Anti-social Behaviour, Crime and Policing Act 2014

2014 CHAPTER 12

PART 6

LOCAL INVOLVEMENT AND ACCOUNTABILITY

Community remedies

101 The community remedy document

(1) Each local policing body must prepare a community remedy document for its area, and may revise it at any time.

(2) A community remedy document is a list of actions any of which might, in the opinion of the local policing body, be appropriate in a particular case to be carried out by a person who—

(a) has engaged in anti-social behaviour or has committed an offence, and

(b) is to be dealt with for that behaviour or offence without court proceedings.

(3) For the purposes of subsection (2), an action is appropriate to be carried out by a person only if it has one or more of the following objects—

(a) assisting in the person's rehabilitation;

(b) ensuring that the person makes reparation for the behaviour or offence in question;

(c) punishing the person.

(4) In preparing or revising the community remedy document for its area a local policing body must—

(a) have regard to the need to promote public confidence in the out-of-court disposal process;

(b) have regard to any guidance issued by the Secretary of State about how local policing bodies are to discharge their functions under this section;

(c) carry out the necessary consultation and take account of all views expressed by those consulted.

(5) In subsection (4)(c) "the necessary consultation" means—

(a) consultation with the chief officer of police for the area,

(b) consultation with the local authority for any part of the area,

(c) consultation with whatever community representatives the local policing body thinks it appropriate to consult, and

(d) whatever other public consultation the local policing body thinks appropriate.

(6) A local policing body must agree the community remedy document for its area, and any revised document, with the chief officer of police for the area.

(7) Once the community remedy document, or a revised document, has been agreed with the chief officer of police, the local policing body must publish it in whatever way it thinks appropriate.

(8) The Secretary of State must publish any guidance issued under subsection (4)(b).

(9) In this section—

"anti-social behaviour" has the meaning given by section 2 (ignoring subsection (2) of that section);

"community representative", in relation to a police area, means any individual or body appearing to the local policing body to represent the views of people who live in, work in or visit the area;

"local authority" means—

(a) in relation to England, a district council, a county council for an area for which there is no district council, a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly;

(b) in relation to Wales, a county council or a county borough council;

'"out-of-court disposal process" means the process by which a person is dealt with under section 102 or by means of a conditional caution or youth conditional caution.