

Dyfed Powys Police and Crime Commissioner

Community Trigger Appeal

(Section 104, ASB Crime & Police Act 2014)

If an Anti-Social Behaviour (ASB) victim(s) is not content with the response that they have received from the Dyfed Powys Anti-Social Behaviour Group, a community trigger can be escalated to the Office of the Police and Crime Commissioner (OPCC) where one of the following measures is satisfied:

Measures:

1. The decision provided outlining why the case did not meet the threshold for a Community Trigger Review has failed to provide sufficient detail to understand why a review did not take place
2. The community trigger review has failed to consider a relevant process, policy or protocol;
3. The community trigger review has failed to consider relevant factual information.

Please Note: During a case review, the use of a particular enforcement tool may have been considered. When considering the facts and relevant protocols, it may have been determined that it would not be appropriate to utilise that enforcement tool. If an enforcement tool has been considered and the outcome explained to the ASB victim, then a community trigger review cannot be escalated to the OPCC because the ASB victim is dissatisfied with the outcome of the decision concerning the enforcement tool.

The role of the OPCC will be to consider due process and ensure that Dyfed Powys Anti-Social Behaviour Group has properly and effectively undertaken a review. In considering a community trigger escalation the OPCC can either:

Outcome:

1. Uphold the appeal and refer the case back to the Dyfed Powys Anti-Social Behaviour Group asking them to consider a particular process, policy or protocol not previously considered;
2. Uphold the appeal, outlining the relevant factual information that has not been considered by the Dyfed Powys Anti-Social Behaviour Group when reaching their decision;
3. Not Uphold the appeal i.e. Determine that the Dyfed Powys Anti-Social Behaviour Group has reviewed the case by considering all relevant factual information, policies, process and protocols satisfactory in line with its Community Trigger Procedure and reached an informed decision.

The appeal process will essentially be a desk top review and will not involve hearings or meetings with victim(s).

Should the victim wish to invoke the Appeal procedure, this request should be made directly to the OPCC within 28 days of receiving the community trigger application outcome from the Dyfed Powys Anti-Social Behaviour Group. All relevant paperwork together with the grounds for the appeal (i.e. why measures 1, 2 or 3 have not been met) need to be submitted. The Commissioner's office will undertake the appeal and let the victim(s) know the outcome (either 1, 2 or 3 above) as soon as possible, and in any case within 30 working days.

Please Note: The OPCC decision is final and cannot be appealed.

Community Trigger Appeal Application

Please complete the details requested below and send your completed appeal application to the OPCC – contact details can be located at the end of this application.

1. Title:

2. Name:

First

Last

3. Address:

Address Line 1:

Address Line 2:

City:

County:

Postcode:

4. Phone:

5. Email:

6. What are you appealing against? (Please place a 'X' in the appropriate box)

1. The decision provided outlining why my case did not meet the threshold for a Community Trigger Review has failed to provide sufficient detail to understand why a review did not take place

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

3. The community trigger review has failed to consider relevant factual information.

7. What date did you receive the decision that you are appealing against?

8. Why are you appealing? If you can explain what aspect of your Community Trigger Case Review or Decision not to Review that you are unhappy with and why, it will help the OPCC when considering your appeal (please continue on a separate sheet of paper if required and attach to this appeal form)

9. Please attach any supporting documentation to this appeal.

Please Note: When the OPCC receives your appeal they will need to obtain all of the information relevant to your case from the Dyfed Powys Anti-Social Behaviour Group in order to review that information and consider your appeal. By submitting your appeal to the OPCC, you are agreeing for the OPCC to request your case information from the Dyfed Powys Anti-Social Behaviour Group in its entirety.

Please return your completed application form to: opcc@dyfed-powys.police.uk

Alternatively please post to;

Dyfed-Powys Police and Crime Commissioner
OPCC
PO Box 99
Llangunnor
Carmarthen
Carmarthenshire
SA31 2PF

Declaration:

I declare that the information I have provided on this form is honest and accurate to the best of my knowledge.

ASB Victim Signature: _____

Date:
