

**Guidance for
Local Partners**
in the
New Model
for Community
Justice



Preface

This guidance has been developed by the Scottish Government in collaboration with a group comprising representatives from a range of the statutory community justice partners, third sector and service users to provide support and advice to partners as they take on new roles and responsibilities under the new local model for community justice as outlined in the Community Justice (Scotland) Act 2016. In particular, section 6 outlines statutory guidance in relation to the preparation of Community Justice Outcomes Improvement Plans for each local authority area in Scotland as required under sections 19-23 of the Community Justice (Scotland) Act 2016. By virtue of section 24 of that Act, statutory partners for the area of a local authority must have regard to this statutory guidance when exercising their functions under sections 19-23.

The new model for community justice has been designed to deliver a community-based local solution to achieving improved outcomes for community justice; to reducing re-offending; and to supporting desistance.

This guidance should be read in conjunction with the National Strategy for Community Justice and the Outcomes Performance and Improvement Framework.

Contents

-
1. _____ Introduction - Who is this guidance for?
 2. _____ What is Community Justice?
 3. _____ What will this guidance do?
 4. _____ National Strategy for Community Justice
 5. _____ Outcomes, Performance and Improvement Framework for Community Justice
 6. _____ Community justice planning, performance management and reporting - statutory guidance
 7. _____ Partnership working for Community Justice
 8. _____ Engagement and consultation
 9. _____ Community justice resources
 10. _____ Relationship with Community Justice Scotland

APPENDICES

A	Key national strategies and legislative frameworks
B	Justice Interventions
C	Representative Organisations of Victims and designated persons under the Act
D	Community Justice Needs Assessment and Data Sources
E	Logic Models to design and evaluation community justice interventions
F	Model Template for Local Planning

Introduction



1

Who is this guidance for?

1.1 This guidance on the new model for community justice is intended to support the statutory community justice partners (“the statutory partners”) and other community justice partners and stakeholders to understand their roles to help deliver the new model for community justice. The [Community Justice \(Scotland\) Act 2016](#) (“the Act”) established the legislative framework for the new model for community justice.

The Act:

- **Defines community justice**
- **Gives statutory partners duties to focus on improving community justice outcomes locally**
- **Explains who the statutory partners are in relation to community justice**
- **Requires statutory partners to publish a community justice outcomes improvement plan**
- **Requires statutory partners to publish a Participation Statement on their engagement with third sector and communities as part of the community justice planning process**
- **Requires statutory partners to review plans periodically**

-
- **Requires statutory partners to take account of the National Strategy for Community Justice when developing their plan**
 - **Requires statutory partners to take account of the Local Outcomes Improvement Plan when developing their plan**
 - **Requires statutory partners to annually report progress against the plan using the national outcomes for community justice outlined in the National Performance Framework**

Statutory partners for community justice

1.2 The statutory partners for community justice as outlined in the Act are:

- Chief Constable of Police Scotland
- Health Boards
- Integration Joint Boards for Health and Social Care
- Local Authorities
- Scottish Courts and Tribunals Service
- Scottish Fire and Rescue Service
- Scottish Ministers (i.e. Scottish Prison Service, Crown Office and Procurator Fiscal Service)
- Skills Development Scotland

They are referred to in this guidance as “the statutory partners”.

1.3 The new model for community justice requires the statutory partners to cooperate at a local level in the preparation, implementation and review of a community justice outcomes improvement plan (“the plan”) for the local authority area.

1.4 This guidance is aimed primarily at the statutory partners who will be responsible for the preparation of the community justice outcomes improvement plans. It will also be of relevance to the third sector, communities and other stakeholders involved in community justice.

1.5 Chapter 6 of this guidance is **statutory guidance** as it outlines the steps that partners **must** follow in the development of their plans. Other chapters of this guidance are intended to provide further information and support on the new model of community justice.

1.6 The Act does not require statutory partners to carry out their duties in a way that would conflict with existing statutory duties. For example, the role of Scottish Courts and Tribunals Service is carried out to the extent that it does not conflict with its role of supporting the courts, or influence sentencing decisions. Similarly, it is fundamental to the prosecution of crime in Scotland that decisions are taken independently by the Lord Advocate, and through his authority, the Crown Office and Procurator Fiscal Service.

What is Community Justice?



2

2.1 Community justice is defined in the National Strategy for Community Justice as: **“the collection of individuals, agencies and services that work together to support, manage and supervise people who have committed offences, from the point of arrest, through prosecution, community disposal or custody and alternatives to these, until they are reintegrated into the community. Local communities and the third sector are a vital part of this process which aims to prevent and reduce further offending and the harm that it causes, to promote desistance, social inclusion, and citizenship”.**

2.2 The definition of community justice is as outlined in Section 1 of the Act as follows:

- Giving effect to bail conditions, community disposals and post-release control requirements
- Managing and supporting designated persons (see list below) with a view to helping them to not offend in future or in reducing their future offending
- Preparing people for release where they have been convicted of offences and sentenced to imprisonment or detention
- Facilitating the provision of relevant general services which people who have been sentenced to imprisonment or detention are likely to need immediately following their release (general services are defined below)
- Giving effect to bail conditions (including conditions set out in an EU supervision orders, which is a pre-trial bail order made in another EU member state)

2.3 In relation to managing and supporting persons, “supporting” includes:

- advising and guiding designated persons
- providing opportunities to participate in activities designed to eliminate or reduce future offending and helping designated persons to access such activities
- emotional and practical support designed to eliminate or reduce further offending
- helping designated persons to access and make use of general services

2.4 Designated persons are:

- people who have been convicted of an offence
- people who have been given an alternative to custody in respect of an offence – often called a “community disposal” or community payback order
- people who have been given an alternative to prosecution
- people who have been arrested on suspicion of having committed an offence
- persons aged 16 to 17 who are subject to a compulsory supervision order under Section 67(2)(j) of the Children’s Hearings (Scotland) Act 2011

2.5 Designated people may have committed an offence anywhere in the world and be aged 16 or over as well as those who have been arrested but not subsequently convicted. No timescales are laid down in the Act as to when these incidents may have taken place.

2.6 General services, which should be arranged in ways which make it easier for the persons mentioned above to gain access to support from services, in relation to:

- Housing
- Employment
- Education
- Children
- Physical or Mental Health
- Social Welfare
- Any other general services which may affect the likelihood of future offending by the designated persons

Prevention

2.7 In general terms, community justice aims to deal with the causes of offending either before it happens (primary prevention) working with people who may be at risk (secondary prevention) or supporting those who have been through the justice system (tertiary prevention).

2.8 Primary preventative work falls out-with the scope of the Act although much of the work already undertaken by the statutory partners, the third sector and community bodies will be concerned with primary prevention in its various forms.

2.9 Primary prevention involves working with the general population to address potentially criminogenic factors before the onset of a problem. Social crime prevention addresses factors that influence an individual's likelihood of committing a crime (e.g. unemployment, poverty, low education etc.). Prevention strategies to address social factors can include school or community-based initiatives involving local people and third sector organisations. Situational prevention looks at the impact of the built environment (e.g. better place design to engender safer places for people to live which contribute to and potentially enhance a sense of well being).

2.10 Secondary prevention involves working with people identified as at risk including those who may have been arrested but not convicted. A whole range of initiatives can be carried out including, for example, diversionary activities such as sports or leisure pursuits, volunteering or gaining new skills. Again there is a role for the statutory partners and the third sector and community bodies in secondary prevention.

2.11 Tertiary prevention is activity that is specifically directed towards the “designated persons” as identified in the Act. It is focused on preventing recidivism. As an example, Moving Forward Making Changes (MFMC) is a cognitive-behavioural programme that draws upon methods providing the strongest and most recent evidence of effectiveness in working with men who have committed sexual offences. The programme was accredited by the Scottish Advisory Panel for Offender Rehabilitation (SAPOR) in June 2014. Also, multi-Agency Public Protection Arrangements (MAPPA) established by section 10 of the Management of Offenders etc. (Scotland) Act 2005, provide a national framework for jointly establishing arrangements to assess and manage risks posed by certain categories of offender, namely; Registered Sex Offenders, Restricted Patients and those offenders assessed as posing a serious risk of harm to the public. Management of these offenders will include risk management strategies of monitoring, supervision, interventions and victim-safety planning; and associated activities which are used to manage the risks posed by offending behaviour tailored to the individual needs.

What will this guidance do?



3

3.1 This guidance specifies who the statutory partners are and outlines their roles in relation to the new model for community justice. It will provide support and advice to the statutory partners in the development of their community justice outcomes improvement plan (“the plan”) for the local authority area as required by the [Community Justice \(Scotland\) Act 2016](#) (“the Act”) as well as to wider community justice partners and stakeholders. **Chapter 6 of this guidance is statutory.**

3.2 The guidance also outlines the requirements for a publication of a **Participation Statement** as part of the plan approach. It can be published as part of the plan or separate to the plan. The Participation Statement will allow the statutory partners to identify how they have consulted and engaged with the third sector involved in community justice and relevant local community bodies in the preparation of the plan. Third sector bodies for the purposes of the Act are defined in section 14 of the Act.

3.3 It also outlines the key features of the **Outcomes Performance and Improvement Framework for Community Justice** and the **National Strategy for Community Justice** which should be taken into account by the statutory partners as they work collaboratively to achieve improved community justice outcomes locally. The plan

should also refer to the relevant Local Outcomes Improvement Plan as required under the [Community Empowerment \(Scotland\) Act 2015, part 2 Community Planning](#).

3.4 A model plan template is included in Appendix F which may be of use to the statutory partners in preparing the plan. It contains details on the timelines for the preparation, publication and submission of plans to Community Justice Scotland. It also outlines the process for the annual review of the plans.

3.5 It highlights the need to ensure transparency in the planning and decision-making process by partners. It outlines when a new plan may be required.

3.6 This guidance reinforces the statutory partners’ **joint responsibility** for the preparation, implementation and review of the plan.

National Strategy for Community Justice



4

4.1 The Community Justice (Scotland) Act 2016 (“the Act”) places a duty on the statutory partners to have regard to the National Strategy for Community Justice (the National Strategy) when developing their plans. Community Justice Scotland must also pay regard to the National Strategy when preparing their corporate plan.

4.2 The National Strategy provides a vision for community justice in Scotland.

“Scotland is a safer, fairer and more inclusive nation where we:

- Prevent and reduce further offending by addressing its underlying causes; and
- Safely and effectively manage and support those who have committed offences to help them reintegrate into the community and realise their potential for the benefit of all citizens”.

