

PFCC Decision Report

Please ensure all sections below are completed

Report reference number: 101-22

Classification Not protectively marked

Title of report: Community Remedy update 2022

Area of county / stakeholders affected: Countywide

Report by: Greg Myddelton

Chief Officer: Greg Myddelton

Date of report: 13th July 2022

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1. Executive Summary

- 1.1. This report seeks approval for the updated Essex Community Remedy Menu, and seeks sign-off for the associated website content update.

2. Recommendations

- 2.1. The PFCC is asked to approve the updated Community Remedy Menu (shown in section 4.4 below)
- 2.2. The PFCC is also asked to approve the updated content for the website

3. Background to the Proposal

- 3.1. The Community Remedy is intended to give victims a say in the out-of-court punishment of perpetrators of less serious crime and anti-social behaviour, including allowing them to consider a restorative justice approach.
- 3.2. The PFCC has an obligation under the Anti-Social Behaviour, Crime and Policing Act 2014 to develop and publish a Community Remedy document in consultation with the public and in collaboration with the Chief Constable. By approving this decision, the PFCC will ensure compliance with this

requirement. The Community Remedy document is, effectively, a menu of options that may, at the discretion of the officer dealing with an incident, be offered to a victim of ASB or “low-level” offence where a custodial or long-term community sentence is unlikely.

- 3.3. The menu includes activities that the offender could be asked to engage with which would result in a rehabilitative outcome for both victim and offender, rather than pursuing the matter through the courts.
- 3.4. This review of the Community Remedy has enabled Essex Police and the PFCC to garner feedback from local stakeholders including Community Safety Partnership representatives, operational colleagues in Essex Police and the public via representatives from Independent Advisory Groups in Colchester, Thurrock and Tendring. The feedback from IAGs was that this is a positive scheme, with some members giving accounts of the impact it had had on them personally.
- 3.5. This review will also feed-in to the broader Essex Police review of Anti-Social Behaviour which could provide an opportunity to improve awareness and the offer of the Remedy, referrals to Essex Restorative and Mediation Service, and increasing engagement and satisfaction with victims

4. Proposal and Associated Benefits

- 4.1. The Anti-Social Behaviour, Crime and Policing Act 2014 placed a requirement on Police and Crime Commissioners, in consultation with Chief Constables, to publish and publicise a Community Remedy Document to set out how victims of less serious crime and anti-social behaviour can have a say in the punishment of perpetrators who receive an out of court disposal. The menu provides a list of activities that a victim can select from. These actions must be appropriate and proportionate to the types of offences for which community resolutions are used and should have a positive impact on the perpetrator.
- 4.2. Essex’s Community Remedy menu was originally drawn-up in 2014 based on national guidelines and after consultation with the Essex public. It was further amended in 2016 following a 2-year review (this is the version currently published on the PFCC’s website). The latest version was reviewed and republished by Essex Police in 2021.
- 4.3. Essex’s Community Remedy document outlines a menu of options for low-level offences in order to improve public confidence in the use of out-of-court disposals and consider the views of the victim.
- 4.4. The Essex Community Remedy Menu includes;
 - Activity overseen by ERMS;**
 - Restorative Justice or Mediation
 - Activity overseen by Police Officer;**
 - Verbal apology
 - Acceptable Behaviour Contract
 - Financial Compensation
 - Activity overseen by Essex Police’s Out of Court Disposal Team;**

- Rehabilitative Behaviour to address offending behaviour
- Referral to relevant outside agency

4.5. Not all offences will be suitable for Community Remedy, and in some cases, not all options may be appropriate. If a Community Remedy is appropriate for a case, the options available will be fully explained to the victim by the Essex Police officer in charge.

5. Options Analysis

5.1. This review was considered necessary to ensure practice in Essex was consistent with national good practice, and to update the existing PFCC web-page which is due a refresh. The PFCC may chose not to adopt this menu and updated web-page, but the information publicly available would be inconsistent with current practice.

5.2. The PFCC may suggest additional options within the Community Remedy menu, but these proposed options have been deemed appropriate and suitable by CSPs, IAGs and operational police colleagues engaged as part of the review process.

6. Consultation and Engagement

6.1 This proposal was reviewed and approved by the PFCC's SMT on 28th September 2021. This was also approved on behalf of Essex Police by Supt Naomi Edwards on 13th July 2022.

7. Strategic Links

7.1. The Police and Crime Plan includes a specific priority to invest in crime prevention, which the Community Remedy seeks to achieve. The Plan also encourages greater use of Restorative Justice, which the Community Remedy Menu enables. In giving victims a say in how an incident is dealt with, this also has the potential to improve support for victims of crime.

8. Police operational implications

8.1. Essex Police will continue to utilise the Community Remedy for appropriate incidents.

9. Financial implications

9.1. No financial implications of this decision

10. Legal implications

10.1 Publishing the Community Remedy document ensures the PFCC and Essex Police continue to comply with the requirement to do so as specified in the 2014 Anti-Social Behaviour, Crime and Policing Act.

11. Staffing implications

11.1 No staffing implications for the PFCC

12. Equality, Diversity and Inclusion implications

- 12.1. The use of a Community Remedy Menu is subject to the discretion of individual officers but should be based on the crime type and context rather than an individual's characteristics.
- 12.2. The Officers dealing with incidents where use of a Community Remedy is appropriate would be expected to exercise their duty to ensure the victim understands what options are available to them. This should be tailored to each individual and circumstance.

13. Risks and Mitigations

- 13.1 No risks identified.

14. Governance Boards

- 14.1 This proposal was reviewed and approved by the PFCC's SMT on 28th September 2021.

15. Links to Future Plans

- 15.1 This work supports Essex Police crime prevention strategy.

16. Background Papers and Appendices

- 16.1. Proposed Community Remedy document (for publication on the PFCC's website)

If 'YES', please provide details of required redaction:

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Date redaction carried out:

Chief Finance Officer / Chief Executive Sign Off – for Redactions only

If redaction is required, the Treasurer or Chief Executive is to sign off that redaction has been completed.

Sign:

Print:

Chief Executive / Chief Finance Officer

Decision and Final Sign Off

I agree the recommendations to this report:

Sign: 

Print: Jane Gardner

Deputy PFCC

Date signed: 15 August 2022

I do not agree the recommendations to this report because:

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.....
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Sign:

Print:

PFCC/Deputy PFCC

Date signed: