

## **Community Remedy**

### **Anti-social Behaviour, Crime and Policing Act 2014**

#### **Summary**

The Community Remedy was introduced as part of the Anti-Social Behaviour, Crime and Policing Act 2014. It gives victims of certain criminal offences and anti-social behaviour the chance to have a say in how the person responsible for their crime or anti-social behaviour is dealt with by police where the case doesn't go to court.

The Community Remedy is a list of potential options that an officer can consult a victim on when deciding on an appropriate out of court resolution for someone ('the offender') who has admitted their part in an offence or anti-social behaviour.

#### **What type of offences will the Community Remedy be used for?**

Offences that if dealt with by the Magistrate's Court would not result in imprisonment or long-term community sentences, such as criminal damage, low value theft, minor assaults (without injury) and anti-social behaviour.

#### **When will the Community Remedy be used?**

The police can use a process called 'Out of Court Resolutions' to deal with certain offences and anti-social behaviour without going to court.

There must be enough evidence for a case to be brought to court; the offender must admit their guilt and the officer needs to be satisfied that the matter would be better dealt with within the community after consultation with the victim.

Out of court resolutions are primarily aimed at offenders where remorse has been expressed, and where this option is more appropriate than taking the case to court. Out of court resolutions can help to reduce reoffending by encouraging offenders to face up to the impact of their behaviour and to take responsibility for making good the harm caused. This also gives a victim a say in the punishment of offenders and perhaps help them to understand why the offender engaged in the crime or incident in the first place. This may also give the offender the chance to understand how much upset may have been experienced by the victim.

#### **How will victims have their say?**

Depending on the crime or incident that has occurred the police officer will make the final decision if an out of court resolution is suitable.

If it is, victims will be asked their opinion on which options from the Community Remedy they think would be most appropriate for the offender of the incident. There is no requirement to meet the offender as part of the Community Remedy.

The victim's involvement is voluntary, and the victim must not be made to feel they should take part in a process they are not comfortable with, that they think may put them at risk, or that they do not believe will be of benefit to them.

The police officer dealing with the incident will make the final decision as to what is appropriate making sure it is proportionate to the offence or anti-social behaviour and will have a positive impact for the victim, and the offender.

### **What if the offender does not carry out the agreed action?**

If the offender fails to comply with the action determined, they may face court action for the offence or anti-social behaviour.

### **What options are on the Community Remedy list?**

Based upon the findings of a public survey conducted in July 2023 the Community Remedy list is as follows:

- **Participation in structured activities that are either educational or rehabilitative** – to prevent re-offending, address the root cause of the behaviour, or address the attitudes, thinking and behaviours towards others.
- **Restorative Justice or mediation** – Facilitated, controlled and risk assessed contact (either written or face to face meeting) between the victim and offender, so that those affected have an opportunity to explain the impact upon them, get answers to questions they have, and /or obtain an explanation from the offender.
- **A written or face-to-face apology from the offender** - victims would not be forced to meet the offender face to face if they did not want to.
- **An Acceptable Behaviour Agreement/Contract** - a written, voluntary agreement between a person who has been involved in anti-social behaviour and one or more local agencies whose role it is to prevent such behaviour. The contract can specify types of behaviour, people or places that should be avoided.
- **A reparative activity** – putting things right by doing local unpaid work for a short period (no more than 20 hours)

### **What are the reparative activities that may be undertaken by offenders?**

Based upon the findings of a public survey conducted in July 2023 the reparative activities could be:

- Graffiti cover
- Clearing land of waste and rubbish
- Decorating public places and buildings such as play parks
- Cleaning community features and monuments
- Area beautification through gardening activities
- Repairs to property (both public or private - with owners' consent (can include private resident's or business properties).