4.3 It will help partners to prioritise key areas which they will address in partnership, through an approach which is outcomes-focused and is based on evidence. It recommends evidence-based actions to help statutory and non-statutory partners improve community justice outcomes while retaining the flexibility to adapt to individual local needs and circumstances.

4.4 The four priorities identified in the National Strategy are as follows:

Improved community understanding and participation – this section is focused on increasing awareness of community justice issues to improve understanding and reduce stigma; as well as strengthening participation in the planning, delivery and evaluation of community justice services and policy.

Strategic planning and partnership working – the new model for community justice requires a wide range of statutory and non-statutory partners to work together to improve community justice outcomes. This section of the strategy focuses on how to ensure these partners work together effectively, that there is a strong leadership at national and local level, resources are used strategically, and that there is a well-trained and effective community justice workforce.

Effective use of evidence-based interventions – this section recommends improvement actions to ensure the delivery of effective, evidence-based interventions at all appropriate points in the community justice system, as well as adopting a person-centred approach, tailored to meet the differing demands of specific groups and focused on getting people into support.

Equal access to services - this section is focused on ways to make equal access to services a reality and to ensure that people who have committed offences and their families have equal access to the services that will help them to desist from offending such as health, housing and welfare.

4.5 The National Strategy is set for a 5-year period but can be refreshed by Scottish Ministers at any time. Statutory partners must give due consideration to the strategy when preparing their community justice plans.

Outcomes, Performance and Improvement Framework for Community Justice

5

5.1 The Community Justice (Scotland) Act 2016 places a duty on the statutory partners to have regard to the “national performance framework in relation to community justice” when developing their plans. This refers to the national Outcomes, Performance and Improvement Framework, referred to in this guidance as the “OPI Framework”.

5.2 The new model has been designed to deliver a community solution to achieve improved outcomes for community justice. Specifically the new model will allow for a mechanism to enable the statutory partners to monitor continuous improvement through effective planning and performance management at a local level.

5.3 The OPI framework sets out the national community justice outcomes (referred to in this guidance as “common outcomes”) to achieve the vision presented in the National Strategy for Community Justice. The National Strategy contains the improvement actions required over a 5-year period.

5.4 The OPI framework provides statutory partners and Community Justice Scotland with real opportunities to measure progress, drive improvement, offer transparency and link decisions and actions to analysis of need and what works, leading to increased efficiency and effectiveness.

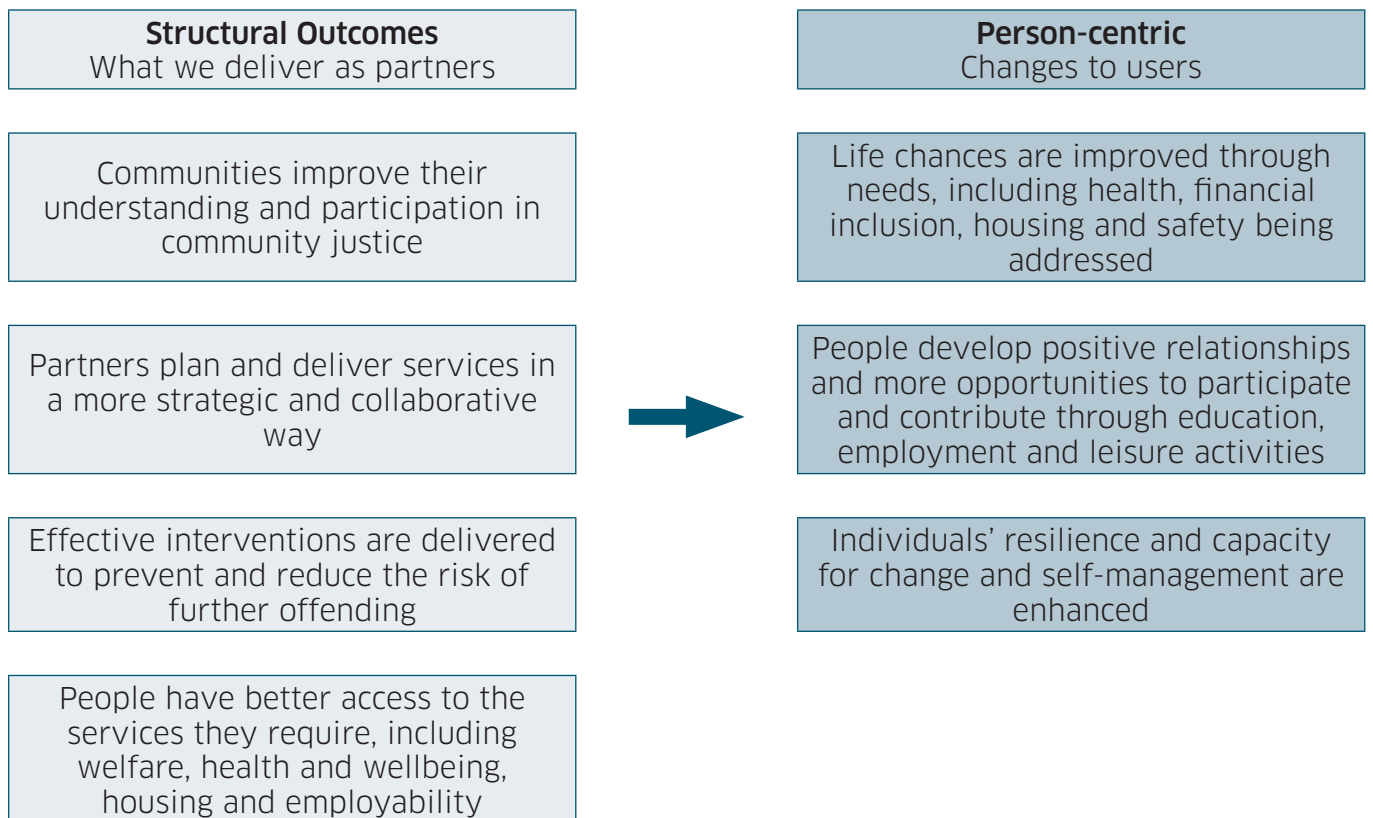
5.5 The OPI framework has been developed based on best current available evidence and policy. As these develop, the OPI framework will be reviewed and updated as required.

Common outcomes

5.6 The common outcomes are as shown on the diagram overleaf and contain both person-centred and structural outcomes. The term “people” refers to those with lived experience of the criminal justice system from point of arrest through to returning from custody.

5.7 The term “people” has been used in the outcome “People develop positive relationships and more opportunities to participate and contribute through education, employment and leisure activities” to reflect that here a relationship has to be between the individual and 1 or more others; whilst the term “individual” has been used in the outcome “Individual’s resilience and capacity for change and self-management are enhanced” as this is about the personal change for the one person.

Community Justice Common Outcomes Diagram



Common indicators

5.8 To support the common outcomes a basket of common indicators has been developed for use by the statutory partners. The statutory partners may select the relevant common indicators to support their achievement of the common outcomes locally. Where they choose not to report on a common indicator the partners must specify in their plan why they feel it does not apply in their area, for example along the following lines: “We don’t know enough about this issue at this stage but we will do the following to address it – specify action”. Also partners may indicate that they will not report on a common indicator on the ground that it is irrelevant for their local area. The person-centric outcomes aim to take into account the relationship between offending behaviour, the often complex needs of people involved in community justice, and desistance. In evaluating the impact of services, a focus on change and “distance travelled” within the person-centric outcomes of individuals is key.

The use of the “5 Step Approach to Evaluation” in monitoring change and impact of services is recommended – see Appendix E.

5.9 To support these outcomes, the National Strategy for Community Justice has a range of evidence-based actions that can be included in the plan.

Local outcomes and indicators

5.10 Statutory partners may also identify additional locally determined outcomes and indicators as they consider appropriate based on the profile and needs of the local area. They may be issues that have been raised by communities and local partners as requiring attention. These could include for example, in relation to victims and witnesses, an outcome ensuring that all victims and witnesses feel supported and informed in relation to their contact with the community justice system.

5.11 Within the plan partners should further specify the action they will take to achieve this outcome and the indicator they will use to measure progress.

Approach to Scrutiny and Inspection

Self-evaluation

5.12 Self-evaluation is central to continuous improvement. It is a reflective process through which community justice partners get to know how well they are doing and identify the best way to improve their services. The self-evaluation tool is designed to help this by:

- Encouraging reflection upon practice that provides a gauge of where partners are in striving for excellence and identifies strengths and areas for improvement
- Recognising the work partners are doing which has a positive impact on improving community justice outcomes
- Identifying where quality needs to be maintained, where improvement is needed and setting priorities for action
- Allowing partners to inform stakeholders about the quality of services, outcomes for service users and impact on the community
- Allowing partners to identify what difference they are making in the lives of those involved in community justice

5.13 Self-evaluation is forward looking. It is about change and improvement leading to well considered innovation in service delivery. Rather than a one-off activity which is done in preparation for inspection, it is a dynamic process which should go on throughout the year. It establishes a baseline from which to plan to improve outcomes for service users and communities and promotes a collective commitment to a set of priorities for improvement. The self-evaluation tool has been developed by the Care Inspectorate and will be available from November 2016.

5.14 There are several inspection agencies covering community justice. The new national body Community Justice Scotland is not an inspection body but can direct other scrutiny bodies in relation to the statutory partners' community justice duties as appropriate, including the following:

The Care Inspectorate

5.15 The Care Inspectorate is the independent scrutiny and improvement body with statutory responsibility for inspecting care and social services in Scotland under the Public Services Reform (Scotland) Act 2010. The Care Inspectorate regulates and inspects care services in Scotland to make sure they meet the right standards. It also carries out joint inspections with other scrutiny bodies to check how well different services work together to support adults and children. The Care Inspectorate helps to ensure social work, including criminal justice social work, meets high standards. They provide independent assurance and protection for people who use services, their families and carers and the wider public. In addition, they play a significant role in supporting improvements in the quality of services for people in Scotland.

Her Majesty's Inspectorate of Prisons for Scotland

5.16 Her Majesty's Chief Inspector of Prisons for Scotland is required to inspect the 15 prison establishments throughout Scotland in order to examine the treatment of, and the conditions for, prisoners.

