

Community Remedy Consultation Findings 2018

Background

Anti-social behaviour and low level crime affects people's lives on a daily basis. Acts such as vandalism, noise, drunkenness or harassment can have a real impact on individuals, businesses and whole communities. The Community Remedy was introduced in 2014 as a result of new legislation and is designed to introduce a simpler and more effective out-of-court solution to anti-social behaviour and low level crime, using locally available resources. It puts victims at the heart of the response, giving them a say in out of court punishment of people who commit low level offences.

Consultation Process and Participation

The Police and Crime Commissioner has a statutory duty to consult with the public on the options they would consider appropriate to appear within the Community Remedy for Northamptonshire.

An online survey was promoted across the county for a month in September 2018, with additional promotion through the OPCC newsletter, Neighbourhood Alert, social media platforms and by asking local authorities to promote through their channels. Young people were also engaged through Emergency Service Cadet schemes and with a Complementary Education Academy. In total 745 people responded, including 89 young people.

Examples of community remedy survey infographics that were promoted via social media are below:

Community Remedy

If someone sprays your fence with graffiti, would you be happy if they admit it, say sorry and clean up the mess?



Tell us what you think about the community remedy as a way of dealing with low-level crime and anti-social behaviour.

Take out survey at www.northantspcc.org.uk/communityremedy



Community Remedy

The community remedy puts victims at the heart of justice and gives them a say in how an offender can make amends

<p>Reparative justice - pay for the damage / repair the damage</p> 	<p>Restorative justice -</p> <ul style="list-style-type: none">• letter of apology• face to face meeting with the victim• written explanation from offender 
<p>Rehabilitative justice - attend treatment for drug / alcohol issues or receive mental health support</p> 	<p>Behaviour agreement - sign an agreement not to do it again</p> 



Tell us what you think about the community remedy as a way of dealing with low-level crime and anti-social behaviour

Take our survey at www.northantspcc.org.uk/communityremedy

Example below of local authority promotion.



Results

A large number of people agreed that their preference would be to use a selection of options from the community remedy, and that it would very much depend on the individual situation of the victim and offender; e.g. the victim may like the offender to pay financially or they might be satisfied with

unpaid work being undertaken. However questions were asked about specific elements of the community remedy individually.

Reparative Justice

When asked “How much do you agree or disagree with these options being offered as part of the community remedy;

Providing the victim with financial compensation to repair or replace the damage? The offender personally repairing damage (e.g. cleaning of graffiti or repairing a fence panel) Undertaking unpaid work at a venue agreed with the victim?”

91% of respondents were in agreement with reparative justice being offered within the community remedy options. A full breakdown is below.

Strongly agree*	Agree	Neither agree nor disagree	Disagree	Strongly disagree
56%	35%	6%	2%	2%

*Percentages may not always add up to 100% exactly due to rounding error.

There were 514 comments made about reparative justice, with the top 5 themes relating to:

31%	<p>Offenders should understand the impact of crime, that actions have consequences and they should take responsibility:</p> <p><i>“because having to compensate someone teaches the people value of the damage they cause and what people have to go through to put things right”</i></p> <p><i>“They need to understand right from wrong and pay back for any damage caused”</i></p> <p><i>“The criminal should understand his/her responsibility within society. For every action there is a reaction.”</i></p> <p><i>“The offender needs to realise, bad behaviour is not acceptable in a decent society and needs to make amends.”</i></p>
15%	<p>This is a positive approach and has benefits for victims:</p> <p><i>“Gives victim and offender chance to build up trust again and helps victim fix problem and help offender rehabilitate.”</i></p> <p><i>“Makes it more personal and offender accountable for their actions directly with the victim who can see the punishment and benefit from it.”</i></p>
12%	<p>The offender should be made to pay for the damage, but it must be enforceable and realistic:</p> <p><i>“Recompense and compensation should always be greater the cost of the crime (I would go as far as saying for every £1 of loss should carry £2 of compensation)”</i></p> <p><i>“Agree to financial compensation, but you want the damage to be repaired properly. Would the offender have the skills to do that in all cases?”</i></p>

