

Surrey Community Remedy Document



OFFICE OF THE POLICE &
CRIME COMMISSIONER FOR
SURREY

Community Remedy

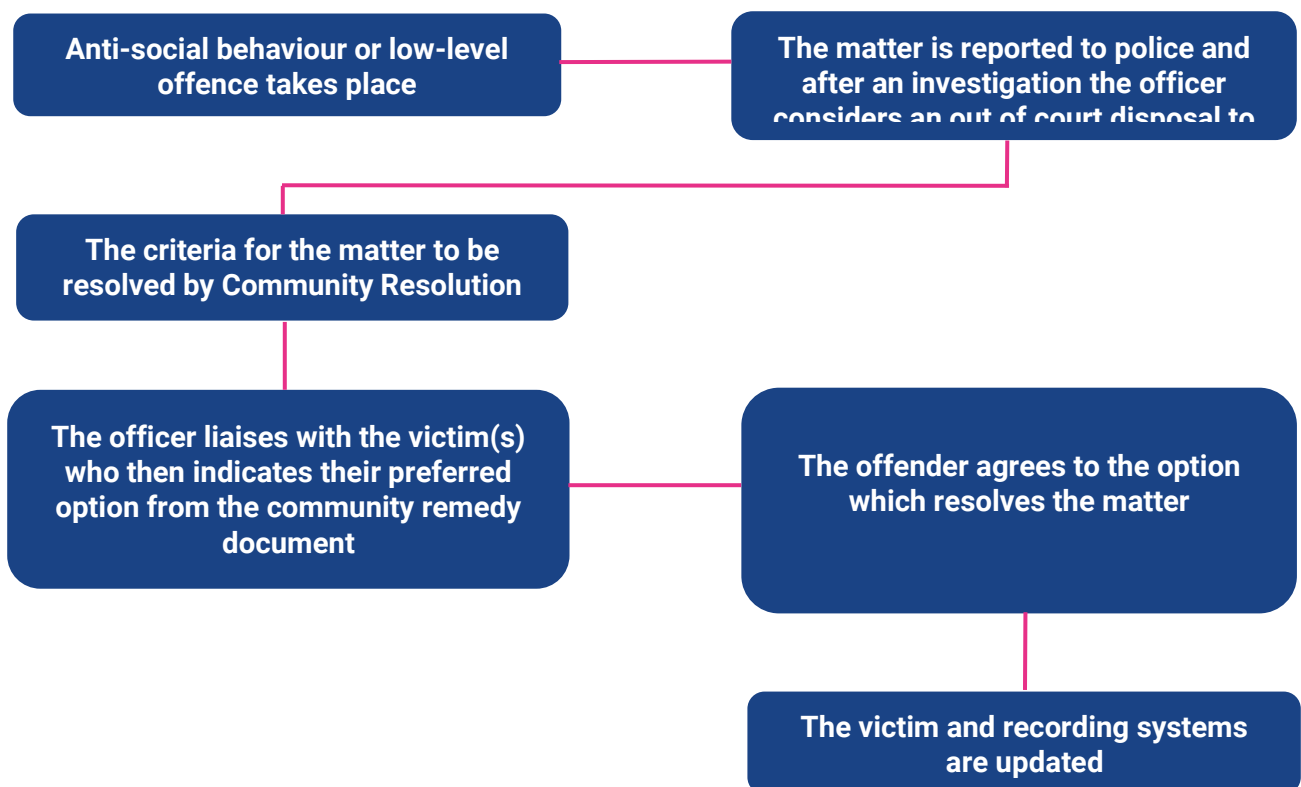
The Community Remedy gives communities the option to have a say in how offenders should face up to their actions and make amends. It provides victims of antisocial behaviour and low-level crimes with a route for swifter justice, and ensures offenders face immediate consequences for their actions, which could make them less likely to reoffend in the future.

The Community Remedy provides a locally developed framework which will enhance existing Community Resolution or Conditional Caution routes - often referred to as “out-of-court disposals” - and reduce the burden and expense placed on the criminal justice system.

Victims will be able to indicate from the framework their preferred option which can include a range of things for the offender to complete.

The Community Remedy will assist the Commissioner in making the approach towards low-level crime and antisocial behaviour more responsive and accountable to the victims and the public in Surrey.