Independent Prison Monitoring

5.17 The issue of the independent monitoring of prisons has been under review by the Scottish Government since 2005. At the end of August 2015, independent Prison Visiting Committees (currently linked to every prison) were replaced by Independent Prison Monitors, who will be part of HM Inspectorate of Prisons.

Her Majesty's Inspectorate of Constabulary in Scotland

5.18 Her Majesty's Inspectorate of Constabulary in Scotland (HMICS) provides independent scrutiny of both Police Scotland and the Scottish Police Authority.

Community justice planning, performance management and reporting - statutory guidance

6

6.1 **The following** Part 6 of this guidance relates to sections 19-23 of the Community Justice (Scotland) Act 2016 (“the Act”). This guidance is produced under S.24 of the Act which statutory partners must have regard to when exercising their functions under sections 19-23.

Community Justice Outcomes Improvement Plan [section 19 of the Act]

6.2 A Community Justice Outcomes Improvement Plan (“the plan”) must be developed and published by the statutory partners to show how they intend to achieve the nationally determined outcomes (“common outcomes”) for community justice.

6.3 The plan must use all the common outcomes laid down in the Outcomes, Performance and Improvement Framework for Community Justice (the “OPI framework”).

6.4 Local statutory partners working in partnership will be required to report on progress towards achieving the common outcomes in the OPI framework, indicating whether progress is being achieved or how near the outcome is to being achieved. Depending on that assessment partners can determine whether the outcomes requires to be a priority for action in their plan. Once priority outcomes have been selected, partners should consult the National Strategy to help determine which improvement

actions they will carry out to improve these outcomes, and which partners are best placed to carry out these actions – either individually or in partnership.

6.5 National indicators (“common indicators”) to determine progress are provided in the OPI framework and these should be included in the plan. Where a common indicator is not used, partners must outline why.

6.6 Local statutory partners may also identify additional local outcomes and local indicators as part of the plan process to reflect agreed local priorities for community justice. They may also wish to consider whether they need to agree local arrangements to share any appropriate local data to ensure their plans are based on best available evidence.

6.7 The statutory partners must publish their plan in an accessible format that is publicly available to all interested parties. A copy of the plan for each local authority area and an associated Participation Statement (which can be part of the plan) must also be submitted to Community Justice Scotland on behalf of the statutory partners.

6.8 Governance and any other arrangements to support this collaborative working should be agreed by the statutory partners at a local level. It is likely that this may be as part of a Community Planning Partnership however other arrangements may be locally specified.

Joint responsibility and local accountability

6.9 At a local level, statutory partners should bear in mind that they are ultimately responsible to the communities they serve. Local authority elected members with their local democratic mandate therefore have a key role to play in the delivery of the new model.

6.10 The statutory partners must work together to prepare a plan for their local authority area. They will be jointly responsible for the plan's development and implementation.

6.11 The statutory partners' governance arrangements for the planning process are to be agreed and developed locally. Local statutory partners should bear in mind that they are not accountable to the national body Community Justice Scotland for their plans but to each other and ultimately to the local community for the achievement of outcomes. The relationship with Community Justice Scotland will primarily be one based on

support and guidance. For further information on Community Justice Scotland see chapter 10 below.

6.12 The Act does not change the accountability arrangements for the named statutory partners. Statutory partners are accountable to their own individual governance bodies for oversight of the development and delivery of their joint community justice plans and through any additional governance arrangements they may have jointly developed locally for community justice planning purposes. They may also wish to specify in the plan how they will reach agreement on local priorities.

6.13 As well as accountability to each other within the locally agreed partnership arrangements which may include the local community planning partnership, partners are subject to other formal lines of accountability. These may include to their own organisation's board, Scottish Ministers, the Scottish Police Authority (in the case of Police Scotland), the Scottish Fire and Rescue Service Board, or to the communities that elected them (in the case of local authorities).

6.14 The expectation is that those who hold public bodies to account, principally elected members and Scottish Government, would test partners on how they are working effectively in partnership to improve

outcomes and reduce inequalities as part of how they do so. By the same token, organisations' boards, Scottish Ministers, elected Councils, the Scottish Police Authority and Scottish Fire and Rescue Service Board would hold partners to account on these issues within the context of their regional or national remit and responsibilities. The **partnership arrangement** itself should make clear how it is using collective resources to improve local outcomes and reduce inequalities on its priority themes, as part of how it reports to its local communities.

Preparation of the plan [section 20 of the Act]

6.15 The statutory partners must work together to prepare a community justice outcomes improvement plan (the plan) for the local authority area. A range of non-statutory partners or their representatives should also be involved in this planning process, such as the third sector, community bodies, communities, victims and their families, the families of people with convictions, people with convictions themselves and any other relevant community bodies involved in community justice services as locally appropriate, as well as Community Justice Scotland. Third sector bodies involved in community justice are those who provide a general service relating to community justice or who represent or promote the interests of designated people as outlined in the Community Justice (Scotland) Act 2016 – see lists at chapter 2.

6.16 Further information is given in chapter 8 of this guidance in relation to engagement and consultation of the plan and also the revision of any plan.

What should be in the Community Justice Plan? [sections 19 and 20 of the Act]

6.17 A model plan template is included in Appendix F to assist the development of the plan.

6.18 The plan contents must include how partners will address each of the common outcomes in the OPI Framework for Community Justice (see chapter 5) and how these will be prioritised. It should also pay due regard to this guidance and the National Strategy for Community Justice. It should also refer to the relevant Local Outcomes Improvement Plan for the local authority area required under the [Community Empowerment \(Scotland\) Act 2015, part 2 Community Planning](#). Partners should use the strategy to determine what improvement actions will help improve the community justice outcomes they have prioritised.

6.19 The plan must include all the common outcomes and relevant common indicators for community justice along with the improvement actions from the National Strategy for Community Justice that they intend to use. It should also include any additional appropriate local community justice outcomes and indicators arising from the Local Outcomes Improvement Plan. Any other local plans and associated outcomes and indicators which the statutory partners agree are relevant to achieve improved community justice outcomes may also be included in the plan.

6.20 During the development of the plan the statutory partners must engage with the local third sector bodies and community bodies involved in community justice locally. This will allow the third sector and community bodies to contribute to the plan's development as specified in the Act.

6.21 Statutory partners must also consult with Community Justice Scotland as well as any other local partners and stakeholders as appropriate. How this consultation takes place will be determined by the statutory partners and should be indicated in the plan. Further information on engagement and consultation is given in chapter 8 of this guidance.

Participation Statement [section 21 of the Act]

6.22 Section 21 of the Act requires that a Participation Statement ("the statement") be prepared by the statutory partners. The statement must set out the action taken by the statutory partners to achieve the participation of third sector bodies and community bodies involved in community justice for the local authority area in the preparation of the plan.

6.23 The statement must give details of third sector and community bodies and others who participated in the plan process and specify the nature of this participation (for example whether this took the form of meetings, other events, online or social media etc.). Consultation arrangements with Community Justice Scotland must also be specified in the Participation Statement.

6.24 The statement may form part of the plan submitted by the statutory partners to Community Justice Scotland and published alongside the plan. If it cannot be submitted with the plan then it must be published as soon as is practicable after the plan is published and a copy submitted to Community Justice Scotland.

Resources to deliver the plan

6.25 The statutory partners for each local authority area will determine and agree the availability of resources to deliver the plan, working collaboratively.

Duty of co-operation (section 35)

6.26 One of the key building blocks of the new model is collaborative working. The statutory partners must work together to prepare, publish and annually report on the plan for the local authority area in relation to the OPI framework and national strategy for community justice.

6.27 Specifically, co-operation on community justice matters by the statutory partners in respect of a local authority area must include, but is not limited to, the following:

- Sharing information
- Providing advice and assistance
- Co-ordinating activities
- Funding activities together

Leadership and governance

6.28 The statutory partners may set up a locally agreed governance arrangement to assist them as they develop and agree their plan. All statutory partners will be jointly responsible for the plan.

Planning for an area greater than a local authority area

6.29 Where partners decide to work across local authority boundaries to plan for a larger geographical area this is acceptable, and may well be preferable in some instances, provided that such an approach has the support of all the statutory partners in the relevant local authority area/s.

6.30 Where plans are developed on a multi-local authority area basis the content of the plans must make clear which local authority areas relate to the particular activities/ services identified in the plan.

6.31 The partners for each local area have a duty to publish the plan.

When must a Community Justice Outcomes Improvement Plan be prepared?

Timelines for the Community Justice Outcomes Improvement Plan

6.32 The first community justice outcomes improvement plan “the plan” for the local authority area must be published by **31 March 2017** for implementation from April 2017.

6.33 The lifetime of the plan (i.e. the time period for which the plan applies) can be determined by the statutory partners subject to the caveats listed below.

6.34 Partners are required to report on progress of the plan on an annual basis. The progress report must be submitted to Community Justice Scotland and also made publicly available.

Review of the Community Justice Outcomes Improvement Plan [section 22 of the Act]

6.35 The statutory partners must review their plan from time to time to determine whether a new plan is required.

6.36 A review of the plan is also required in the following circumstances:

- When a revised National Performance Framework for Community Justice is published
- When a revised National Strategy for Community Justice is published
- When a revised Local Outcomes Improvement Plan for the local authority area is published

6.37 Following review of a plan, if the statutory partners decide not to revise it they must publish a statement indicating that they consider it should not be revised. A revised

plan where produced should be developed in line with the plan preparation arrangements as outlined above and comply with the requirements laid down for engagement and consultation as outlined in chapter 8 of this guidance. This will become the new plan for the local authority area. Partners can produce a statement outlining why they have not revised their plan.

Performance management and reporting on progress of plans [section 23 of the Act]

6.38 A report on progress in achieving the outcomes in the plan must be prepared by the statutory community justice partners each year. The first annual report on progress is to cover the period 1 April 2017 to 31 March 2018. Subsequent reporting periods will be 1 April to 31 March thereafter. The statutory partners must publish the annual report by 30 September each year starting in 2018.

6.39 A performance report for the plan should be published by the partners in an accessible format and made available in an accessible location (e.g. a website) in accordance with the timelines established below. This should confirm the extent which progress has been achieved in relation to the common outcomes specified in the plan.

6.40 The partners must assess their performance against each nationally

determined outcome (“common outcome”) specified in the plan and report on whether it has been achieved or the extent to which it has been achieved. This analysis should be made with reference to the any relevant common indicators and any additional local indicators agreed.

6.41 In preparing the performance report the statutory partners must also consult relevant third sector bodies involved in community justice, community bodies and others as they consider locally appropriate. (For further information see chapter 8 of this guidance.)

