



The Future Model of Community Justice in Scotland

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

The Highland Council

Title Mr Ms Mrs Miss Dr Please tick as appropriate

Surname

Forename

2. Postal Address

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3. Permissions - I am responding as...

Individual

/

Group/Organisation

Please tick as appropriate

- (a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate

x Yes No

- (b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

- (c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your response to be made available?

Please tick as appropriate
Yes

Yes, make my response,
name and address all
available

or

Yes, make my response
available, but not my name
and address

or

Yes, make my response
and name available, but
not my address

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

Yes

CONSULTATION QUESTIONS

Chapter 2

Question 1: Do you have any general comments on the overview of the new arrangements for community justice?

- It ensures that the strategic planning and operational delivery of community justice remains within local communities and response to local needs.
- The introduction of a national body for community justice should help to ensure services to offenders remain a priority nationally and locally.
- The lack of costing of the new model is a concern. There will be cost implications for Community Planning Partnerships (CPP), including start-up costs, and this cannot be absorbed from within existing resources. There are also implications for partner organisations.
- Funding of criminal justice social work should be clearly defined to afford protection for this area of work and to ensure the problems that arose in the 1980s are not replicated.

Chapter 3

Question 2: What are your views on the governance and accountability arrangements?

- Joint political agreement between Local Government and Scottish Government for the commissioning and delivery of pan-Scotland services is welcomed.
- The role of the Criminal Justice Improvement Board (CJIB) in relation to CPPs to 'advise and recommend', for example on improvement actions, is supported. However the body tasked with delivering community justice outcomes is also required to report to government on the quality and performance of local government.
- Collective responsibility through a single plan is vital to the successful delivery of outcomes for offenders.
- CPPs have no power in their own right and will depend on the commitment of partner agencies. This could create problems, e.g. the duty to prioritise preventative approaches to reducing reoffending.
- The detail around what is meant by "preventative approaches to reduce reoffending" and what the statutory duty will entail is very limited and more detail is required. This could have far reaching implications for how services are configured and delivered.
- Community and 3rd sector interests are already an integral part of the landscape and the need to include a "responsibility" is questioned.

Chapter 4

Question 3: What are your views on the arrangements for local strategic planning and delivery of services for community justice?

- The proposals are broadly supported although a considerable amount of detail requires to be worked through locally.
- The early transition to the new arrangements is similarly welcomed.
- There are, however, cost implications to support these new arrangements and this requires careful consideration and a commitment from Scottish Government to fund, including start-up costs.
- It will be challenging to ensure equal representation from national and local organisations within 32 CPPs.
- The new arrangements should further strengthen the links and integration of MAPPA locally and no significant changes are required to a structure that works very well.

Chapter 5

Question 4: What suggestions do you have on how a national performance framework for community justice in Scotland could operate under the new model?

- A national performance framework is welcomed. However, this will be a difficult task to develop without becoming overly bureaucratic and complex.
- It must be fit for purpose, realistic and achievable and avoid duplication.
- It should align with other national performance frameworks.
- It needs to strike a balance between what is currently required locally and will be required in the future.
- The existing ability of organisations to provide data must be taken into consideration and any additional requirements locally will require to be adequately resourced.

Chapter 6

Question 5: What are your views on the functions to be delivered by Community Justice Improvement Scotland?

- There is a contradiction in the CJIS being the 'representative' and 'professional' voice of community justice – how can it speak on behalf of a range of local and national organisations when members are appointed individually?
- There is, therefore, the potential for an inherent tension to emerge between CJIS and local CPPs and local/national organisations.
- The language used in relation to the CJIS suggests that the national body is a supporting structure rather than a responsible agency and this is supported.
- However, the detail and definitions in the legislation will be key to providing reassurances in this regard, particularly given the CJIS function to, for example, recommend improvements.
- Whilst there is scope for the CJIS to play a useful role regarding the 3rd sector, there is a potential tension between local needs and national ones, particularly surrounding commissioning of national services. The current Venture Trust Chance for Change programme is an example of a programme that arguably should continue to be delivered nationally. However, it is

important CPPs are able to make decisions based on local need and priorities, including the ability to opt out if local circumstances change after an initial decision to opt in.

- It is reasonable to expect national organisations to also produce reports to say how they are meeting reducing reoffending outcomes.
- There is no mention of links between Community Justice Improvement Scotland and the Care Inspectorate. The Care Inspectorate has a clear role in working with other inspection bodies in monitoring the standards and outcomes in community justice services.

Question 6: Does the name “Community Justice Improvement Scotland” adequately reflect the responsibilities of the new national body and the functions?

- There is a potential for confusion with Improvement Scotland’s role with CPPs.
- ‘Improvement’ suggests doing something to or adding to and bringing about change. As configured, this term may suggest powers beyond that currently envisaged for CJIS, i.e. advising/recommending.

Chapter 7

Question 7: Are the skills and competencies in paragraph 105 and referenced in paragraph 106 sufficient to allow the body to fulfil its functions as noted in Chapter 6?

- No comment

Question 8: Is the organisational structure shown at Figure 3 and the expected size of the staffing complement sufficient to allow Community Justice Improvement Scotland to fulfil its functions as noted in Chapter 6?

- The intention not to create a large bureaucratic organisation is very much welcomed.
- However, given the remit as envisaged for CJIS inevitable tensions may arise in fulfilling its functions and the risk is that if left unchecked it will grow in size and cost.
- It is vital that CJIS understands the complexity of delivering services in large rural areas where the challenges are very different than in the central belt and big cities, e.g. transport and providing equity of service to customers, and the financial challenges this brings.

Question 9: What other suggestions do you have for the organisational structure for Community Justice Improvement Scotland to allow it to fulfil its functions as noted in chapter 6?

- No comment

Question 10: What are your views on the proposed location for the headquarters of Community Justice Improvement Scotland?

- Wherever this is cost effective.
- Comprehensive video conferencing/electronic communication facilities must be available.

Chapter 8

Question 11: Are the professional areas noted in the list at paragraph 114 appropriate to allow the Board of Community Justice Improvement Scotland to fulfil its functions?

- As noted in Q8, expertise and experience in the list should reflect what works across the whole of Scotland, including remote and rural island and mainland locations.

Chapter 9

Question 12: What are your views on the arrangements for the national Hub for innovation, learning and development?

- The point made above about the legitimacy of speaking on behalf of a range of local and national organisations needs to be borne in mind.
- The Hub, therefore, must not cut across other practice arrangements and bring added value if it is to be effective.
- The proposal for specialist training for aspects of criminal justice social work, e.g. Moving Forward: Making Changes, is welcomed as would be the retention in some form of the national Training & Development Officers.

Chapter 10

Question 13: What are your views on the arrangements in support of the transition process?

- Highland welcomes the opportunity to work with CJAs during the transition phase and to benefit from their expertise in the area of strategically planning and monitoring of community justice services.
- As alluded to above, the new model will depend on the appropriate support structures being put in place for CPPs and sufficient resources being available. The financial implications to CPPs are not known and the lack of costing for the new model is of concern.

Chapter 12

Question 14: What impact on equalities do you think the proposals outlined in this paper may have on different sectors of the population?

- As referred to above, ensuring the needs of remote rural and island communities are met equally with those of more urban areas is crucial in terms of equality.

- Prioritising preventative approaches might lead to discrimination if offenders are prioritised for mainstream services based on their conviction rather than need set against the non-offending population.

Chapter 13

Question 15: What are your views regarding the impact that the proposals in this paper may have on the important contribution to be made by businesses and the third sector?

- No comment

