



## Report by Chief Officer, HSCP

Management Group: 28 September 2022

**Subject: Community Justice Update**

### 1. Purpose

- 1.1 The purpose of this report is to provide an update on national community justice developments and request delegated authority to the Community Justice Partnership Development Group Chair to sign off the annual return on behalf of the Community Planning Partnership.

### 2. Recommendations

- 2.1 The WD CPWD are asked to:
- Note the content of the report.
  - Authorise the WD CJP Development Group Chair to sign and submit the Community Justice Scotland Community Justice Annual Return.
  - Note the requirement to develop a local Community Justice Outcome Improvement Plan to be published April 2022.

### 3. Background

- 3.1 The Community Justice (Scotland) Act 2016 introduced a range of statutory duties to be implemented at a local level by responsible “named statutory partners”, as indicated in Figure 1, below:

*Figure 1: Community Justice Statutory Partners*

<b>Named statutory partners</b>	<b>Local Responsible Posts</b>
Each Local Authority	Local Authority Chief Executive
Each Health Board	Chief Executive
Chief constable of Police Scotland	Police Scotland Chief Superintendent
Scottish Fire and Rescue	Scottish Fire and Rescue Service Area Commander
Skills Development Scotland	Skills Development Scotland Regional Manager
Integration Joint Board	HSCP Board and Chief Officer
Scottish Courts and Tribunals Service (SCTS)	SCTS National Manager
Scottish Ministers (represented by Scottish Prison Service and Crown Office & Prosecution Service)	Scottish Prison Service Governor, attends WD CJP Development Group

- 3.2** Community justice is described by the Scottish Government as “principally about organisations working together to ensure that people who have offended address the underlying causes of their behaviour, and pay back to the community where appropriate. It aims to encourage rehabilitation, reduce reoffending, and protect the public, leading to fewer victims and safer communities.

This requires a strong partnership-working approach at each point of the justice system, from the point of arrest, through to integration into the community.

Public protection remains our first priority, with robust risk management systems in place to ensure that, where appropriate, those who have committed offences can be managed safely and effectively in the community. In the long term, our ambition is to use prison only for those who pose a risk of serious harm.”

- 3.3** Duties placed on local partners include:
- Ensuring the local Community Justice Outcome Improvement Plan, including a Participation Statement, meets the required standards and practices including the voices of people within the Justice system, victims of crime and communities;
  - Developing a ‘whole systems approach’ to improving the health, social, welfare, economic and personal outcomes for people who are involved within, or on the edges of, the criminal justice system;
  - A concise understanding of the local landscape evidenced by a comprehensive Strategic Needs & Strengths Assessment;
  - Reducing/eliminating re-offending by increasing access to a wide range of interventions;
  - Ensuring a range of needs are assessed at each point of the criminal justice system, including: police custody suites; courts; prison; and, on community orders and/or extended licence from prison;
  - Holding each other to account for delivery of the local plan;
  - Sharing resources and budgets;
  - Ensuring the involvement of Elected Members.
- 3.4** The local model for community justice should deliver an extensive change programme centred on increasing prevention of reoffending through improved leadership and collaboration; evidencing and delivering improved outcomes; learning, development and innovation; and workforce development across multi-agency statutory partners.
- 3.5** The key areas of focus for community justice are defined as Health, Addictions, Mental Health, Housing, Adult Education, Financial Welfare, Employment, Education and Training. Third Sector representation should be confirmed via the Participation Statement that should accompany the local plan for each area.

#### **4. Main Issues**

- 4.1** The Scottish Government published their [Vision for Justice in Scotland](#) in early February 2022 setting out “our transformative vision of the future justice system for Scotland, spanning the full journey of criminal, civil and administrative justice, with a focus on creating safer communities and shifting societal attitudes and circumstances which perpetuate crime and harm.” This included publication of a refreshed National Strategy for Community Justice.
- 4.2** The refreshed [National Strategy for Community Justice](#) at the end of June 2022, this brings with it a statutory requirement to produce/refresh any current local Community Justice Outcome Improvement Plan (CJOIP). However, the accompanying Delivery Plan for the National Strategy is not expected to be published until later in 2022 (no estimated date is yet available from Scottish Government).
- 4.3** The national Outcome Performance and Improvement Framework, that should accompany the National Strategy, is still to be published (expected October 2022), however the first draft has been made available for review and comment.
- 4.4** In February 2022, the West Dunbartonshire Community Justice Partnership Development Group was established, comprising of all key statutory partners and third sector (represented by West Dunbartonshire Community Voluntary Service). Supported by Community Justice Scotland, three development sessions took place, the first on community justice statutory duties, the second on domestic abuse and a third on Criminal Justice and learning from Community Justice Partnership in East Dunbartonshire
- 4.5** The West Dunbartonshire Community Justice Partnership Development Group must now become the West Dunbartonshire Community Justice Partnership and assume full responsibility for the statutory duties, including the development and publication of a local Community Justice Outcome Improvement Plan.
- 4.6** An annual submission on progress is submitted to Community Justice Scotland. The expectation is it will be signed off by the Chair of the local CJP, for West Dunbartonshire’s Community Justice Partnership Development Group, that will be the Chief Officer, Health & Social Care Partnership.

