

Essex, Southend and Thurrock - Community Remedy Document**Draft menu of options****Background:**

(The info below is drawn from the HO Statutory Guidance for Practitioners (July 2014))

Purpose: The Community remedy gives victims a say in the out of court punishment of perpetrators for low level crime and anti-social behaviour

The Community Remedy document: PCCs have a duty to consult with the public and community representatives on what punitive, reparative or rehabilitative actions they would consider appropriate to be on the Community Remedy Document.

Who can use the Community Remedy:

A Police Officer, PCSO or other person authorised by the relevant prosecutor for conditional cautions or youth conditional cautions.

When to use it:

- When dealing with anti-social behaviour or low level offences through a community resolution, the police office can use the Community Remedy document as a means to engage the victim in having a say in the punishment of the perpetrator.
- The Officer must have evidence that the person has engaged in ASB or committed an offence; the person must admit to the behaviour or offence; the officer must think there is evidence enough for court proceedings, or impose a caution, but considers that a community resolution would be more appropriate.
- The Community Remedy document should be considered when it is proposed that a perpetrator be given a conditional caution or youth conditional caution as a means of consulting the victim about the possible conditions to attach.
- All actions on the Community Remedy document must be appropriate and proportionate to the type of offence or ASB committed. They must seek to have a positive impact on the perpetrator.
- All actions must help improve public confidence in the use of out of court disposals
- All actions must be compatible with human rights.

Essex Community Remedy Document:

Our Community Remedy Document seeks to reflect restorative justice principles. It supports the victim by addressing the harm caused and seeks to reduce any future offending of the person responsible for the ASB/Crime.

The Essex Community Remedy document will encourage victims to choose from one or more of the following elements:

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Draft Menu: (when we publish this for public consultation, we can include examples under each one)

- Mediation between the victim and perpetrator
- A verbal or written apology from the perpetrator to the victim
- Perpetrator signing an Acceptable Behaviour Contract where they agree not to do certain behaviours or face certain consequences.
- Taking part in a Restorative Justice activity – for example, neighbourhood panel;
- Reparation to the community – where the perpetrator puts something back; for instance engaging in voluntary work.
- Paying an appropriate amount to the victim for damages to be repaired or stolen property replaced. (NB This would be managed by the police officer – not by Yots / probation etc)
- Taking part in structured activity that are educational or rehabilitative (paid for through the PCC commissioning budget).

How this would fit the 3 criteria of punitive, reparative and rehabilitative:

Elements available	Examples to be considered
Punitive element	Perpetrator could sign an Acceptable Behaviour Contract about how they will behave in the future, including potential restrictions on behaviour.
Reparative element	This could include: <ul style="list-style-type: none"> • Perpetrator could pay for damages to be repaired or stolen property to be replaced • Direct reparation to the victim agreed between victim & offender • an 'act' that would benefit the community and is reasonable and achievable.
Rehabilitative element	This could include: a verbal or written apology, Restorative Justice activity/process, Acceptable Behaviour Contract, Victim Awareness session,
Others:	<i>Any reasonable action</i> that is not described above but is an agreed outcome between the victim and offender and supported by the police officer investigating the incident or crime.

[NOT PROTECTIVELY MARKED]