

# Office of the Police and Crime Commissioner for Surrey

## Surrey Community Remedy Document

### Background

The Anti-Social Behaviour, Crime and Policing Act 2014 requires each local policing body to prepare a Community Remedy document for its area.

A Community Remedy document is a list of actions which are deemed appropriate, in the opinion of the local policing body, for a person to carry out if they have -

- Engaged in anti-social behaviour or have committed a low level offence and
- Are to be dealt with for that behaviour or offence without court proceedings

The Community Remedy document aims to give victims of low-level crime and anti-social behaviour a say in the punishment of the perpetrators out of court. It is hoped this will empower victims and place them at the heart of the criminal justice system. It was designed predominately to be used as part of the existing process for delivering community resolutions.

Following a consultation where 805 members of the public responded it was agreed by the Police and Crime Commissioner and the Chief Constable that the following list of options would be made available in Surrey through the Community Remedy.

### Community remedy options

1. A personal or written apology
2. Reparation to the victim or community affected
3. Mediation referral
4. Acceptable behaviour contract – written agreement specifying future behaviour
5. Participation in structured activities or targeted interventions to improve behaviour or address the underlying causes of behaviour

### Examples

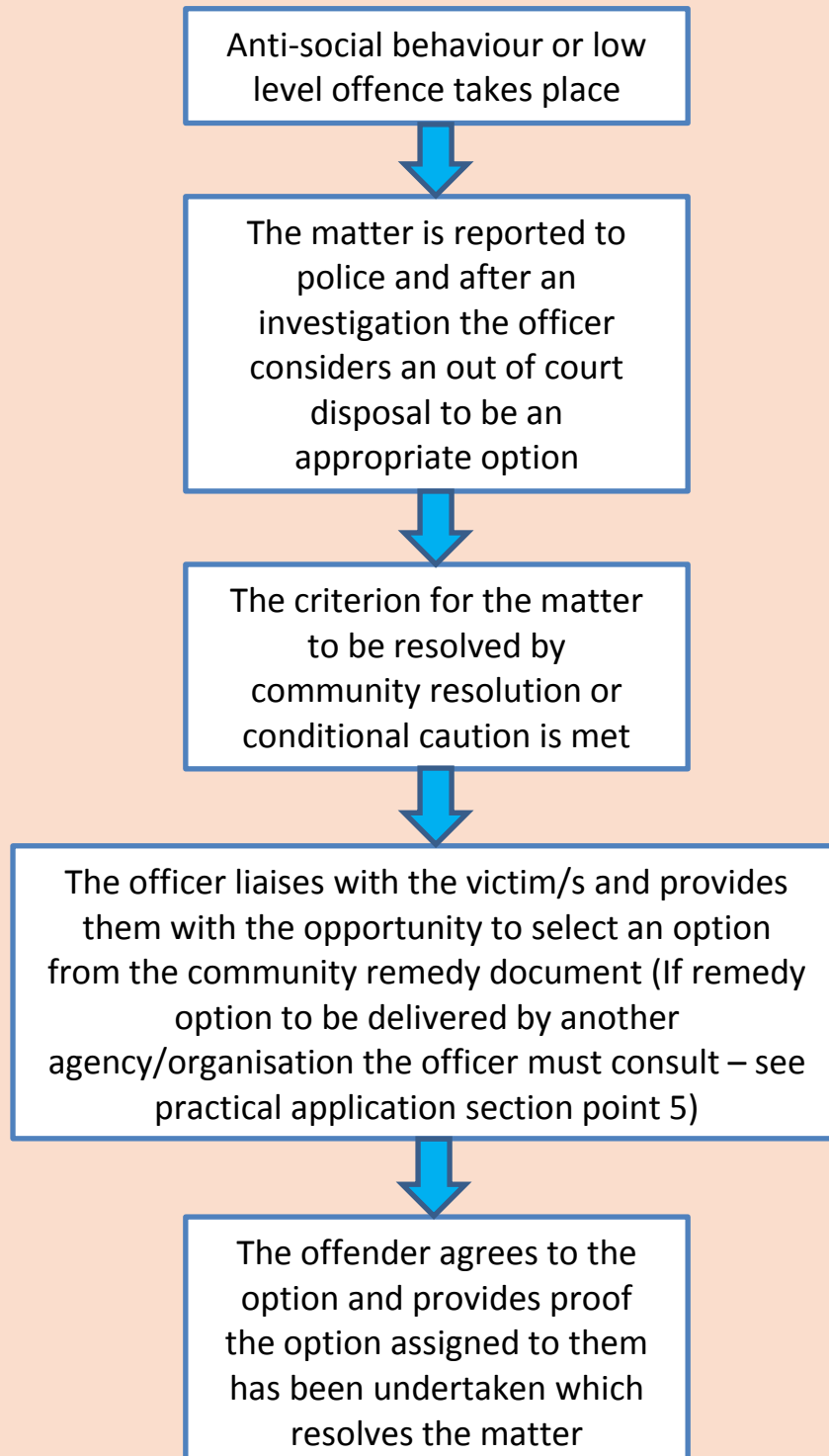
For the examples below the offender has admitted the offence and the investigating officer<sup>1</sup> considers that a community resolution is appropriate. The officer uses this community remedy document as a means to engage the victim in having a say in the punishment of the perpetrator;

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<sup>1</sup> This could be a police officer, a PCSO with designated powers or a person authorised by a relevant prosecutor for conditional cautions or youth conditional cautions.

- A Police Officer attends a report of minor criminal damage. The victim would like the offender to pay for the damage to be repaired or for the offender to repair it themselves
- A PCSO attends an incident of a neighbourhood dispute where the offender has unlawfully cut down branches of their neighbours tree. The victim would like to attend mediation with the other party
- A very minor assault is reported to police. The officer in the case consults the victim who would like to receive a letter of apology from the offender

## The Process





The officer informs the victim and recording systems are updated

### Practical application

1. If there are multiple victims of an offence the officer should make reasonable efforts to take the views of all the victims into account. If the victims have different views then the officer should consider these and will make the final decision as to which option is the most appropriate for the offender to undertake.
2. The officer should consider the most appropriate way to involve the victim. If the victim is under 18 or vulnerable they may require a family member or carer to assist them in understanding the purpose of community remedy and in choosing an option.
3. If a victim is not contactable, or it cannot be ascertained who the victim is, the officer will choose a suitable option for the offender to undertake. In all cases, the officer must ensure that the victim understands the purpose of community resolution and the list of community remedy options. The officer should also manage the expectations of the victim in terms of what can be achieved and make the victim aware that they can choose not to be involved.
4. It is not necessary for the victim to meet with the offender in order to choose an option. The officer may consider undertaking a risk assessment, particularly if the victim is known to the offender, or if the resolution involves the victim meeting them, as part of a restorative justice conference.
5. Where the option chosen by the victim will involve support from another agency/organisation (e.g. mediation or a targeted intervention) the officer in the case must, in the first instance, consult with the relevant agency/organisation to ensure the remedy is available and deemed appropriate. Where it is not available or deemed inappropriate by the other agency/organisation the officer in the case will explain that to the victim and ask them to propose another option from the community remedy menu.