	<i>"However others were concerned about the cost; "I am concerned of the financial repayment part if they are unemployed as a lot of offenders are as repayment of say £2 a week is pointless"</i>
11%	<p>The offender should be made to undertake work in the community, to repair the damage or undertake other forms of unpaid work;</p> <p><i>"the offender is more likely to understand the consequences of his/her actions if there is physical work/cleaning involved, also feel the financial costs"</i></p> <p><i>"If the crime doesn't warrant a custodial sentence and a fine is only likely to be taken at £1-2 a week then the offender should be made to do unpaid worker either for the victim or the community where the offence took place"</i></p>
6%	<p>Others felt community remedy options were too soft on offenders and would not act as a deterrent, and other processes such as courts should be used;</p> <p><i>"this will only be possible if the police investigate and can take the offender to court otherwise there will be no sanction to make them repair the damage done."</i></p> <p><i>"It depends of the crime really, I was broken into early this year no amount of money would help me feel more secure in my home, plus punishment won't do any good as they will only commit crime elsewhere."</i></p>

The comments gathered from young people were very similar to that of adults, with the highest amount of comments from young people in agreement that the use of reparative justice is a positive approach.

"both the offender and the victim can start a fresh after they fix the damage"

"actually help the victim as they repair damage done"

However individual young people were concerned about whether they would be able to afford to pay for any damages done; *"only for minor damages as young people couldn't afford it"*

Restorative Justice

When asked

"How much do you agree or disagree with these options being offered as part of the community remedy?"

For the offender to provide the victim with a letter of apology. To have a face to face meeting hosted by an independent facilitator, between the victim and offender, where the offender has agreed to apologise, and the victim is able to discuss the impact it has had on them."

Over half of respondents (53%) were in agreement with restorative justice being offered within the community remedy options, the full breakdown is below.

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
25%	28%	22%	16%	9%

A greater number of people neither agreed nor disagreed, this is reflected in the respondent's comments. This may be due to the various forms in which restorative approaches can be utilised; from having a letter or messages passed between an offender and victim, to having a face to face meeting. Respondents tended to prefer some forms of restorative approaches more than others, and this seemed very dependent on the individual. Some felt that a letter did not act as a deterrent, and did not want to meet an offender, whilst others preferred a face to face approach. Others wanted a greater understanding of what a restorative approach would involve, particularly in terms of a face to face meeting, and wanted reassurance that victims would have a choice.

A summary of the top four themes from the 515 comments made are below;

33%	<p>People spoke positively about using restorative approaches, particularly face to face facilitated meetings between the victim and offenders, and how this approach allows offenders to understand the impact and consequences of the crime and to take responsibility.</p> <p><i>"The offender directly sees the inconvenience and suffering their actions have caused."</i></p> <p><i>"It would help the offender to confront the outcome of his/her crimes and maybe learn from the victims view of the crime"</i></p> <p><i>"Communication and understanding is always a good thing"</i></p> <p><i>"Very positive that the victim receives an apology and has chance to tell the offender how the offenders actions affected them."</i></p>
21%	<p>The approach used needs to be agreed by the victim and of their choosing, including concerns about the wellbeing of the victim going through a face to face meeting and concerns about repercussions;</p> <p><i>"Depends on how much victims are suffering as they might not want this"</i></p> <p><i>"This is pointless and would introduce the victim to the offender and could possibly put them in jeopardy of repeat behaviour."</i></p> <p><i>"this should only be the case if the victim chooses this option"</i></p>
19%	<p>Restorative approaches do not act as a deterrent or punishment</p> <p><i>I wouldn't find that to be much of an impact of incentive for offenders to change</i></p>

	<i>It's too easy to write a letter or to say sorry - actions speak louder than words</i> <i>I wouldn't appreciate receiving a letter of apology if my property had been damaged</i>
14%	Concern that offenders will go through the process without being genuinely remorseful <i>"Can't see how this would help as the offender's would just say what they know people would want to hear."</i>

Overall young people had a similar views to adults, however they tended to be more positive and open to the use of restorative approaches when compared with adults, and several commented that restorative approaches enabled the offender to show they were sorry for what they had done.

Rehabilitative

Respondents were asked

"How much do you agree or disagree with these options being offered as part of the community remedy?"

For the offender to agree to undergo a rehabilitative course e.g. to address alcohol or drug issues. Typically the offender would pay to attend this course. Trauma related support for those with specific mental health needs."

In response 81% agreed that rehabilitative options should be included.