6.42 The performance report must be published and a copy sent to Community Justice Scotland within the timescales laid down in this guidance.

Principles

6.43 In developing the plan for their local authority area (or areas if working on a multi-area basis), the statutory partners should give due consideration to the principles outlined in the [National Strategy for Community Justice](#)

Equality

6.44 To comply with relevant equalities and human rights legislation, an equalities impact assessment must be part of the process for the plan’s development.

Engagement and consultation with third sector and communities

6.45 Community justice plans should be developed in consultation with the third sector, community bodies and communities involved in or affected by community justice. This should be done in accordance with national standards for community engagement.

6.46 By communities, we mean people who live or work in the local authority area. This may include (but is not restricted to) the following:

- Victims and witnesses and their families or representative bodies as appropriate
- People with convictions or representative bodies as appropriate
- Families of people with convictions or representative bodies
- General public or representative bodies
- Local businesses or representative bodies
- Third sector bodies involved in community justice or representative bodies
- Other stakeholders as locally determined by the statutory community justice partners

Developing a plan

6.47 In developing the plan, statutory partners should:

- Review the National Strategy, the OPI Framework and the current Local Outcomes Improvement Plan for the area
 - Review the common outcomes and indicators for [community justice](#)
 - Prepare a **community justice needs assessment** for your local authority area. (Evidence can also be identified via consultation and engagement activity undertaken with local stakeholders). Further information on Community Justice Needs Assessment and Data Sources can be found in Appendix D
 - Prepare an equalities impact assessment for the plan
 - Statutory partners must address all of the common outcomes in the OPI framework in their plan
- Identify whether the common outcome is being achieved in the area or how near the outcome is to being achieved (by reference to the common indicators in the OPI framework)
 - Identify whether the common outcome is required to be a priority for action
 - Identify relevant improvement actions from the National Strategy for each of the outcomes you are prioritising
 - Decide which partners are best placed to take actions forward jointly or independently (recognising that partners may be statutory or non-statutory)
 - From the list in the OPI framework, select which of the common indicators to use to measure improvement
 - If a common indicator is not considered to be appropriate to local priorities, provide evidence to this effect and include in the plan an explanation as to why this common indicator will not be used

-
-
- Identify any further locally determined outcomes for community justice, again based on evidence. A logic modelling approach may assist with identifying indicators. An example of a logic model is provided in Appendix E
 - Identify any other material in relation to community justice that may be appropriate (e.g. specific actions to be taken to address local needs and priorities)
 - Engage with local third sector and community bodies involved in community justice on the development of the plan. Further information on designing and evaluating community justice interventions is given in Appendix E
 - Consult with the local third sector and community bodies involved in community justice and other locally relevant stakeholders on the draft plan
 - Publish the details of consultation and engagement undertaken in a Participation Statement – either as part of the plan or as soon as possible after the plan publication

Partnership working for community justice



7

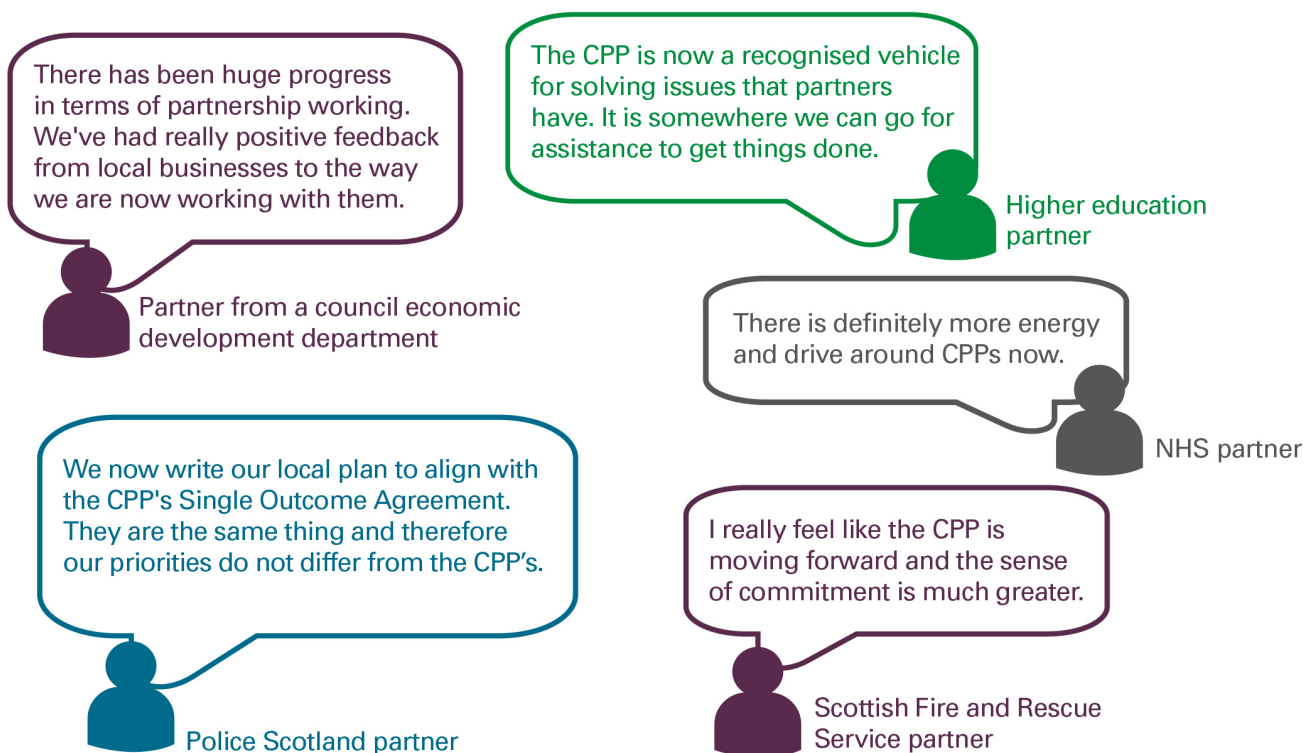
7.1 This part of the guidance sets out who are the statutory community justice partners as well as other partners and partnerships which operate at a national and local level. It gives a brief summary of their respective roles in relation to strategic planning and delivery of community justice services. This information can of course be supplemented by other relevant local partner information.

7.2 **Appropriate local governance and partnership working arrangements must be determined by the statutory partners for each local authority area.** This could be based on an existing arrangement or a new arrangement but the approach must be agreed by all the statutory partners.

7.3 It is a requirement of the Act that the statutory partners work together to plan the effective delivery of community justice services in their local area. Partnership working is not a new concept and the benefits have been highlighted by Audit Scotland in their recent report on Community Planning (see Exhibit 1). It is intended that this collaborative approach will also deliver benefits for Community Justice outcomes improvement planning.

Exhibit 1

What do partners say?

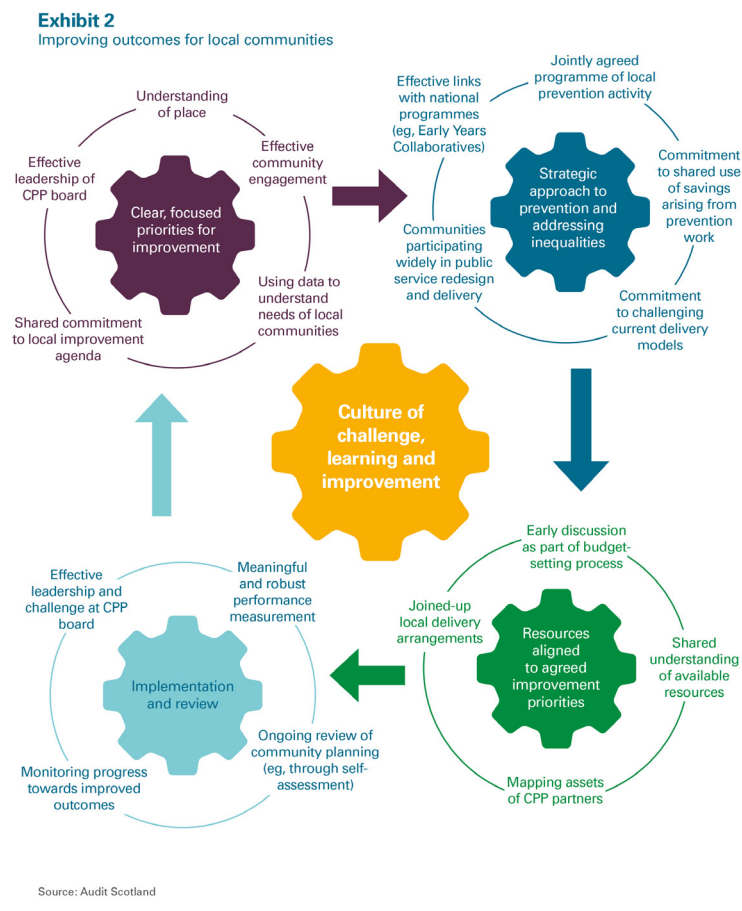


Source: Audit Scotland

Source: Community Planning: turning ambition into action, Audit Scotland, November 2014, licensed under the [Open Government Licence](#)

Partnership working to improve local outcomes

7.4 The following exhibit relates to Community Planning Partnerships, but the principles it contains could also apply to other arrangements to be established for community justice.



Source: Turning Community Planning into Action, Audit Scotland, November 2014, licensed under the Open Government Licence

The link between commissioning and delivering improved outcomes

Commissioning: supporting the shared assessment of and forecast of needs, linking investment to outcomes, considering options and supporting partners to plan the nature, range and quality of future services in support of community justice outcomes. Contracting and procurement procedures will support the commissioning process and will rest with the appropriate local or national body or bodies.

7.5 By implementing this Guidance and the Outcomes, Performance and Improvement Framework and having regard to the National Strategy for Community Justice, partners will have the tools they need to understand the link between:

- the profile of their area;
- the evidence base and good practice;
- evaluation;
- resources;
- outcomes; and
- the extent to which existing services and models of delivery are meeting the needs of their local area.

7.6 If, based on this understanding, new or enhanced arrangements are required, statutory partners should take an approach to commissioning that ensures that services deliver against the needs of communities. This should be done in a way that utilises the potential that exists in the partners and takes account of the potential contribution of the third sector and communities in the area to help achieve improved community justice outcomes.

7.7 The default, in keeping with the local model, is for the majority of commissioning to take place locally. Partners may, however, work together to commission services in order where appropriate.

