GREATER MANCHESTER POLICE

Date: 22/10/2026
Our ref: 01/FOI/26/017911/Z

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/26/017911/Z

I write in connection with your request for information dated 21/10/2026, received by Greater Manchester Police (GMP) for the following information:

With regards to the Ministry of Justice Simple Cautions for Adult Offenders 2015 policy, paragraph 80 states the following:

80. At the point the simple caution is administered the police officer must:

o Ensure that the offender understands that they do not have to make an immediate decision on whether to accept the simple caution but can consider the matter and, if need be, take independent legal advice;

o Ensure the offender understands that they have the right to legal advice at any time during the process;

Do your Custody Officers make these two specific legal declarations at the point of administering the Simple Caution, or do they not follow the wording of this policy and rely on the ongoing PACE entitlement to legal advice when the detainee is booked into Custody?

Result of Searches
Following receipt of your request searches were conducted within Greater Manchester Police (GMP) to locate the requested information and I can confirm the information requested is held by GMP.

In relation to cautions administered, the detainee will have been offered and reminded of their legal rights on multiple occasions throughout their detention, including:

- Upon arrival and during the booking in process.
- At every Section 40 PACE detention review conducted by an Inspector.
- Prior to the commencement of any interview.

- Where legal advice was initially declined, detainees are informed that this right remains available throughout their detention and that they may change their mind at any stage.

At the point a simple caution is administered, the relevant information is recorded within a caution form. The document clearly states the nature and consequences of accepting a caution before inviting the individual to sign and accept it. It also includes a section for the administering officer to certify that the caution has been administered.

The notice specifically advises the individual that they have been informed of their right to consult and communicate with a solicitor, that free and independent legal advice is available, and that they do not have to accept the caution.

Please note - Whilst the document does not explicitly state that an immediate decision is not required and that additional time may be taken to consider the offer of a caution, in practical terms a detainee within a custody environment would have ample opportunity to seek legal advice before deciding whether to accept it.