



*Making Suffolk a safer place to live, work, travel and invest*

**ORIGINATOR: POLICY OFFICER**

**DECISION NUMBER: 35-2014**

**REASON FOR SUBMISSION: TO FORMALLY AGREE AND PUBLISH THE SUFFOLK COMMUNITY REMEDY DOCUMENT**

**SUBMITTED TO: POLICE AND CRIME COMMISSIONER**

**SUBJECT: THE SUFFOLK COMMUNITY REMEDY DOCUMENT**

**SUMMARY:**

1. This submission outlines the requirements in the Anti-Social Behaviour, Crime and Policing Act 2014 in relation to developing and publishing a Community Remedy Document. This includes the proposal for the Community Remedy Document.

**RECOMMENDATION:**

That the PCC formally agrees the Community Remedy Document for Suffolk for publication.

**APPROVAL BY: PCC**

The recommendation set out is agreed.

**Signature**

**Date** 17/10/2014

## DETAIL OF THE SUBMISSION

### 1. KEY ISSUES FOR CONSIDERATION:

- 1.1. The Anti-Social Behaviour, Crime and Policing Act 2014 requires the Police and Crime Commissioner (PCC), in consultation with the Chief Constable, to put in place a Community Remedy to influence the out-of-court punishment of offenders for low-level crime and anti-social behaviour. The Community Remedy Document outlines a menu of options to support police officers to deal with low level offences in a way which can improve public confidence in the use of out-of-court disposals and ensure better outcomes for the victim.
- 1.2. The Community Remedy Document should be used for offences which are dealt with by community resolution, therefore it formalises for the public, the range of actions that police officers and PCSOs can use for a community resolution.
- 1.3. The Act requires that the PCC must prepare a Community Remedy Document for their area which they may revise at any time.
- 1.4. A Community Remedy Document is a list of actions any of which might, in the opinion of the PCC, be appropriate in a particular case to be imposed upon 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.
- 1.5. The options outlined in the Community Remedy Document must be appropriate and proportionate to the types of offences for which community resolutions are used, and seek to have a positive impact on the offender. The options must have:
  - a punitive element: reflecting the effects on the victim and the wider community; or
  - a restorative element: achieving appropriate reparation to the victim; or
  - a rehabilitative element: helping to address the causes of the perpetrator's behaviour; or
  - a combination of these.
- 1.6. The legislation advises that the following people can use a community remedy:
  - A police officer;
  - An investigating officer (which can include a Police Community Support Officer for certain offences);
  - A person authorised by a relevant prosecutor for conditional cautions or youth conditional cautions
- 1.7. Any action taken as a result of the agreed Community Remedy document must be appropriate and proportionate to the offence committed.
- 1.8. The PCC consulted with partner agencies and the public on his proposed options throughout August 2014, and having taken account of the responses, the following options are included in the Community Remedy Document:
  - (1) Mediation (for example, to resolve a neighbour dispute);
  - (2) A written or verbal apology;
  - (3) The offender signing an Acceptable Behaviour Contract – where they agree not to behave anti-socially in the future – or face more formal consequences;
  - (4) Victim focussed Restorative Justice (RJ) as offered by the Norfolk and Suffolk RJ Hub. This would involve the opportunity for the victim to directly explain the

- impact of the offender's behaviour on them and for the offender to undertake action to address the harm caused;
- (5) Repairing damage to property or cleaning graffiti;
  - (6) Paying an appropriate amount for damage to be repaired or for stolen property to be returned or replaced;
  - (7) Participation in structured activities that are either educational or rehabilitative, and funded by the Police and Crime Commissioner as part of their efforts to reduce crime; or
  - (8) Reparation to the community (for example, by doing local unpaid work for a short period, such as picking up litter in a park).

**2. FINANCIAL IMPLICATIONS:** *Clear assessment of costs, including opportunity costs, and how they will be met. If no costs associated with recommendation please make this clear.*

2.1 The introduction of the Community Remedy Document formalises a list of options which can be used for community resolution. Therefore it is consistent with the Constabulary's current operating policy.

**3. OTHER IMPLICATIONS AND RISKS:** *See checklist below. The relevant issues identified from the checklist should be explained as appropriate.*


3.1 There are no significant risks at this stage.

**PUBLIC ACCESS TO INFORMATION:** *Information contained within this submission is subject to the Freedom of Information Act 2000 and wherever possible will be made available on the Police and Crime Commissioner's website. Submissions should be labelled as 'Not Protectively Marked' unless any of the material is 'restricted' or 'confidential'. Where information contained within the submission is 'restricted' or 'confidential' it should be highlighted, along with the reason why.*

ORIGINATOR CHECKLIST (MUST BE COMPLETED)	PLEASE STATE 'YES' OR 'NO'
Has legal advice been sought on this submission?	Yes
Has the PCC's Chief Finance Officer been consulted?	Yes
Have equality, diversity and human rights implications been considered including equality analysis, as appropriate?	Yes
Have human resource implications been considered?	Yes
Is the recommendation consistent with the objectives in the Police and Crime Plan?	Yes
Has consultation been undertaken with people or agencies likely to be affected by the recommendation?	Yes
Has communications advice been sought on areas of likely media interest and how they might be managed?	Yes
Have all relevant ethical factors been taken into consideration in developing this submission?	Yes

In relation to the above, please ensure that all relevant issues have been highlighted in the 'other implications and risks' section of the submission.

**APPROVAL TO SUBMIT TO THE DECISION-MAKER** (this approval is required only for submissions to the PCC).

<p><b>Chief Executive</b></p> <p>I am satisfied that relevant advice has been taken into account in the preparation of the report and that this is an appropriate request to be submitted to the (add decision-maker's title e.g. the PCC).</p>	
<p><b>Signature:</b> </p>	<p><b>Date</b> 17 OCTOBER 2014</p>