7.8 National commissioning would take place on the basis of being able to deliver value for partners, for example through economies of scale and would be subject to consultation with statutory partners as appropriate.

7.9 Not all national commissioning or the technical process of procurement and contracting which follows would necessarily be undertaken via Community Justice Scotland. Under the new model, lead authority or existing national arrangements may also be pursued where it is agreed that these are the most appropriate route. Community Justice Scotland could lend support to local partners and offer advice on the evidence base and best practice developed through its proposed Hub for innovation, learning and development.

Engagement and consultation



8

8.1 There is a requirement for the statutory partners to work together to prepare a community justice outcomes improvement plan (the plan) for their local authority area, following engagement and consultation with relevant local stakeholders (as locally identified) and appropriate third sector and community bodies locally who are involved in community justice. The governance for such an approach is to be agreed and developed locally.

8.2 When the plan is published the statutory partners must also publish a **Participation Statement** – this can either be part of the plan or a stand-alone document. Participation Statements are required to demonstrate how statutory partners have engaged the third sector and community bodies involved in community justice in the local authority area in the preparation of the plan. Further information on participation statements is given in chapter 6 of this guidance.

8.3 For the purposes of this guidance the following definitions apply:

8.4 **Engagement** is when the statutory community justice partners work with stakeholders to agree the potential content or scope of a plan from its earliest stages of preparation.

8.5 Engagement may take various forms, but should include the provision of information on the challenges facing the community, supported by evidence, and should afford the community a realistic opportunity to contribute to prospective solutions. An example of what the spectrum of engagement covers has been produced by West Lothian Council and is provided here.

8.6 **Consultation** should seek to inform communities on the nature of the proposed plan or action and should take place at a point when the plan is in draft form. Where practical, communities should have the opportunity to play a role in the delivery of a plan at community level – by, for instance, bridging the gap between people directly involved with the community justice system and the wider community. This is more likely to occur when engagement and consultation with communities is sincere.

8.7 Consultation is when a plan, in complete or draft form, is shared with stakeholders for further comment prior to being formally approved by the statutory community justice partners through their own locally determined decision-making process.

8.8 Engagement and consultation activity for community justice outcomes improvement planning may take place at the same time as wider engagement and consultation on community planning (local outcomes improvement planning) as required under the Community Empowerment (Scotland) Act 2015 or any other existing engagement and consultation mechanisms.

8.9 Due regard should also be given to any additional guidance in relation to consultation and engagement (and participation) requirements for local outcomes improvement plans.

Communities

8.10 For the purposes of this guidance, communities is taken to mean the residents of the local authority area to which the plan applies.

Engagement with victims and witnesses

8.11 Statutory partners will wish to particularly ensure that the needs of victims (and their families) as well as witnesses are taken into account when preparing the plan. In addition to the work of the statutory community justice partners in relation to victims there is also a range of organisations who work with, support and represent victims and people involved in the justice system, as listed in Appendix D.

Engagement with families and children

8.12 The impact on families and children of those who are involved in the community justice system can be difficult. They often experience adverse social and economic consequences such as loss of income, loss of housing. In addition they can suffer from deterioration of their mental and physical health. Children may find themselves facing new care arrangements. Added to these is victimisation, stigma and shame that people often face which can result in their exclusion from social and support networks. Families and children have not been convicted themselves, but are targeted anyway.

8.13 This means they may not seek the help they need and are unlikely to tap into any support available in the community, including transport support services for those who need to visit family members who may be in prison. Many may not believe services can provide holistically for their needs, leading to a mistrust in services interpreted as resistance.

8.14 SPS have developed [Standards for Encouraging Family Contact](#) in recognition of the impact and motivating factors that families bring to bear in effecting behaviour change and desistance from offending. Other [valuable support](#) can be accessed in the community through linking with the voluntary/third sector given the issues families face cross over a number of areas.

Impact on people who have been arrested or had a conviction and are seeking a service

8.15 People who have been arrested or have a conviction often face particular issues of exclusion or stigma when accessing services. One of the priorities of the National Strategy for Community Justice is to ensure improved access to community justice services for people who have been arrested or had a conviction.

8.16 The statutory partners must ensure that the plan aligns with the National Strategy for Community Justice to achieve “equal access to justice services”. All community justice plans must take due account of the needs of service users to ensure that they have equal access to such services include housing, employment, health, advice and support.

8.17 Service users of community justice services are primarily people who have been through the justice system (i.e. people with convictions or who have been arrested) although the term can also apply to their families and children as well as victims of crime, witnesses and people who have been involved in the system via diversionary and other preventative activities.

Third sector organisations involved in community justice services

8.18 For the purposes of this guidance, third sector bodies involved in community justice are those who provide a general service relating to community justice or who represent or promote the interests of designated people as outlined in the Community Justice (Scotland) Act 2016 – see lists at chapter 2.

The contribution of third sector organisations to community justice

“the third sector is vital to the successful planning and delivery of effective and efficient services for individuals, and I am grateful for the positive contribution that the sector makes to community justice, at both a local and national level, which I hope will be even greater in the future.”

– Paul Wheelhouse (Minister for Community Safety and Legal Affairs), as quoted in the Official Report of the Meeting of the Scottish Parliament, 11 February 2016

8.19 Third sector organisations contribute to the delivery of positive outcomes for individuals, families and communities affected by the community justice system through a range of activities, including:

- the planning, design, delivery, monitoring and evaluation of services for individuals, families and communities
- raising awareness of the issues faced by individuals, families and communities in relation to community justice
- representing and promoting the interests of people affected by community justice
- supporting engagement with people affected by community justice

- contributing to the evidence base about:
 - local assets and needs
 - a range of community justice issues
 - “what works” to improve outcomes and address the identified issues
- contributing to training activities, and sharing learning and practice

Effective engagement with the third sector at a local level

8.20 The new community justice model seeks to improve engagement and collaboration between statutory and third sector partners. The Community Justice (Scotland) Act 2016 therefore sets out requirements for local statutory partners to engage with third sector partners in relation to:

- the preparation of the local community justice plan
- the preparation of reports on performance in relation to community justice outcomes

8.21 To be effective, this engagement should meet the [National Standards for Community Engagement](#).

8.22 It will be up to each local area to determine the appropriate consultation and engagement structure and communication mechanisms for their area. These should be agreed locally through discussion with third sector, community bodies and statutory partners. These structures should be sufficiently resourced to support effective two way flows of communication between statutory and third sector partners, ensuring that information is able to be shared with the wider third sector on a regular basis. Having clear, identified points of contact for both statutory and third sector partners to engage with will be important for supporting strong communications and engagement.

8.23 [Examples of good practice in relation to developing clear, agreed engagement structures will be shared on the Knowledge Hub – Community Justice Redesign: Scotland.](#)

8.24 The new community justice model seeks to establish a more collaborative approach and, in line with the Christie Commission recommendations, it will be essential to more fully involve local communities, including third sector partners as early as possible.

Private sector organisations involved in community justice

8.26 Engagement with the business community can provide valuable opportunities and support for those involved in community justice measures. It is important that the statutory partners, when developing their plans, link in with and build upon existing agreed approaches to local employer engagement.

8.27 This is vital to ensure good co-ordination and to avoid multiple and unstructured requests for example in relation to employability measures to support hard-to-reach groups of community justice service users.

8.28 A case study on employability is provided below.

The Ayrshire Community Trust and Criminal Justice Community Payback Team work closely together to support those who are subject to an order. This North Ayrshire project assists individuals to maximise their employability potential as it is one of the main barriers to reducing reoffending. CPOs with unpaid work requirements can be a stepping stone in terms of employability and for some individuals it is their first experience of a structured work environment. This project offers opportunities to undertaking unpaid work revolve around increasing the employability of people in the justice system. Criminal Justice retains the statutory responsibility for the supervision of these individuals while they remain subject to their CPOs and The Ayrshire Community Trust offers ongoing support for those who still need additional support when their order has ended to ensure continuity. People's chances of getting a paid job can be enhanced if they are supported in a suitable volunteering opportunity - it can help to build confidence, communication skills and experience of the world of work, and strengthen work-related abilities such as time-keeping, punctuality and dealing with other people.

As such, the Community Payback Team has been working in close partnership with TACT and North Ayrshire Council Economy and Communities in the start of a Demonstration Garden based at Eglinton Park. Placements have been created for those on CP Orders to have the opportunity to gain skills in hard and soft landscaping, growing food and flowers and upcycling of unwanted goods. It is hoped to broaden this partnership with Ayrshire College so that individuals will be able to gain a recognised qualification from the work they are doing.

National Standards for Community Engagement

8.29 Community justice statutory partners and others may wish to use the National Standards for Community Engagement as a framework designed to support an effective community engagement process.

8.30 The Scottish Community Development Centre (has reviewed the National Standards for Community Engagement and these were published in September 2016. The National Standards for Community Engagement are a practical tool to help improve the experience of all participants involved in community engagement. The standards are not compulsory, but they are good practice and have been widely adopted by public bodies, communities across Scotland in Community Planning Partnerships and in other areas of Government.

8.31 The standards originated from people on the front line of community engagement and more than 500 people from the statutory and voluntary sectors, and the communities themselves, were involved in developing and producing them, led by SCDC.

8.31 Community engagement can take many forms. There are many examples of good practice in community engagement including an Engaging Communities Toolkit from West Lothian Council.

8.32 Audit Scotland has also published a report on "[Community planning: turning ambition into action](#)" which provides further information and case studies on effective engagement.

Community justice resources



9

Transitional funding

9.1 Currently, transition funds of £1.6m have been approved to support the transition process and made available to local authorities (£50K p.a. per local authority) to allow Community Planning Partnerships to co-ordinate initial community justice activity for a three-year period from 2015/16 on behalf of the statutory partners. The funding and use of resources is being reviewed annually, to advise Ministers how this resource is being deployed.

9.2 Although funding has been agreed to 2017/2018, the Scottish Government recognises that further support may be required after the new model has been fully implemented, to help coordinate and maintain partnership working and reporting.

9.3 The Scottish Government will continue discussions with COSLA and review the take up and use of existing resource to make a case if necessary to Ministers should additional funding be required longer term. Strategic Use of partnership resources

9.4 Strategic use (or leverage) of partnership resources is a key feature of the new model. Given financial and resource constraints facing statutory partners achieving this will require significant commitment to joint working.

