

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 6: Local involvement and accountability

Section 101: The community remedy document

223. Sections 101 to 103 provide for the victim of low-level crime or anti-social behaviour to have a say in the determination of the punishment imposed on or actions required of the offender where he or she is dealt with by way of an out-of-court disposal. Section 101 requires the local policing body, namely the Police and Crime Commissioner or, in London, the Mayor's Office for Policing and Crime or the Common Council of the City of London, to prepare a "community remedy document" (*subsection (1)*).
224. *Subsection (2)* defines a community remedy document as a list of actions that might be carried out by an offender or a perpetrator of anti-social behaviour as a sanction without going to court. The local policing body must ensure that the actions in the community remedy document are reasonable and proportionate. The community remedy document could include actions such as paying compensation to the victim, making good any damage caused or mediation to resolve a dispute.
225. *Subsection (3)* specifies that actions in the community remedy document must be rehabilitative, restorative and/or punitive.
226. *Subsection (4)* requires the local policing body, when preparing the community remedy document, to consult the chief officer of police and local authorities within the force area, consult whatever community representatives are considered appropriate and carry out whatever public consultation is considered appropriate. This might include consulting with local faith leaders or leaders of community groups, holding public meetings, or putting up notices in prominent places within the community. *Subsection (4)* also requires the local policing body to have regard to the need to promote public confidence in out-of-court disposals and to any guidance issued by the Secretary of State, which must be published (*subsection (8)*).
227. *Subsection (7)* requires the local policing body to publish the community remedy document in whatever way is considered appropriate which might be, for example, on its and the police force's website.