## **5. National Aims**

- 5.1** The new [National Community Justice Strategy](#) identify 4 Aims and 13 associated Actions. The Aims provide a clear overview of the drivers for change, they are:
- Optimise the use of diversion and intervention at the earliest opportunity;
  - Ensure that robust and high quality community interventions and public protection arrangements are consistently available across Scotland;
  - Ensure that services are accessible and available to address the needs of individuals accused or convicted of an offence;
  - Strengthen the leadership, engagement, and partnership working of local and national community justice partners.

The associated Action provide clarity of focus for local partnerships which is helpful considering the wide reach of community justice practice.

- 5.2** Justice Social Work are already experiencing an increase in referrals from the Crown Office and Prosecution Service for Diversion (linked to Aim 1), the West Dunbartonshire Community Justice Partnership should monitor capacity to deliver and any associated challenges.
- 5.3** The backlog in cases for Courts is also a working progress, discussions are ongoing in regard to the establishment of virtual courts to reduce, this will undoubtedly have an impact of Justice Social Work caseload.
- 5.4** The involvement of the third sector is critical to improving community justice outcomes, a consideration for the new West Dunbartonshire Community Justice Partnership is how they are meaningfully involved in planning and deliver
- 5.5** People being released from prison will also be a key priority, currently around 60% who are release have no single point of support, this is a significant gap. Those released with additional community-based licences/orders are supported by Justice Social Work.
- 5.6** The West Dunbartonshire Community Justice Partnership will be expected to develop a local model that is underpinned by a public health approach to justice. Trauma-responsive and identifies holistic needs at each point in the justice pathway, ensuring barriers to accessing services are minimised.
- 5.7** The planning and delivery of a local community justice model is also expected to reflect: Victims of crime; Youth Justice; Violence Prevention; and, Equally Safe (strategy to prevent and eradicate violence against women and girls in Scotland).
- 5.8** Given the challenges identified above, the current 17.5 hour Community Justice Coordinator post will be increased to full-time. The process is underway to advertise the post.

## **6. People Implications**

- 6.1** None

## **7. Financial Implications**

- 7.1** West Dunbartonshire community justice funding of £62,500 includes £12,500 for specific improvements to support Justice Social Work, which is reported within IJB by the Head of Service, Children's Health, Care and Justice.

## **8. Risk Analysis**

- 8.1** Failure to address these significant strategic planning and operational delivery gaps can result in formal improvement action from Scottish Government.
- 8.1** Community Justice Arrangements must reflect the work of a range of cross-sector partners to delivery against the Community Justice Outcome

Improvement Plan to reduce the risk of offending by individuals and its impact upon local communities.

## **9. Equalities Impact Assessment (EIA)**

**9.1** A refreshed EIA is required.

## **10. Consultation**

**10.1** None

## **11. Strategic Assessment**

**1.11** Community justice incorporates multi-disciplinary agencies to deliver a whole systems approach to reduce re-offending in local communities. It encompasses a range of partners, this includes those represented within CPWD DIGs, WD ADP, PP COG, WD VAWP (this is not an exclusive list).

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**Appendices:** Appendix 1, National Strategy for Community Justice

**Background Papers:** The Vision for Justice in Scotland  
[The Vision for Justice in Scotland - gov.scot \(www.gov.scot\)](http://www.gov.scot/publications/the-vision-for-justice-in-scotland/pages/1-1-introduction.aspx)

National Strategy for Community Justice:  
[https://www.gov.scot/publications/national-strategy-community-justice-2/](https://www.gov.scot/publications/national-strategy-community-justice-2/pages/1-1-introduction.aspx)

**Wards Affected: All**