The Process



Community remedy options:

- 1 Personal/Community Reparation;** Repairing damage, community reparation and paying for damage
- 2 Restorative Justice or Mediation;** Use the links to learn more about [Restorative Justice](#) or [Mediation](#)
- 3 Receiving a written or oral apology;** Written and oral apology
- 4 A local rehabilitative or diversionary activity;** Rehabilitation, acceptable behaviour contract, diversionary activity and educational assignment
- 5 Another agreed and proportionate activity specified by the victim.**

Practical application:

The Community Remedy options may be revised at any time, to include the addition of any new options. It is proposed that these five options are reviewed again after a period of 12 months.

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 appropriate for the offender to undertake.

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.

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. The officer should 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.

It is not necessary for the victim to meet the offender in order to choose the 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.

Community Remedy, the new Out of Court Disposals, Community Resolutions and Checkpoint

In late 2023 the new OOCDD will be launched. These will take over from conditional cautions and simple cautions. They will be called Diversionary and Community Cautions and will be administered by a central hub who also deal with Checkpoint. Community Resolutions will still be issued by officers. All these outcomes must have interventions and victims must have the option of choosing an intervention from the Community Remedy document for the offender to carry out unless it is inappropriate.

Community Resolutions – The officers must make the victim aware of interventions available on the Community Remedy Document which will be on PRONTO. They should then set interventions as requested by the victim unless it is inappropriate to do so.

Checkpoint and all other OOCDD - These are only administered by the central team who also deal with Checkpoint cases. They will ensure all victims are asked for their views and apply any conditions from the Community Remedy document that are requested and appropriate.

Frequently asked questions



When can Community Remedy be used?

Community Remedy can be used by officers for Community Resolutions and in the future by the Central Hub for Diversionary Cautions, Community Cautions and Checkpoint.



Who can use a Community Resolution?

Community Resolution can be used by a police officer, PCSO or an investigating officer. A focused investigation takes place and all aspects of the case are considered, often in partnership with other agencies, to ensure the right decision is made in line with the victim's wishes.



How is the Community Remedy document to be used for Community Resolutions, Diversionary Cautions, Community Cautions and Checkpoint?

When a Community Resolution, Diversionary Caution, Community Caution or Checkpoint is to be used, the issuing Officer or Caseworker must make reasonable efforts to obtain the views of the victim as to whether the offender should carry out any of the options in the Community Remedy document. If the Officer or Caseworker issuing it considers the option chosen by the victim is appropriate, the option can form part of the

conditions of the CR, Caution or Checkpoint. The Officer or Caseworker will have ultimate responsibility for ensuring that the sanction offered to the offender is appropriate and proportionate to the offence.



How will the views of multiple victims be taken into account?

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 but will make the final decision as to which option is appropriate for the offender to undertake.



Does a victim have to agree to a Community Resolution?

A victim's involvement in a Community Resolution is entirely voluntary. The officer should ensure that the victim understands the purpose of Community Resolution and knows that they can choose not to be involved. 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 use of Community Resolution is governed by the Association of Chief Police Officers (ACPO) policy and guidance. Officers can use CR in appropriate cases where the victim expectations are unreasonable or cannot be achieved by the offender. In such cases a clear rationale for moving away from the victim's wishes must be recorded and authority from a Sergeant or above must be gained.



Does the victim have to meet with the perpetrator to choose the option from the Community Remedy document?

A police officer manages the whole process and it is not necessary for the victim to meet the offender in order to choose the option. The police 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. When the victim chooses to engage directly face-to-face with the offender, this Restorative Justice process is managed by a qualified facilitator.



Can a Community Resolution be used if a victim is under the age of 18?

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 Resolution and in choosing an option from the Community Remedy document.



What if the victim is not contactable?

If the victim is not contactable, or it cannot be ascertained who the victim is, for example, if the offence is graffiti in a public place, the officer will choose a suitable option for the offender to undertake.







How is the Community Remedy document used for Conditional Cautions until the new OOCB become live at the end of 2023?

When a Conditional Caution or a Youth Conditional Caution is to be used, the officer must make reasonable efforts to obtain the views of the victim as to whether the offender should carry out any of the options in the Community Remedy document. If the officer issuing the Conditional Caution considers the option chosen by the victim is appropriate, the option can form part of the conditions of the caution.

The officer will have ultimate responsibility for ensuring that the sanction offered to the offender is appropriate and proportionate to the offence.

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