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
49%	32%	13%	4%	3%

The top five themes that arose from the 764 comments made were;

34%	Support should be offered to offenders particularly to deal with the root causes e.g. addictions, mental health needs, concerns that current support services particularly around mental health are not resourced to achieve the level of support needed; <i>"Drugs and alcohol are a huge problem with crime. They need help to start a new crime free life"</i> <i>"No doubt that offenders may have mental health issues and need help. If it can be given - to prevent reoffending- then it should be available"</i>
21%	Focussing on rehabilitation is positive, and it will help reduce re-offending; <i>"This remedy goes to the heart of the cause of the behaviour and provides an opportunity to prevent recurrence of offending behaviour"</i>

	<i>"It must be a desirable outcome that some offenders may possibly stop their offending behaviour and lead a useful life that would ultimately be cost effective for tax payers and the greater community at large."</i>
18%	<p>Concern over how offenders will afford to pay for any courses, and will this lead to defaults on payments, or the general public having to pick up the cost? Others disagreed and thought offenders should be made to pay;</p> <p><i>"The difficulty would be to make them pay if they are of limited means. Which is likely to be the case."</i></p> <p><i>"Most would not be working so how would they pay?"</i></p> <p><i>"expect they would default on attending/paying"</i></p> <p><i>"Only if the perpetrator can pay not us"</i></p>
6%	Other comments that could not be easily categorised — several comments related to being unsure if this would work effectively or specific comments on issues in their local neighbourhood relating to drugs or alcohol
6%	<p>Concern that not all offenders will attend, and those that do must want to attend</p> <p><i>"For this to work the offender needs to want it"</i></p> <p><i>"Alcohol or drug help will only work if the offender wants to participate, not if they are forced to."</i></p>

Young people were particularly positive about offering rehabilitative options and dealing with the root causes of their behaviour;

"the offender gets the correct help needed rather than sending them out to do it again"

"I strongly agree with this because rehabilitation courses can change people's lives for good"

"they can break away from addiction"

Behaviour Agreement

Respondents were asked;

"How much do you agree or disagree with this option being offered as part of the community remedy?"

Signing an agreement where the offender agrees not to repeat such behaviour in the future."

There was less agreement with behaviour agreements being included (45% agreed)

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
23%	22%	23%	16%	17%

Of the 463 comments that were made the top 5 themes were as follows;

<p>47%</p>	<p>There was concern that behavioural agreements are not effective</p> <p><i>“they may sign anything to get away with it, but it just would not work”</i></p> <p><i>“Depends whether they stick to the agreement or cynically sign one to get off further punishment. Doubt it would really be effective except for the very young.”</i></p>
<p>22%</p>	<p>How behaviour agreements will be monitored and if they are not adhered to then what consequences there would be?</p> <p><i>“Depends on the consequences if they break the agreement as they has to be some form of reason to sign”</i></p> <p><i>“If they sign this there must be some penalty if they breach this.”</i></p> <p><i>“Enforcement of such an agreement would be difficult.”</i></p> <p><i>“Can this be satisfactorily monitored and enforced?”</i></p>
<p>9%</p>	<p>Behaviour agreements do not act as a deterrent and are too soft a punishment;</p> <p><i>“Unlikely to work long term without deterrent”</i></p> <p><i>“No, this is too soft an option. Northamptonshire should lead the way with no nonsense policing and have a real hard line to crime prevention (send out the message that if you’re a criminal then Northamptonshire is not the place to be)”</i></p>
<p>6%</p>	<p>Behavioural agreements are useful and a good idea;</p> <p><i>“ABCs are a valuable tool especially if they are linked to social housing”</i></p> <p><i>“This seems a beneficial option where the offender is not subject to criminal proceedings”</i></p>
<p>6%</p>	<p>Concern that people will still re-offend</p> <p><i>“Waste of time...most offenders would re-offend given the chance”</i></p> <p><i>“By signing an agreement does not necessarily mean that the behaviour would not be repeated”</i></p>

Young people’s top comments were again similar to adults in response to behaviour agreements, they were concerned about them being not effective and that people would still reoffend. However young people were more positive in their comments than adults about the use of behaviour agreements.

Ideas of other options that could be included within community remedy

Respondents were asked to provide ideas for any options they thought were missing from within the current community remedy list. Several used this opportunity to give their views about community remedy in general, the top 6 themes are below (316 comments made in total).

30%	<p>Wanted harsher punishments</p> <p><i>“Crime should be met with punishment. There are far too few offenders being caught for the crimes they've committed. I know there are issues with funding and overcrowding in prisons etc. This cannot be dealt with at this level. I really believe that low level crooks think they can just help themselves to what isn't theirs. I have been a victim of crime. I have had my van broken into a few times. The police don't even visit. I have to pay an excess on my insurance and then my premiums go up. It's just so frustrating.”</i></p> <p><i>“Harsh sentences for first time offenders to hopefully put them off doing it again. Should do more community work”</i></p>
11%	<p>For offenders to give up their own time within the community, or to apologise to the wider community</p> <p><i>“A public apology forum, newsletter, website etc. where offenders can voluntarily offer their story and apology it increase access to understanding in the wider community, even if it was anonymised”</i></p> <p><i>“More community service based options e.g. clearing rubbish from the street or parks to address joint antisocial crime.”</i></p>
11%	<p>There needs to be a change to how communities are policed, including greater availability of resources</p> <p><i>“A move towards zero tolerance or as best we can manage. That would need government support and funding which is highly unlikely. We are slowly losing control with lower level crime and disorder becoming the norm. It is now far more normal and expected that low level will never get deployed or action taken anyway. It is recognised there are less police, less staff to support, a huge increase in workload and far less likely to see a cop or get a response. If we act quickly we may prevent the decline before generations find this level acceptable and normal.”</i></p>
7%	<p>Additional support needed for victims and offenders</p> <p><i>“Both victim and offender should be able to call on support for as long as they need it.”</i></p> <p><i>“Free first time rehabilitation. Referrals to counselling.”</i></p>
6%	<p>Education on the impact offending has, and in developing positive morals and values;</p> <p><i>“Offenders should be required to watch a documentary showing the devastation caused by their actions to the victims.”</i></p> <p><i>“Consequences need to be taught from nursery age.”</i></p>
6%	<p>Other ideas</p> <p><i>“If victim does not want to meet offender, offender should be made to visit other victims of similar crime to see the impact it can have.”</i></p> <p><i>“For the offender to suggest as to how they may make matters right”</i></p>

	<p><i>“Suggest a points system or a weekend rehabilitation similarly to traffic school for small or petty crimes”</i></p> <p><i>“11 - 18yrs should be offered a mentor to help them, someone to talk to every week”</i> <i>(comment from a young person)</i></p>
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Other general comments

Respondents were asked for any other comments they had on the subject of community remedy

The top three themes from the 296 comments related to:

General comments about the police

“A police presence is needed. Saying drug takers unconscious in a kids park is not a police matter is not good enough. I took my child home as I did not want them to see”

“more police on the streets would help reduce anti-social actions”

Community remedy being a positive approach

“Anything that can help offenders feel accountable for their actions is important”

“I would like to see low level crime dealt with more effectively and quickly this seems like a reasonable solution”

“I think it is a good way to help people with problems and offer help. It keeps people out of prison for silly reasons” (young person)

Concerns that community remedy will not work

From my point of view I do not think that offenders care about how they treat others, so I am not entirely sure if any of these remedies would work out

Too soft, too short sighted, insufficient punishment and insufficient support for victims.

Conclusion

The survey shows that a range of options are needed as respondents varied in their preferences for options within the community remedy. Some respondents would also like to choose several options if allowed, dependent on the situation of both the victim and/or offender.

There was general support for reparative, restorative and rehabilitative forms of out of court disposal. There is less support for the behaviour contracts, although this is a legislative option for anti-social behaviour. However even in this case there are some people who would support his option.

As such by March 2019 the menu of available options for the Community Remedy will be:

- Reparative
- Restorative
- Rehabilitative
- Behaviour Contracts (for anti-social behaviour only)

It will be for the officers in the case, in conjunction with the victim, to determine what the most appropriate form of disposal will be for a particular case.

The OPCC will work with the Force to ensure that the broadest range of options are available under each heading, with a particular focus on ensuring that rehabilitative options are in place for a range of different needs.

The OPCC are committed to the following:

- Increasing the use of reparative options where repairing the harm is the choice of victims.
- Ensuring every victim gets the opportunity to take part in Restorative Justice, whether as a part of an out of court disposal or otherwise.
- Taking forward a number of ideas that arose from this consultation by increasing the rehabilitative and educative courses available as an option. This will include in 2019 an increase in the use of drug and alcohol courses, introducing a victim awareness course (this will include victims explaining their experiences so that offenders understand the impact the crime or anti-social behaviour had on them). A specific course will be run for female offenders looking at the underlying reasons for why crime took place, including trauma related experiences.