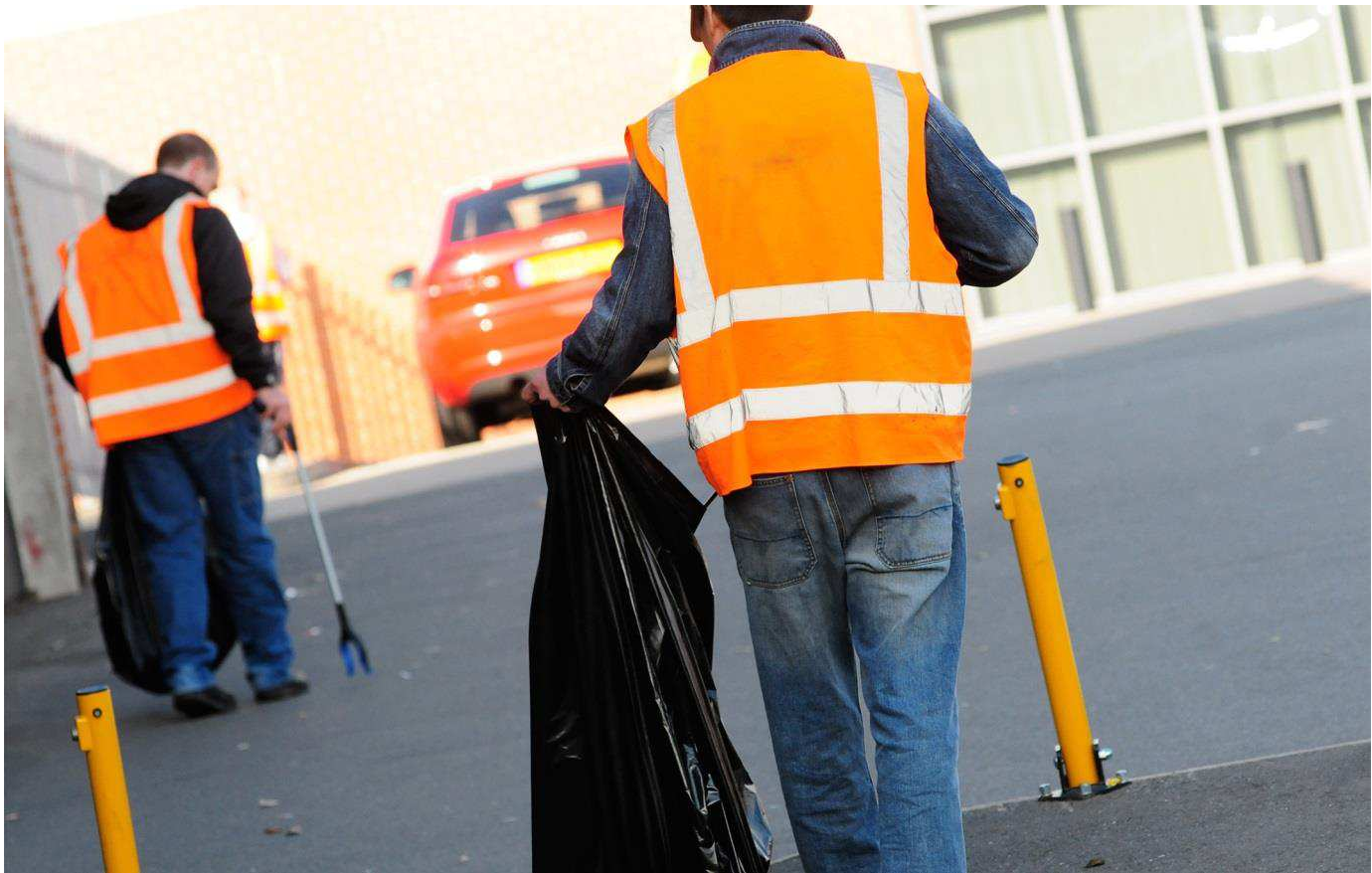




Office of the Police and
Crime Commissioner
STAFFORDSHIRE

Community Remedy



**A stronger voice for victims,
a swifter approach to justice**

Commissioner's foreword

"Community Remedy isn't about being soft on crime but it is about a pragmatic approach to the low-level community issues police officers and police community support officers face on a regular basis.