9.5 The Scottish Government and COSLA in their agreement on joint working published in 2013 outlines ways of achieving this, by:

- sharing resource planning information and budget assumptions with each other at an early stage
- jointly agreeing outcomes and priorities for the local authority area which will assist in identifying where resources may be combined to achieve positive outcomes

9.6 The greatest benefits may be realised by using partners' wider resources such as staff, buildings or other assets.

9.7 Audit Scotland has identified some examples of partners sharing resources such as jointly funded roles, or shared properties such as the partnership centres in West Lothian. It has also highlighted the challenge in scaling this work to a level to transform service provision.

9.8 There may also be some potential for other resources in terms of staff expertise, or facilities or procurement expertise etc. to be made available by statutory and/or non-statutory partners to support local community justice activity. Creating strong links between the wide range of community justice partners may mean that there is an opportunity to influence future resource decisions to help achieve shared outcomes. This process does not happen overnight and what may begin as a matter of expediency may develop into a situation of trust.

9.9 An example of an approach to developing joint working to achieve strategic use of resources is given below:

Expediency

- “Common business” discussed at regular meetings between partners
- “Case Planning” conducted inter-agency
- Efforts made to identify strategic overlaps
- Relationships start to develop
- Partners agree to share with/rent from each other

Engagement

- Meetings start focusing on higher level cases – involving all partners’ resources.
- Daily Partnership “Hub” meetings contract much operational business – saving money
- Protocols developed to support information exchange
- Staff committed to shadowing/support roles
- Partnership strategy meetings to understand priorities/pressures – and possible solutions

Serious sharing

- Pragmatic commitment of resources – cost avoidance [Buildings shared; equipment; staff]
- Joint proactive projects agreed – and resources committed. Real targets set
- Projects are successful. Partnership “works”
- Staff groups think of each other as partners – looking for the next joint enterprise
- Case/Project planning across partners now standard

Trust

- Key strategies worked out between partners
- Agreed actions reflect agreed key priorities
- Resource implications of implementing these are identified and owned
- Partners’ money then follows the agreed actions/projects

Relationship with Community Justice Scotland



10

10.1 A new body, Community Justice Scotland, will be established for limited purposes in October 2016 and will be fully operational by 1 April 2017. It will work closely with statutory community justice partners, the third sector and a range of other parties to provide support and leadership for community justice. The body will bring enhanced opportunities for innovation through the establishment of a Hub for the promotion of Learning and Development. It will also provide assurance to Scottish Ministers and Local Government Leaders on the delivery of improved outcomes for community justice and provide improvement support as required.

10.2 It is for the statutory partners locally to identify the local needs and priorities to be addressed in the local plan. Any best practice initiatives developed by local partners may be shared via Community Justice Scotland's proposed Hub for Innovation Learning and Development.

10.3 Community Justice Scotland is required to publish an annual report on performance in relation to National Community Justice Outcomes. As part of this Community Justice Scotland may make improvement recommendations to the statutory partners at any time. The statutory partners will be required to take account of these when they review their own performance against their plan and report on progress achieved or where progress is still to be achieved.

Scottish and Local Government Political Oversight Group for Community Justice

10.4 Given the particular democratic mandate of local government, the Minister has agreed with COSLA to establish a mechanism to involve Elected Members in the assurance process that will form part of Community Justice Scotland's functions. The details of such an arrangement are yet to be established but this is likely to be an annual meeting to share best practice and consider areas for improvement.

I recognise, and am happy to put on record, the key delivery role of the Convention of Scottish Local Authorities and individual local authorities throughout Scotland in the delivery of community justice.

– Paul Wheelhouse (Minister for Community Safety and Legal Affairs), as quoted in the Official Report of the Meeting of the Scottish Parliament's Justice Committee 26 January 2016

Role and responsibility of Scottish Government

10.5 Scottish Ministers have ownership of the development of the National Strategy for Community Justice and the OPI Framework. Both will be developed and reviewed in consultation with statutory partners, the third sector bodies involved in community justice and others as appropriate.

10.6 The National Strategy for Community Justice will be subject to a review within five years of its publication, following which either a revised strategy will be published or a statement will be published stating that the strategy should not be revised.

10.7 The OPI Framework will be reviewed by Community Justice Scotland within five years of its publication and will submit proposals to Scottish Government as to whether a revised framework is required. The review will be consulted upon with statutory partners, third sector bodies involved in community justice and others as appropriate.

Commissioning services

10.8 Commissioning has been defined by the Scottish Government (in its December 2014 consultation response) as: “supporting the shared assessment of and forecast of needs, linking investment to outcomes, considering options and supporting partners to plan the nature, range and quality of future services in support of community justice outcomes. Contracting and procurement procedures will support the commissioning process and will rest with the appropriate local or national body or bodies.”

10.9 Community Justice Scotland, the new national body and statutory partners locally will agree and establish a strategic and coordinated approach to commissioning for community justice services, in consultation with statutory partners. Primary responsibility for commissioning community justice services at a local level will however rest with local community justice partners operating on a local authority areas basis according to local needs, priorities and resources.

10.10 Community Justice Scotland is not an inspection body but can direct other scrutiny bodies in relation to the statutory partners’ community justice duties as appropriate.

Appendices



A	Key national strategies and legislative frameworks
B	Justice Interventions
C	Representative Organisations of Victims and designated persons under the Act
D	Community Justice Needs Assessment and Data Sources
E	Logic Models and tools to design and evaluation community justice interventions
F	Model Template for Local Planning

Appendix A

Key national strategies and legislative frameworks for community justice

The following is a list of key national strategies and legislative framework within which the “Community justice” agenda is implemented by partners.

Name of strategy / doc (inc. Hyperlink)	Author	Year	Brief description
Scotland Performs	Scottish Government	2011	Scotland Performs measures and reports on progress of government in Scotland in creating a more successful country, with opportunities for all to flourish through increasing sustainable economic growth. Scotland Performs identified seven targets which are supported by 16 national outcomes.
National Strategy for Community Justice Strategy	Scottish Government	2016	The national strategy provides a vision for community justice in Scotland. It helps partners to prioritise key areas which they will address in partnership, through an approach which is both outcomes-focused and evidence-based. It recommends evidence-based actions to help community justice partners improve community justice outcomes while retaining the flexibility to adapt to individual local needs and circumstances.

<u>An Overview of Scotland's Criminal Justice System</u>	Audit Scotland	2011	<ul style="list-style-type: none"> - Part 1. How Scotland's criminal justice system works. - Part 2. The cost of criminal justice in Scotland. - Part 3. Efficiency of the criminal justice system. - Part 4. Effectiveness in reducing reoffending. <p>The report concluded that there needed to be significant improvement in: how well victims and witnesses are supported; the availability of cost and performance information to support the effective management of both individual organisations and the system as a whole; the efficiency with which summary cases are processed through court; and how services are funded and delivered across the country to ensure they meet demand and are focused on the most cost-effective approaches to reducing offending behaviour.</p>
----------------------------------------------------------	----------------	------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><u>An Overview of Scotland's Criminal Justice System</u></p>	<p>Audit Scotland</p>	<p>2011</p>	<ul style="list-style-type: none"> - Part 1. How Scotland's criminal justice system works. - Part 2. The cost of criminal justice in Scotland. - Part 3. Efficiency of the criminal justice system. - Part 4. Effectiveness in reducing reoffending. <p>The report concluded that there needed to be significant improvement in: how well victims and witnesses are supported; the availability of cost and performance information to support the effective management of both individual organisations and the system as a whole; the efficiency with which summary cases are processed through court; and how criminal justice services are funded and delivered across the country to ensure they meet demand and are focused on the most cost-effective approaches to reducing offending behaviour.</p>
<p><u>An Overview of Scotland's Criminal Justice System</u></p>	<p>Public Audit Committee Report</p>	<p>2012</p>	<p>This report sets out the key recommendations of the Public Audit Committee in relation to the efficiency, economy and effectiveness of two aspects of Scotland's criminal justice system, namely the efficient management of cases through summary courts and reducing reoffending.</p>

<u>Reducing Reoffending in Scotland</u>	Audit Scotland	2012	<ul style="list-style-type: none"> - Part 1. Reoffending in Scotland. - Part 2. Expenditure on reducing reoffending. - Part 3. Services to reduce reoffending. - Part 4. Effectiveness of current arrangements. <p>The report made a range of recommendations for Scottish Government, Scottish Prison Service, Community justice Authorities and local authorities in relation to funding, performance measurement, management and delivery of services, collaborative working to improve services, and improved understanding of unit costs.</p>
<u>Review of Community Planning and Single Outcome Agreements - Statement of Ambition</u>	National Community Planning Review Group (Scottish Government and COSLA)	2012	Establishes Community Planning as the basis for future public service reform and the foundation for effective partnership working within which wider reform initiatives will develop.

<u>Justice Strategy for Scotland</u>	Scottish Government	2012	<ul style="list-style-type: none"> i) The key national outcomes relating to “Justice” ii) The Justice Outcomes iii) The Justice Priorities (egg Reducing Reoffending, Preventing Offending by Young People, etc.) iv) The Approach (Reducing Reoffending Programme II (RRPII), Making Justice Work, Reassuring the Public, Whole System Approach, Building Safer Communities, etc.)
<u>The Angiolini Commission</u>		2012	<p>Report made a range of recommendations around:</p> <ul style="list-style-type: none"> - Service Re-design; - Alternatives to Prosecution; - Alternatives to Remand; - Sentencing; - Prisons; - Community Reintegration; and - Leadership, Structures and Delivery. <p>It led to the following further consultations.</p>

<p><u>Redesigning the Community justice System: A Consultation on Proposals</u></p>	<p>Scottish Government</p>	<p>2012</p>	<p>The consultation proposed three models: an “Enhanced community justice model”; a local authority model; and a single service model.</p>
<p><u>Scottish Government Response to “Redesigning the Community justice System: A Consultation on Proposals”</u></p>		<p>2013</p>	<p>This response set out the key characteristics of a successful community justice system in Scotland, and identified that there was a clear preference from the consultation for a model with local delivery, partnerships and collaboration at its heart while still incorporating some form of national arrangements to provide the profile, leadership and strategic direction felt to be missing from the present set-up.</p> <p>This would take the form of:</p> <ul style="list-style-type: none"> - Local strategic planning and delivery of Community justice Services through Community Planning Partnerships (CPPs); and - The creation of a national body to provide assurance and recommendations to Scottish Ministers and Local Government elected members as well as professional strategic leadership for the sector.

