

## The Highland Council

### Education, Children and Adult Services Committee 20 May 2015

Agenda Item	18.
Report No	ECAS 47/15

#### Redesign of Community Justice

#### Report by Director of Care and Learning

##### Summary

This report sets out the requirement for new governance and planning arrangements for Community Justice Services. Options for local arrangements are outlined, and it is recommended that these are considered by the Community Planning Partnership.

#### 1. Background

- 1.1 At present, strategic planning for Community Justice Services in Highland is undertaken by the Northern Community Justice Authority (NCJA) - one of 8 Community Justice Authorities in Scotland. The membership of the NCJA also includes Aberdeen City, Aberdeenshire, Moray and the 3 island authorities.
- 1.2 While operational responsibility for Criminal Justice Social Work Services within Highland lies with Highland Council, the role of the NCJA is to plan, co-ordinate, monitor and report on the delivery of offender services, and to produce a strategic plan for the area, in consultation with statutory and non-statutory partner bodies.
- 1.3 In December 2012, the Scottish Government began consulting on the future of Community Justice structures, following recommendations published in the Women Offenders Commission report and Audit Scotland's Reducing Reoffending in Scotland report.
- 1.4 A range of consultations and discussions have taken place since. The Scottish Government published its response to the final consultation in December 2014, and the Community Justice (Scotland) Bill was published on 7<sup>th</sup> May 2015.
- 1.5 The Government has define Community Justice as "the collection of agencies and services in Scotland that individually and in partnership work to manage offenders, prevent offending and reduce reoffending and the harm that it causes, to promote social inclusion, citizenship and desistance". The new model for Community Justice will see local strategic planning and oversight of services being delivered by Community Planning Partnerships.
- 1.6 The Scottish Government intend to place a duty on Local Authorities, NHS Boards, Police Scotland, Scottish Fire and Rescue, Scottish Courts, the Scottish Prison Service and Skills Development Scotland to cooperate with each other on delivering improved outcomes for Community Justice. They also require the involvement of Third Sector and community based organisations, communities and service users in the planning and delivery of services in their area.
- 1.7 A new national body, Community Justice Scotland, will provide leadership and a focus on improved outcomes for community justice.

## **2. Future model for Community Justice**

- 2.1 Community Justice Authorities will be disbanded. Local strategic planning and delivery of services and outcomes relating to reoffending and offender management, will be undertaken through Community Planning Partners. There is no requirement to establish distinct Community Justice partnerships; it is possible to collaborate with existing structures but there is a requirement to establish local partnerships.
- 2.2 The Community Planning Partnership will be required to prepare and publish a local plan to deliver improved outcomes for Community Justice in their area. They will be required to report on progress of the plan on an annual basis. Community Justice Scotland will use these plans to review performance management, innovation and share best practice.
- 2.3 Community Planning Partnerships will not be directly accountable to Community Justice Scotland for their performance. Local elected members will continue to have a key role in the accountability arrangements of the new model.
- 2.4 Community Justice Scotland will be responsible for: promoting the national strategy; overseeing and keeping Scottish Ministers informed about the performance of community justice; and promoting and supporting the improvement of community justice and the effective use of resources. They will also have responsibility to promote public awareness of the benefits of sentencing offenders through community disposals, and supporting offenders in the community in order to reduce reoffending.
- 2.5 The Government has set up a Redesign and Performance Management Project Board to oversee the redesign of Community Justice Services. There are 8 work streams: Legislative and Legal Framework; Human Resources; Resources; Outcomes Performance and Accountability; Learning and Development; Community Planning Partnership Transition; Establishment of a National Body; and National Strategy.
- 2.6 Timescales for the full introduction of the future model are dependent on the progress of primary legislation. Work is underway to support the Community Planning Partnership transition process. The Scottish Government anticipates that Community Planning Partnerships will be able to assume responsibilities for the new model in transition from 1<sup>st</sup> April 2016, with the full model coming into effect on 1<sup>st</sup> April 2017. Community Justice Authorities will be abolished on 31<sup>st</sup> March 2017.

## **3. Options in Highland**

- 3.1 A new structure could be established for Community Justice Services in Highland, involving a strategic committee, involving Community Partner representatives as members.
- 3.2 However, Officers believe that there are existing structures that can be built upon, and that the Education, Children and Adult Services Committee could continue to act as the strategic committee, with decision making authority delegated to an enhanced and extended Criminal Justice subcommittee.
- 3.3 As indicated by Scottish Government guidance, the extended membership of the subcommittee would include Police, Fire and Rescue, NHS Highland, Skills

Development Scotland and the Third Sector. The plan for Community Justice in Highland would be discussed and agreed by this group before Community Planning Partnership meetings.

- 3.4 A second option, could be that the Community Safety, Public Engagement and Equalities Committee acts as the strategic committee, but this would appear to break the link with other key and related matters that are considered at the Education, Children and Adult Services Committee.
- 3.5 A third option would be for the CPP Community Safety Group which currently has a focus on Anti-Social Behaviour to have a wider remit in considering the Community Justice plan for Highland. However, this group is not currently a governance committee, and does not have a scrutiny remit.

#### **4. Implications**

- 4.1 **Resource** – Currently, planning activities for Community Justice are undertaken by the Community Justice Authority. The Government have agreed to allocate each local authority £50,000 additional funding for 3 years to plan for the new model in April 2017. The intention is for this funding to be used to involve partners, secure funding from them and work with the CJA in preparing a transition plan. There is no other additional funding available to the local authority for these new responsibilities. The funding levels currently allocated to Criminal Justice Social Work are currently being reviewed.
- 4.2 **Legal** - Community Justice Plans will be submitted to Community Justice Scotland who will scrutinise the plans, in relation to performance, improvement and national outcomes.
- 4.3 **Equalities** - Community Justice Plans will ensure that resources meet the needs of all in the community and that appropriate services are available for women, people with disabilities and people whose first language is not English.
- 4.4 **Climate Change/ Carbon Clever and Risk** – no implications
- 4.5 **Gaelic and Rural** - It will be important to address the particular requirements of Gaelic medium and rural communities

#### **5. Recommendation**

- 5.1 Members are asked to note the planned change in governance arrangement for Community Justice, and to comment on the options for the future model of planning Community Justice Services, which will be considered further at the Community Planning Partnership.

Designation: Director of Care and Learning

Date: 8<sup>th</sup> May 2015

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