Is exactly that. It is additional information that was not available to the Crime Recorder or Investigating Officer at the time the original crime recording decision was made.
- **Verifiable** – The additional information is capable of verification in terms of the origin, the reliability and the relevance of the information source.
- **Information** – As a general rule, the information does not need to meet an evidential standard. However, it must be relevant to the specific crime to which it is being applied to the extent that it can determine that the original crime classification (when viewed against the Additional Verifiable Information) was incorrect, or that no notifiable crime was in fact committed.

When AVI is used as a basis to reclassify or apply a cancellation decision the crime record should contain a succinct but informative summary of when the information became available, where it came from, how it can be verified and how that information impacts on the status of the crime.

Example: The Ambulance Service attend a report of a potentially serious assault – a male has been found with a wound to the forehead. Police attend and a crime report is created for assault with injury. The victim was walking along and appears to have been hit on the head. However, he is intoxicated through drink and cannot remember what has happened.

A member of public called the Ambulance and confirms that they found the person lying on the floor. The alleged victim is taken to hospital where it is discovered he has a bleed on the brain. This is a very serious injury and an investigation is launched led by a Senior Investigative Officer (SIO).

The investigation includes a detailed review of the CCTV covering the area. The CCTV clearly shows the same man falling over and hitting his head on the pavement. No assault has taken place. The camera is monitored and shows a member of public providing aid to the victim.

Consider the AVI factors:

Additional – CCTV highlights that the injuries were caused to the male accidentally, there was no foul play or other third-party involvement.

Verifiable – CCTV footage fits exactly within the time frame of the incident and shows the identified male falling over. The footage is further corroborated by the appearance on film of the witness who provides first aid.

Information – This new information clearly shows that the males injuries were the result of an unfortunate accident and therefore not a crime.

NOTE: Cancelling Rape offences

In cases of rape, ensure you are applying the legislation correctly. Where a victim reports they have acquiesced, been put under duress or as a result of controlling or coercive behaviour, “consent” is not true consent and amounts to rape.

It is probable, that further charges for controlling or coercive behaviour should be sought.

Responsibility for Decision Making

Decision making in relation to the use of classifications C2 – C5 inclusive should only be undertaken by individuals who are independent of the investigation of a particular crime or crimes. All such decision makers must be properly trained in respect of the cancellation of crimes and the Force Crime Registrar should have appropriate and direct oversight of their decision making. **C5 cancellations must be authorised by trained DDM or the FCR.**

It is the responsibility of the person making the decision to evaluate the information and take a proportionate approach which recognises the seriousness of that which is alleged, the potential impact of an incorrect decision based on that information whilst fully assessing the level of risk that making an incorrect decision would lead to. When applied this way, in the majority of cases, the level of risk to the victim, the community and the reputation of the Force will be low, however each case should be treated accordingly.

Where a victim reports a crime and then withdraws that report, the DDM must consider the possibility of fear, coercion, influence, or pressure being exerted on that victim to withdraw their report of that crime. Where there is clear concern that the change is as a result of any of these factors, the crime cannot be cancelled.

Rape and Homicide Crimes – Authorised by FCR

Decision making for all offences of rape and homicide (where C2 AVI cancellations are considered) should only be taken by a Crime Registrar who is registered by the College of Policing. Other than the exception outlined below, the FCR is the decision maker and must not be required to submit the case to any other person (or group) to seek advice. The exception to this is where the crime registrar is not registered by the College and in these cases the decision maker is to be the Chief Officer responsible for crime recording who must receive advice from the Crime Registrar.

The threshold for such cancellations is, of necessity, very high and the AVI to support a cancellation must therefore be compelling, carefully recorded and must convince the FCR that no crime has taken place.

Cancelling Modern Slavery Crimes

A negative Conclusive Grounds decision made in relation to a submission to the National Referral Mechanism (NRM) may be classed as AVI for the purpose of cancelling a crime recorded after 1 April 2020.