<p><u>Future Model for Community justice in Scotland</u></p>		<p>2014</p>	<p>A further consultation was launched in April 2014 on the details of the proposed new model:</p> <p>This included an overview of local strategic planning and delivery of community justice services, the form and function of a national body, a national hub for innovation, learning and development, considerations in relation to performance and accountability, and arrangements (including funding) for the transition to the new model.</p>
<p><u>Future Model for Community justice in Scotland: Response to Consultation</u></p>		<p>2014</p>	<p>The Response set out more detail about the proposed new arrangements, including the development of a new 5-year National Community justice Strategy.</p>

Other Relevant National Strategies

Name of strategy/doc (inc. Hyperlink)	Year	Brief description
Equally Well	2008	Report of the Ministerial Task Force on Health Inequalities
The Road to Recovery	2008	National drugs strategy for Scotland
Changing Scotland's Relationship with Alcohol: A Framework for Action	2009	
Strategic Guidance for CPPs: Community Learning and Development	2011	
National Parenting Strategy	2012	
Mental Health Strategy for Scotland 2012-2015	2012	The Scottish Government's mental health strategy to 2015 sets out a range of key commitments across the full spectrum of mental health improvement, services and recovery to ensure delivery of effective, quality care and treatment for people with a mental illness, their carers and families. A section on " Mental Health and Offending " starts on page 48 of the report and sets out commitments being taken forward as a result of the Report of the Commission on Women Offenders, around working with women with borderline personality disorder, and also in relation to the use of the Community Payback Order Mental Health Requirement.

Other Relevant National Strategies (continued...)

Name of strategy/doc (inc. Hyperlink)	Year	Brief description
The Keys to Life:	2013	<p>Improving Quality of Life for People with Learning Disabilities</p> <p>Page 111 onwards covers issues in relation to the Criminal Justice system, including Victims and Witnesses, those who are suspected or accused of committing a crime, changes to be made by the Criminal Justice (Scotland) Act (see below), Young People in the criminal justice system, and prison health, and makes a number of recommendations for organisations involved in the criminal justice system.</p>
Equally Safe	2014	Scotland's strategy for preventing and eradicating violence against women and girls
Report of the Smith Commission	2014	Report on further devolution of powers to the Scottish Parliament
Preventing Offending: Getting it right for Children and Young People:	2015	Youth Justice Strategy for 2015-20

Legislative Framework

Community Justice (Scotland) Act 2016

The Act makes provision for community justice including establishing a new national body to oversee community justice. It introduces requirements in relation to the achievement of particular national and locally determined outcomes and the development of a new 5-year Community justice Strategy and the duty to cooperate in the preparation, implementation and review of Community Justice Outcomes Improvement Plans on a range of statutory partners.

Social Work (Scotland) Act 1968

The primary act detailing the general social work function of local authorities. It included the establishment of the Children's Hearings System following the report of the Kilbrandon Committee (1964). A number of subsequent acts have inserted amendments in respect of revised or additional duties.

Section 27 of the Act covers the "Supervision and care of persons put on probation or released from prisons etc." and the related grant funding. This is the key funding received annually from Scottish Government which is allocated to local authorities to pay for Criminal Justice Social Work Services.

Prisoners and Criminal Proceedings (Scotland) Act 1993

Covers detention, transfer and release, including early release, licences, etc., and provisions about criminal proceedings.

Criminal Procedure (Scotland) Act 1995

Covers the jurisdiction and powers of criminal courts, police functions, bail and petition procedure, children and young persons, mental disorder, solemn proceedings and related appeals, summary proceedings and related appeals, the Scottish Criminal Cases Review Commission, sentencing, evidence, and other miscellaneous issues.

Management of Offenders Etc. (Scotland) Act 2005

Covered the **creation of Community Justice Authorities**, and introduced the **Multi Agency Public Protection Arrangements** (for supervision of people convicted of sex offences etc.).

Criminal Justice and Licensing (Scotland) Act 2010

Makes provision about sentencing, offenders and defaulters; criminal law, procedure and evidence; criminal justice and the investigation of crime (including police functions); amends the law relating to the licensing of certain activities by local authorities; amends the law relating to the sale of alcohol; and for connected purposes.

Key elements were the **creation of Community Payback Orders and the introduction of a presumption against short sentences.**

Criminal Justice (Scotland) Act 2016

Introduces reforms to **modernise and improve efficiency within the Scottish criminal justice system.** The provisions in the Act take forward a range of the Scottish Government's key justice priorities.

Community Empowerment (Scotland) Act 2015

Covers a range of issues, including placing a duty on Scottish Ministers to develop, consult on and publish a set of national outcomes for Scotland, which builds on the "Scotland Performs" framework. It also places community planning partnerships on a statutory footing and imposes duties on them around the planning and delivery of local outcomes; and it provides a mechanism for communities to have a more proactive role in having their voices heard in how services are planned and delivered.

Appendix B

Justice interventions

Introduction

This appendix sets out the justice interventions. However, the range of interventions in community justice is much wider than justice. An “intervention” can range from a programme directly or indirectly intended to reduce and prevent further offending; an action aimed at improving the health of people with convictions; a third sector or community service to improve local outcomes, or a justice intervention such as a community sentence.

All community justice partners have an important role to play in ensuring the delivery of effective interventions; whether raising awareness of what works; planning the provision of interventions alongside other partners; or the direct delivery of the interventions themselves. The planning and reporting cycle described in section 6 provides a mechanism for monitoring progress.

Alternatives to prosecution

When a report is submitted by the police to the Crown Office and Procurator Fiscal Service, prosecution in court is only one of a range of possible options: the Procurator Fiscal has the power to impose a fiscal fine; a fiscal work order; a fixed penalty notice or a fiscal compensation order. There is both UK and International evidence which shows that diverting individuals away from the criminal justice system can be an effective way of preventing further offending. This is especially true when the diversionary intervention is complemented by work designed to address the underlying issues which contributed to the offending behaviour.

Intervention: Fiscal Work Orders

In July 2015 the Scottish Government, along with partners in the Crown Office and Procurator Fiscal Service and local authority Criminal Justice Social Work departments, made Fiscal Work Orders (FWOs) available in all 32 local authorities across Scotland. FWOs provide Procurators Fiscal with the option of offering an “alleged offender” a period of community-based reparative work (of between 10 and 50 hours), completion of which discharges the right to prosecute for the related offence.

By extending the range of measures available to prosecutors in dealing with offences which do not require a court hearing, FWOs are designed to benefit victims and communities through the speedier and more appropriate resolution of cases. They provide constructive community work activities or programmes for “alleged offenders” with the aim of encouraging personal and social responsibility and self-respect.

Intervention: Diversion from prosecution to social work services

In addition to these orders, where an individual is assessed as having a specific criminogenic need which may benefit from a bespoke intervention, they can be formally diverted away from prosecution towards social work services. This form of diversion aims to prevent individuals entering the criminal justice system prematurely; to stop the cycle of offending before it starts; and to address the underlying cause of the offending. Both FWOs and formal diversion are designed to be used with relatively minor offences, where there is sufficient evidence for a prosecution but the Procurator Fiscal believes that such action would not be in the public interest. Participation in these schemes is voluntary.

Alternatives to remand

In recent years the remand population has accounted for approximately 20% of the average daily prison population. Holding individuals on remand does not help to reduce reoffending in the long term as remand prisoners do not receive any rehabilitation programmes, education or work and short-term imprisonment (of any kind) disrupts families and communities, and adversely impacts on employment opportunities and stable housing – the very things that evidence shows supports desistance from offending.

Intervention: Bail supervision

Bail supervision is a social work or third sector service whereby individuals who would otherwise be held on remand are released on bail on the condition that they meet with a bail supervisor a specified number of times a week. The aim of these meetings is to support the accused to comply with the conditions of their bail. Appropriate use of bail supervision helps to reduce the number of individuals held on remand at any given point in time. Bail supervision is not however intended as an alternative to regular bail: it is a costly and intensive option which should only be used only as a direct alternative to custody for individuals who, subject to safeguards in respect of public safety, can be released into the community pending a further court hearing.

Community sentences

The Scottish Government is committed to the principles set out by the Scottish Prison Commission in their 2008¹ report that:

“Imprisonment should be reserved for people whose offences are so serious that no other form of punishment will do and for those who pose a threat of serious harm to the public.”

and

“To move beyond our reliance on imprisonment as a means of punishing offenders, the Commission recommends that paying back to the community should become the default position in dealing with less serious offenders.”

Short-term custodial sentences are ineffective in rehabilitating individuals or reducing the likelihood of their reoffending. Statistics published in March 2015 show that individuals released from a custodial sentence of six months or less are reconvicted more than twice as often as those given a Community Payback Order.

Intervention: Structured deferred sentences

In any given case section 202 of the Criminal Procedure (Scotland) Act 1995 allows for a court to “defer sentence after conviction for a period and on such conditions as the court may determine”. In the majority of cases this period of deferment is typically on the basis that the individual is to be “of good behaviour” as no specific processes are in place to support individuals on whom sentence is deferred. Statistics published by the Scottish Government in March 2015 suggest that sentence was deferred in an average of around 2,500 cases each year over the preceding 3 years.

¹ Scotland's Choice: Report of the Scottish Prison Commission - July 2008
<http://www.gov.scot/Publications/2008/06/30162955/0>

The Criminal Justice (Scotland) Act 2003 made provision, by amendment to the Social Work (Scotland) Act 1968, for Structured Deferred Sentences (SDS) to be eligible for funds under the ring-fenced funding arrangements for criminal justice social work. SDS offer the courts the option to provide a short period (around 3-6 months), post-conviction but prior to final sentence, of intensive supervision to individuals who have committed low level offences. Aimed at individuals with underlying problems such as drug or alcohol dependency, mental health or learning difficulties or unemployment, they allow for intervention work to be carried out without the imposition of a community sentence (which in many cases would be a higher tariff disposal than was warranted).

SDS are designed to provide courts with an additional sentencing option in dealing with low level offenders by filling a gap in existing court options. They benefit the individual by providing them with support to change their behaviour and address their needs, and in turn can potentially lead to a reduced sentence and an associated reduction in reoffending. At the end of the period of intervention, the court retains the discretion to pass sentence in any manner that would have been appropriate at the time of conviction, but with the benefit of information from the supervising officer in relation to the period of deferral.

