

Community Remedy

Where did Community Remedy come from?

Community Remedy derived from a public consultation in 2012-2013 run by the Home Office. After receiving support from a majority of respondents, the idea of Community Remedy became a key element of the Anti-social Behaviour, Crime and Policing Act 2014.

What is the Community Remedy?

The act is victims focused, aiming to give victims of low-level crime and ASB a greater say in how offenders should be dealt with. It was also hoped the act would increase the public's confidence in out of court disposals.

Taking a restorative Justice pathway, the Community Resolution offers a list of appropriate sanctions that can be used by the police and authorised investigating officers, sometimes in conjunction with other more formal out-of-court disposals.

The suitability of the options will depend on the nature of the offence, the age of the offender and the circumstances of the situation. Community Remedy is most often used with first time, low-level offenders.

Options can include, but are not limited to:

- Mediation (for example, to solve a neighbour dispute).
- The offender signing an Acceptable Behaviour Contract - where they agree not to behave anti-socially in the future or face more formal consequences.
- Participation in structured activities funded by the Police and Crime Commissioner as part of their efforts to reduce crime.
- Reparation to the community (for example, by doing local unpaid work for up to 10 hours).

Who is eligible for Community Remedy?

To be suitable for Community Remedy:

- The police must have evidence that the offender has engaged in anti-social behaviour or committed an offence
- The offender must admit to the behaviour or offence and agree to participate in a Community Remedy
- The officer must think the evidence is enough for court proceedings or to impose a caution but considers a community resolution would be more appropriate.

Role of PCCs

The Community Remedy Consultation Response (April 2013) declared that one of the three key elements of the community Remedy would be:

(1). Police and Crime Commissioners will be required to consult the public on a range of sanctions that can be used to deal with low-level crime and anti-social behaviour outside of the court system in their police force area, with the Police and Crime Commissioner and Chief Constable ensuring the final menu is proportionate

Under the Anti-social Behaviour, Crime and Policing ACT 2014, a mandatory requirement was placed upon Police Forces to discuss out of court disposals with victims of crime.

The community remedy document states:

(1) Each local policing body must prepare a community remedy document for its area and may revise it at any time.

(2) A community remedy document is a list of actions any of which might, in the opinion of the local policing body, be appropriate in a particular case to be carried out by a person who—

(a) has engaged in anti-social behaviour or has committed an offence, and

(b) is to be dealt with for that behaviour or offence without court proceedings.

(3) For the purposes of subsection (2), an action is appropriate to be carried out by a person only if it has one or more of the following objects—

(a) assisting in the person's rehabilitation.

(b) ensuring that the person makes reparation for the behaviour or offence in question.

(c) punishing the person.

(4) In preparing or revising the community remedy document for its area a local policing body must—

(a) have regard to the need to promote public confidence in the out-of-court disposal process;

(b) have regard to any guidance issued by the Secretary of State about how local policing bodies are to discharge their functions under this section;

(c) carry out the necessary consultation and take account of all views expressed by those consulted.

(5) In subsection (4)(c) "the necessary consultation" means—

(a) consultation with the chief officer of police for the area,

(b) consultation with the local authority for any part of the area,

(c) consultation with whatever community representatives the local policing body thinks it appropriate to consult, and

(d) whatever other public consultation the local policing body thinks appropriate.

(6) A local policing body must agree the community remedy document for its area, and any revised document, with the chief officer of police for the area.

(7) Once the community remedy document, or a revised document, has been agreed with the chief officer of police, the local policing body must publish it in whatever way it thinks appropriate.

[Anti-social Behaviour, Crime and Policing Act 2014 \(legislation.gov.uk\)](https://legislation.gov.uk)

PCC Publication of Community Remedy

After conducting a search on PCC's websites for the community remedy document, it was found that:

- There was **no evidence** of the Community Remedy on **19** PCC websites.
- **24** do have a webpage dedicated to the Community Remedy
 - Only **11** of these have an official document outlining restorative justice pathways in their area.

Notable Practice

Following the Local Policing Portfolio meeting on 22 June 2022, please find below some examples of well-produced community remedy documents.

- Sussex: [Layout 1 \(sussex-pcc.gov.uk\)](https://sussex-pcc.gov.uk)
- South Yorkshire: [Community-Remedy-Offer-2019.pdf \(southyorkshire-pcc.gov.uk\)](https://southyorkshire-pcc.gov.uk)
- Merseyside: [opccm-community-remedy-public-2.pdf \(merseysidepcc.info\)](https://merseysidepcc.info)
- Staffordshire: [Community-Remedy.pdf \(staffordshire-pfcc.gov.uk\)](https://staffordshire-pfcc.gov.uk)
- Cumbria: [community remedy leaflet NEW.indd \(cumbria-pcc.gov.uk\)](https://cumbria-pcc.gov.uk)

Please see Annex A for a Community Remedy Document checklist.

Annex A: Community Remedy Document Checklist

No.	Action	Tick
1.	Do you have an easy-to-find page on your website dedicated to the Community Remedy?	
2.	Do you have a link to an official document that outlines a list of potential remedy options that can be used when dealing with an offender who has admitted responsibility?	
3.	Does this document represent the views of the current incumbent PCC?	
4.	Does the document clearly explain to victims their rights?	
5.	Have the public been consulted on the possible out-of-court sanctions available to them within the Community Remedy document, as is statutory obliged?	

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