"At its heart is trying to ensure the victim or victims of a minor offence feel that an appropriate level of sanction, or remedy, has been administered swiftly and in a way that connects what has happened to remedying that harm or damage.

"It means fewer very minor offences will end up in the mainstream criminal justice system as well as helping to avoid a moment of low level stupidity tainting someone's future prospects in life permanently.

"Whilst the final decision sits with the discretion and judgement of the officer dealing with the issue, those who have been adversely affected by what's happened must have their say during this process. Normally, but not exclusively, Community Remedy will be used for first time low level offences.

"Whilst Community Remedies are at the discretion of officers it is also important that there is some consistency of approach across Staffordshire. Safer Neighbourhood Panels in each local policing area in Staffordshire and Stoke-on-Trent will scrutinise the way Staffordshire Police apply Community Remedies and Cautions."

Matthew Ellis

Staffordshire's Police and Crime Commissioner

The public have played a part in shaping what Community Remedies look like

Over 3,500 people from across Staffordshire and Stoke-on-Trent have helped shape a new list of non-criminal remedies the police can use to deal with people who engage in low-level crime¹ or anti-social behaviour, without driving them into the criminal justice system.

These actions are listed in this document on page 5. The overarching process in which Community Remedies are used is called Community Resolution. Using the Community Resolution process can provide swifter justice for low-level offences, save time and money in criminal proceedings meaning offenders can put things right for victims. The process gives victims more say as to the punishment offenders receive for low level wrongdoing.

Putting victims first

The Community Remedy is intended to give victims more say in the punishment of offenders out of court. However, 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.

Police officers and PCSOs will apply Community Remedies on a case-by-case basis using their professional judgment and discretion within a framework. They will take into account:

- The type of offence / incident
- Any previous offences or convictions
- Circumstances of the offence
- Risk to the public.

¹ Low level crime includes low-level criminal damage, low value theft and minor assaults without injury.

Community Remedies can only be applied if:

- It is clear that a crime or incident has occurred
- The offender accepts responsibility
- Every effort has been taken to consult with the victim.

When a Community Remedy is to be used, the officer must make every effort to obtain the views of the victim although it is ultimately the officer's responsibility to ensure that the Community Remedy is appropriate and proportionate to the offence.

If there are multiple victims of the offence, the officer must 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 action it is appropriate for the offender to undertake.

Community Remedies, which are part of the Community Resolution process, are entirely voluntary. The officer should ensure the victim understands the purpose of Community Remedy and that the victim knows that they can choose not to be involved; however the final decision rests with the officer. Similarly, an offender may decide not to accept the proposed resolution and face an alternative course of action.

Anyone involved who is under 18 or vulnerable will need a family member, carer or responsible adult to assist them in understanding the purpose of community resolutions.

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 decide an appropriate action for the offender to undertake.

In all cases where victims are contactable their views should be sought and albeit the final decision rests with the officer every effort should be made to gain the satisfaction of victims involved. An apology should be the bare minimum and replacement of any material loss to the victim would usually be a matter of course. Community Remedy should recognise the emotional and psychological impact on the victim.

In all cases, the offender should apologise to the victim(s) and show remorse.

Whilst reparation should be the normal minimum, additional sanctions could be included in the Community Remedy in order to reassure the victim that the action will have lasting impact and prevent reoffending.

Option A The offender should repair any damage which they have caused to the victim or community. This may include paying for repairs or replacements if they can afford to, undertaking unpaid work to compensate the victim or community, and/or taking action to help relieve any distress caused.

Option B The offender should sign an Acceptable Behaviour Contract and agree not to behave anti socially in the future. If they do they will face more formal consequences.

Option C The offender should meet with people from the local community so that they understand the consequences of their behaviour. In addition, the offender may talk directly to the victim in a mediated environment, for example to solve a neighbour dispute.

To ensure a fair and transparent process, the police will publish a list of all cases where Community Remedies have been applied in the community for the public to read and scrutinise.

The process of applying Community Remedy

Low-level crime or anti-social behaviour takes place

- The offence is reported
- After investigation, the officer has sufficient evidence to identify the offender and take action
- The offender admits to the offence
- Victim(s) consulted where possible and Community Remedy process begins based on officers professional judgment and discretion

