

# Interview for Local Authority Caution

Information  
Leaflet

If you have a severe visual or hearing impediment, or English is not your first language, please contact the council before the interview to enable us to make appropriate arrangements to assist you.



**South  
Staffordshire  
Council**

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**Attending an  
Interview for a  
Local Authority  
Caution**



**South  
Staffordshire  
Council**

[www.sstaffs.gov.uk](http://www.sstaffs.gov.uk)

What is this leaflet about?

***This leaflet will help you understand the Caution Interview process.***

***Why have I been asked to attend an interview concerning a Caution?***

The council asked you to attend an interview- under-caution as it believes you have committed a criminal offence in obtaining Housing Benefit and/or Council tax benefit to which you were not entitled.

Following this interview the Council considers that it has enough information to sanction you as a result of this offence.

The ultimate sanction we are able to apply is to pass the details of your offence to the Council solicitors for consideration of prosecution. However, in this instance the Council has decided to offer you an alternative to prosecution and needs to explain this process to you and to ask if you will accept this alternative.

***Do I have to attend an interview?***

No, you don't have to attend an interview. If you do not attend the interview the Council will decide what further action it is to take with regard to the offence it believes you have committed.

***Who can come to the interview with me?***

You can come to the interview with anyone you wish.

You will already have been interviewed under caution about this offence and have had the opportunity to put your side of the events.

This interview will not be tape-recorded and is unlikely to take as long as an interview under caution.

***Who will interview me?***

You will usually be interviewed by one of the Council's Benefit Investigation Team who have been specially trained to conduct these interviews.

Sometimes the Council will conduct joint investigations with other agencies, such as the Department for Work and Pensions and Her Majesty's Revenues and Customs. If there has been a joint investigation in your case, you may be interviewed by an officer from the Council and an officer from the other agency. Interviewing officers will clearly identify themselves to you.

***What happens at the interview?***

The officer will explain what the offence is that the Council believes you have committed.

The officer will explain that as an alternative to prosecution you are being offered the opportunity to accept a Caution.

***What is a Caution?***

A caution is a warning given by the Council in certain circumstances as an alternative to prosecution to a person who has committed and admitted an offence at a previous interview.

At the interview you will be asked to sign a declaration admitting the offence and formally accepting a Caution.

If you accept the Caution no further action will be taken in pursuing the offence. However, the overpayment that occurred due to the offence will have to be repaid.

Should you re-offend the fact that a Caution has been noted will be considered in how future offences are dealt with.

If any future offence does take place, the Court will be advised that previous cautions have been given.

***What happens if I do not accept the Caution?***

The offer is made as an alternative to the Council considering passing the case for prosecution. Should you decline the offer of a Caution, the Council will consider taking this action. If the case is passed for Legal Proceedings the court will be advised of the offer and refusal of the Caution.