

**OFFICE OF THE POLICE AND CRIME COMMISSIONER  
FOR HUMBERSIDE  
DECISION RECORD**

Decision Record Number: **40/2014**

Title: **Community Remedy Menu – Public Consultation Response**

**Executive Summary:**

The report presents the final menu of community remedies as agreed by the public following a two-step consultation approach. The menu, once agreed by the PCC, will then be presented to the Chief Constable (via Community Safety Unit who are co-ordinating the community remedy and community trigger arrangements with local authorities) for commencement in October.

**Commissioner Comments:**

The Commissioner requested that references to OPCC be changed to PCC and requested that the 1<sup>st</sup> bullet point should include “when in the interests of the victim” so that it was obvious that victims were at the heart of this and had influence in the process.

**Decision:**

(a) That the final list of community remedies outline in Section 4 of the report be agreed; (b) that the public facing Community Remedy document be amended as requested, and (c) that the public be informed via a press/media campaign (working with the Force) raising awareness of the remedies now available to the public and local communities.

**Background Report:** Open

**Police and Crime Commissioner for Humberside**

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with my code of conduct.

Any such interests are recorded below.

The above decision has my approval.

**Signature**

*Matthew Crow*

**Date 25.09.14**

**POLICE AND CRIME COMMISSIONER  
FOR HUMBERSIDE  
SUBMISSION FOR: DISCUSSION AND DECISION**

**Title:** Community Remedy Menu – public consultation response

**Date:** 25 September 2014

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**1. Executive Summary**

The main focus of the new ASB legislation is Putting Victims First. The Anti-Social Behaviour, Crime and Policing Act includes two new measures which are designed to give victims and communities a say in the way anti-social behaviour is dealt with.

- The Community Trigger, which gives victims the ability to demand action, starting with a review of their case, where the locally defined threshold is met.
- The Community Remedy, which gives victims a say in the out-of-court punishment of offenders for low-level crime and anti-social behaviour.

This report presents the final menu of community remedies as agreed by the public following a two-step consultation approach. The menu, once agreed by the PCC, will then be presented to the Chief Constable (via Community Safety Unit who are co-ordinating the community remedy and community trigger arrangements with local authorities) for commencement in October.

The logistics of the Community Trigger arrangements are being dealt with by the Community Safety Unit, working with the four local authorities. There is no duty on the PCC for involvement in this process.

**2. Recommendations**

It is recommended that:

- The PCC agrees to the final list of community remedies as presented further in this report (section 4 – Community Response)
- The PCC undertakes to inform the public via a press/media campaign (working with the force) raising awareness of the remedies now available to the public and local communities.

**3. Background Information**

The Community Remedy gives victims a say in the out-of-court punishments of offenders for low-level crime and ASB (typically low-level Criminal Damage, low value theft, minor assaults without injury and ASB). The Community Remedy

Menu is a list of actions which may be chosen by the victim for the perpetrator to undertake as a consequence of their behaviour or offending. The new Act places a duty on the PCC to consult with the public on what punitive, restorative or rehabilitative actions they consider appropriate to included in the Community Remedy Menu. The Menu must be compiled by the PCC in agreement (consultation) with local communities, this consultation may be undertaken in whatever format the PCC considers appropriate (online, talking to community groups etc)

The PCC and the chief constable (via her representatives in the CSU, in this Case Supt Cuzzo) will agree the actions listed on the Community Remedy document. These actions 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. Each of the actions must have:

- a punitive element: reflecting the effects on the victim and the wider community; or
- a restorative element: achieving appropriate restitution/reparation to the victim; or
- a rehabilitative element: helping to address the causes of the perpetrator's behaviour; or
- a combination of these.

The actions available must help improve public confidence in the use of out-of-court disposals and must be compatible with the perpetrator's human rights. The government has suggested that this could include:

- mediation (for example, to resolve a neighbour dispute);
- a written or verbal apology;
- the perpetrator signing an Acceptable Behaviour Contract – where they agree not to behave anti-socially in the future – or face more formal consequences;
- attend a neighbourhood justice panel for restorative justice;
- repairing damage to property or cleaning graffiti;
- paying an appropriate amount for damage to be repaired or stolen property to be replaced;
- participation in structured activities that are either educational or rehabilitative, funded by the Police and Crime Commissioner as part of their efforts to reduce crime (eg Youth Engagement programme such as Lifestyle , Night Challenge, Rock Challenge); or
- Reparation to the community (for example, by doing local unpaid work for a short period such as picking up litter in a park).

*\*For the purposes of consulting with the public, the above list was the one used.*

The victim should be consulted, and where there is more than one victim, the officer should make reasonable efforts to take the views of all the victims into account, however it will be the officer who makes the final decision. The victim needs to be given a realistic expectation of what a community resolution will involve.

#### **4. Community Response**

The above list was presented to the public and their views sought on how appropriate each of the suggestions were for dealing with ASB and low-level crime in their area, they were also given the opportunity to suggest more options if they felt they were more appropriate.

The list of menu options was included in the first two quarters of the PCCs community telephone survey for 2014/15, the results of which are at **Appendix 1**. Further, the same questions were asked via an electronic survey hosted on our website, see responses at **Appendix 2**.

The responses show levels of agreement of the appropriateness of each of the menu options as a percentage, as the highest level of agreement was 94.2% for 'doing unpaid work in the community or other activities that would benefit the local area' with the lowest level being 66.7% for the 'mediation' option; it is safe to say that all options on the original government list have been agreed as appropriate by the local community.

Respondents were given the opportunity to suggest further menu options, however, overwhelmingly (nearly 94%) of respondents could add no further options to the list and were happy with the menu as presented. Therefore the list of community remedy options presented to the force for adoption is as follows:

Do you think the following should be included in the list of possible actions?			
Action	Yes (%)	No (%)	Don't know (%)
Doing unpaid work in the community or other activities that would benefit the local area	94.2	4.7	1.2
Paying for damage to be repaired or stolen property to be replaced	94.0	4.4	1.6
Repairing damage to property or cleaning graffiti	93.2	5.7	1.2
Participate in PCC-funded activities which educate and rehabilitate (for example youth engagement programme)	78.5	14.5	7.0
The perpetrator to sign an Acceptable Behaviour Contract where they agree not to behave anti-socially in the future or face more formal consequences	76.0	18.9	5.1
A written or verbal apology	72.7	23.8	3.5
Attend a neighbourhood justice panel for justice (the panel ask the offender about the offence and the victim can explain how the offence has affected them)	69.8	20.9	9.3
Mediation (i.e. where both parties meet with an external officer to resolve the issue)	66.7	23.3	10.0

## **5. Next Steps**

The agreed list is presented to the force to be included in their practice direction and planning process for the commencement of Community Remedy in October, the lead department for this is the Community Safety Unit, from April next year the Communities Command will have this responsibility. PDs are currently being produced.

Once the Community Remedy process is in place the public will need to be made aware. It is suggested that this be a media/press campaign, led by the PCC, with details on how the process works hosted on our, and the forces', website

**Victoria Wise**

**Principal Strategy and Partnership Officer**

