



POLICE COMMISSIONER

Working For Merseyside

**Office of the Police and Crime
Commissioner for Merseyside**

Community Remedy Document

October 2014

Introduction

This Community Remedy Document is prepared in compliance with the requirements of the Anti-social Behaviour, Crime and Policing Act 2014.

In accordance with the Act, each Police and Crime Commissioner must prepare a Community Remedy Document for their area. The document can be revised at any time.

A Community Remedy Document is a list of actions to be carried out by perpetrators of anti-social behaviour or low level crime (i.e. offences without court proceedings also known as out-of-court disposals).

Actions within the Community Remedy Document must aim to result in one or more of the following outcomes:

- (a) Assist in the perpetrator's rehabilitation;
- (b) Ensure the perpetrator makes reparation for the behaviour or offence in question;
and
- (c) Punishes the perpetrator.

The Police and Crime Commissioner has agreed with Merseyside Police that they will make use of restorative justice and youth triage policies where appropriate for incidents of low level crime and anti-social behaviour.

For the purposes of this document, in line with the legislation, anti-social behaviour means:

- (a) Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
- (b) Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- (c) Conduct capable of causing housing-related nuisance or annoyance to any person.

Consultation

When preparing, or revising, the Community Remedy Document the Police and Crime Commissioner must take into consideration:

- (a) The need to promote public confidence in the out of court disposal process;
- (b) Have regard to guidance for community remedies set by the Secretary of State for community remedies; and
- (c) Consult and take account of the views of the following:
 - I. The chief officer of police
 - II. The local authorities for the area
 - III. Whatever community representatives the local policing body thinks it is appropriate to consult
 - IV. The public

Merseyside's Police and Crime Commissioner has fulfilled the above statutory requirements by having cognisance of the Secretary of State's guidance and through consultation with local authorities, police and public.

The Police and Crime Commissioner must agree the Community Remedy document with the chief officer of the police area. Once agreed, the Police and Crime Commissioner must publish the document.

The public consultation took place during September 2014, in the form of an online survey.

Purpose

The Community Remedy Document is designed to put victims at the heart of the response to anti-social behaviour by providing victims with a say in the out-of-court punishment of perpetrators for low-level crime and anti-social behaviour.

The Community Remedy applies when anti-social behaviour has occurred or an offence has been committed and:

- (a) There is evidence that an individual has engaged in anti-social behaviour or committed an offence;
- (b) The individual admits to the anti-social behaviour or offence;
- (c) There is enough evidence for taking proceedings against an individual for an injunction under section 1 of the Anti-Social Behaviour, Crime and Policing Act 2014, or for taking court proceedings, but a decision is taken that it would be appropriate that an individual carry out an action of some sort instead;
- (d) There is evidence that an individual has committed an offence and that it would not be more appropriate for the individual to be given a caution or a fixed penalty notice.

The Community Remedy will be delivered through the following authorised persons as defined within the Act:

- (a) A constable
- (b) An Investigating officer (Police officer)
- (c) A person authorised by a relevant prosecutor for the purposes of section 22 of the Criminal Justice Act 2003 (conditional cautions) or section 66A of the Crime and Disorder Act 1998 (youth conditional cautions).

Merseyside Community Remedies

Following public consultation the subsequent pan-Merseyside remedies have been agreed between Merseyside Police and Crime Commissioner, Merseyside's Chief Constable and each of Merseyside's local authorities.

- **Mediation**
- **A written or verbal apology**
- **The perpetrator signing an Acceptable Behaviour Contract/ Agreement, that is where the perpetrator agrees not to behave anti-socially in the future and will face more formal consequences if the contract is breached.**
- **Restorative justice resolution**
- **Participation in structured activities that are either educational or rehabilitative**

Review

The Community Remedy document will be reviewed annually by the Office of the Police and Crime Commissioner to ensure the document is applied appropriately and to help inform any changes to future versions of the document.

Signatures

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Rt. Hon Jane Kennedy
Police and Crime Commissioner for Merseyside

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Sir Jon Murphy QPM
Chief Constable Merseyside Police

Date: