

APPENDIX C

COMMUNITY TRIGGER APPEAL PROCESS

Should the ASB victim(s) be not content with the outcome of a case review, a community trigger **may only** be escalated to the Commissioner's office where one of the following measures is satisfied:

Measures:

1. The community trigger review has failed to consider a relevant process, policy or protocol;
2. The community trigger review has failed to consider relevant factual information.

The role of the Office of the Police and Crime Commissioner will be to consider due process and ensure that the Community Safety Partnership has properly and effectively undertaken a review. In considering a community trigger escalation the Office of the Police and Crime Commissioner can either:

Outcome:

1. Uphold the appeal and refer the case back to the Community Safety Partnership asking them to consider a particular process, policy or protocol not previously considered;
2. Determine that the Community Safety Partnership has reviewed the case, considering all relevant policies, process and protocols satisfactory in line with its Community Trigger Procedure.

A community trigger review cannot be escalated where a complainant is dissatisfied that a particular agency has not utilised a particular enforcement tool and where it has been established through the review that appropriate consideration has been given to the use of that tool but, having consideration of the facts and relevant protocols, that agency has determined that it would not be appropriate to utilise the enforcement tool.

The appeal process will essentially be a desk top review and will not involve hearings or meetings with victims although the Commissioner may consider meeting with victims in exceptional circumstances. The Commissioner's appeal process will be subject to periodic review to ensure that victims interests are adequately considered.

Should the victim wish to invoke the Appeal procedure this should be done through the relevant local Community Safety Partnership (CSP) who will make the referral to the Commissioner's Office submitting all relevant paperwork together with the grounds for the appeal (i.e. why measures 1 or 2 or both have not been met). The Commissioner's office will undertake the appeal and let the victim(s) know the outcome (either 1 or 2 above) as soon as possible.