Intervention: Community Payback Order

The Community Payback Order (CPO) requires people who have committed offences to repay communities for the damage caused by their crimes, often by carrying out unpaid work in those very communities. Where appropriate this unpaid work can be combined with structured intervention programmes designed to tackle the underlying causes of an individual's offending behaviour. CPOs offer real opportunities for rehabilitation, for example by allowing for drug or alcohol interventions to be targeted at an individual, requiring them to confront and address their offending behaviour.

The legislation already enshrines the principle that local authorities should consult their communities on the types of unpaid work to be undertaken by those sentenced to an order, and there are hundreds of unpaid work projects taking place across Scotland at any one time providing tangible benefits to local communities.

Intervention: Drug Treatment and Testing Orders

Drug Treatment and Testing Orders (DTTOs) are a high tariff disposal, targeted specifically at people with serious and on-going drug problems and who would otherwise be facing a custodial sentence. Their aim is to reduce or eliminate an individual's drug misuse in order to make a positive impact on their related offending behaviour. Orders combine drug treatment, a regular testing regime and four weekly reviews by the sentencer.

Individuals made subject to a DTTO are required to display significant levels of commitment and compliance during what is a highly intensive and invasive community disposal. Evidence from historical evaluations suggests that DTTOs can have a positive impact on both drug use and offending: even non-completers demonstrate reduced reconviction rates.

Intervention: Electronic monitoring

Each day in Scotland we currently monitor around 900 people in the community, two-thirds of whom are serving community-based sentences, with the remaining third transitioning from custody to the community. Evidence from other countries shows us that electronic monitoring can help people to maintain connections with their families, their communities and their employment – the very things that short-term sentences are so disruptive of.

We know from international evidence that electronic monitoring is more effective when used as part of a package of measures. Moving from viewing electronic monitoring as purely a form of punishment or control to one which is individually tailored to reflect the needs, risks and circumstances of the individual is our ultimate goal. The current legal framework allows a person who is subject to a community sentence to have both electronic monitoring and a support package in place as part of a CPO with a concurrent Restriction of Liberty Order. Electronic monitoring, when set against a wider package of care, can be used as part of a credible, person-centred community sentence which is effective at reducing reoffending in the longer term.

¹ Scotland's Choice: Report of the Scottish Prison Commission - July 2008
<http://www.gov.scot/Publications/2008/06/30162955/0>

Appendix C

Representative organisations of victims and designated persons under the Act

There are a range of organisations and services which support and represent victims, families and people with convictions. The following is not an exhaustive list but illustrates the range of support that exists.

Domestic abuse victims

There is a national helpline available to all victims of domestic abuse and those who have experienced forced marriage or at risk of forced marriage, in Scotland, regardless of gender. This service is provided by the [National Domestic Abuse and Forced Marriage Helpline Scotland](#).

[Scottish Women's Aid](#) is a leading organisation in Scotland working towards the prevention of domestic abuse. They play a vital role in campaigning and lobbying for effective responses to domestic abuse. Local Women's Aid groups provide specialist services, including safe refuge accommodation, information and support, to women, children and young people, are available across Scotland.

Victim Support Scotland

[Victim Support Scotland](#) is the largest organisation in Scotland helping people affected by crime. It provides emotional support, practical help and essential information to all victims, witnesses and others affected by crime. The service is free, confidential and is provided by volunteers through a network of community- and court-based services. VSS can provide information on [other organisations](#) that can help people affected by crime.

[Victim and Witnesses \(Scotland\) Act 2014](#) ("the 2014 Act")

The 2014 Act brings into law a number of changes to improve the experience victims and witnesses have of Scotland's justice system, including:

- creating a duty for justice organisations to set clear standards of service for victims and witnesses
- giving victims and witnesses new rights to certain information about their case
- improving support for vulnerable witnesses in court – for example, changing the definition of “child witness” to include all those under 18 (instead of under 16), and creating a presumption that certain categories of victim are vulnerable, and giving such victims the right to utilise certain special measures when giving evidence

-
- places a duty on the Lord Advocate to set out rules about the process for reviewing a decision not to prosecute

The 2014 Act has been amended by the Victims' Rights (Scotland) Regulations 2015 which introduces measures such as:

- the right to information about the release of offenders serving less than 18 months imprisonment (complementing the existing Victim Notification Scheme)
- the right to interpretation and translation
- the right to written acknowledgements of reports made to the police

The Regulations also introduce the Victims' Code for Scotland. The Code sets out, clearly and in one place, the rights and support available to victims of crime in Scotland.

Standards of Service for Victims and Witnesses

New Standards of Service for Victims and Witnesses have been developed by Police Scotland, the Crown Office and Procurator Fiscal Service, the Scottish Courts and Tribunals Service, the Scottish Prison Service and the Parole Board for Scotland working in partnership.

Section 2 of the 2014 Act requires Police Scotland, the Crown Office and Procurator Fiscal Service, the Scottish Courts and

Tribunals Service, the Scottish Prison Service and the Parole Board for Scotland to set and publish standards of service for victims and witnesses. This informs victims and witnesses as to what to expect in their interaction with these organisations. The standards contain information specific to the functions of each organisation including a clear complaints procedure.

The standards have been developed in close consultation with a number of victim organisations in Scotland, and will be reviewed (with further consultation taking place before any proposed changes are made) in accordance with the 2014 Act. The standards will be monitored, reviewed and reported on annually.

They can be found on the following websites:

Crown Office and Procurator Fiscal Service

<http://www.crownoffice.gov.uk/publications/victims-and-witnesses>

Scottish Courts and Tribunals Service at

<https://www.scotcourts.gov.uk/about-the-scottish-court-service/scs-news/2015/04/30/standards-of-service-for-victims-and-witnesses>

Police Scotland

<http://www.scotland.police.uk/about-us/standards-of-service-for-victims-and-witnesses>

Scottish Prison Service

<http://www.sps.gov.uk/PeopleAffectedbyCrime/VictimNotificationScheme/Standards-of-Service-for-Victims-and-Witnesses.aspx>

and the Parole Board for Scotland

<http://www.scottishparoleboard.gov.uk/docs/VWA%20-%20Standards%20of%20Service%20-%20Revised%20and%20final%20version.pdf>

The Disclosure Scheme for Domestic Abuse Scotland was rolled out across Scotland in October 2015.

This scheme gives people a formal mechanism to make inquiries about their partner if they are worried they may have been abusive in the past. It aims to help women to make more informed decisions on whether to continue a relationship, and provides further help.

The Victim Notification Scheme is a statutory scheme, which came into force on 1 November 2004. Under the scheme victims have a right to get information about the release of a prisoner. They also have a right to be told when the prisoner is considered for parole and to make written representations (comments) about their release to the Parole Board for Scotland. The scheme covers all offenders who have been sentenced to 18 months or more.

If the offender has been sentenced to less than 18 months in prison, victims can write to the Scottish Prison Service and ask them to let them know when the offender is released, or if the offender escapes.

Organisations representing people with convictions or their families

Positive Prison? Positive Futures... is a charity which aims to help people within the criminal justice system to recognise that it is possible to make their own decisions to move away from offending and to re-establish their citizenship within their own community.

Families Outside is an independent charity which has been helping prisoners' families in Scotland for over 20 years. It offers support and information to families affected by imprisonment.

Sacro is a Scottish community justice organisation which works to create safer and more cohesive communities across Scotland. Sacro provides a wide range of services spanning all aspects of the community justice continuum. These range from conflict resolution to prevent disputes escalating, to supporting prisoners on release.

The information in this appendix is not exhaustive and many third sector and other organisations provide helplines and support to victims, people with convictions and the families of people involved with the justice system.

Appendix D

Community Justice Needs Assessment and Data Sources

Community justice needs assessment

To consider the specific community justice issues in the local authority area, the statutory partners should draw up a community justice needs assessment. This will be based on the particular needs and characteristics or “profile” of the local authority area, for example alcohol and drug profiles, health and crime profiles, housing needs, opportunities for education, training and employment, using existing available data sources.

Planning and performance are interlinked, so the performance reporting process should be seen as an integral part of plan-act-review cycle. The initial stage for this will include understanding the local context and setting baselines to guide planning and performance reporting.

As statutory Community Justice Partners take on their responsibilities under the new model for community justice, they will wish to understand the current picture for community justice in their area. This will likely include:

- Mapping how services with a contribution to make to improving community justice outcomes are currently planned and delivered
 - Determining how partners currently view their contribution
 - Setting out any shared services, co-produced services and partnership services
- Understanding the level of need in their area and setting priorities for improvement;
- Assessing how they are currently performing against each of the common outcomes, using the relevant indicators and thereby setting their baseline for further assessment and improvement

To consider the specific community justice issues in the local authority area and to help understand which outcomes require specific improvement action, the statutory partners should first draw up a community justice needs assessment. This may also be referred to as a baseline needs assessment.

In the first instance, this will likely be developed using existing available data sources and be based on the particular needs and characteristics or “profile” of the local authority area, for example alcohol and drug profiles, health and crime profiles, housing needs, opportunities for education, training and employment and so on.

There is a range of key high-level information and resources available nationally which will assist community justice partners in their planning. There will also be a range of activities carried out locally which should in time allow the build up of more relevant locality-level information. On the whole, this process should build on existing needs assessment and profiling work carried out as part of community planning, although the particular emphasis and level of information available will depend on the strength of existing partnership working and how this feeds into a shared assessment of need in relation to community justice.

Potentially, while there may be some common core published information that each area can use to inform their community justice needs assessment, every area may also give an additional flavour by undertaking some work locally and this may be done as a one-off exercise for baseline information or it may be viewed as beneficial on an on going basis.

This local activity will be supported by training opportunities, some of which is already on the ground to support community planning (for example, the [Scottish Community Safety Network](#)). Other opportunities for development include facilitating practice networks/peer benchmarking and further guidance, as well as the Knowledge Hub. Going forward, Community Justice Scotland will establish a hub for innovation, learning and development.

Practice example 1

Health and community justice. Relevant information may be generated by alcohol and drug partnerships, mental health services, use of A&E, etc, but is difficult to pull this information together specifically for those involved in the criminal justice system. There are several levels at which this might be addressed, including:

- Using available information and evidence about what is generally known about the needs of those in particular contexts (serving custodial sentences, for example). This provides a good picture at a strategic level and does not place additional data collection and reporting burdens on partner organisations

-
- Identifying particular groups of “high resource” individuals who may be involved in a range of services in order to develop more targeted working practices to address complex needs. This approach is likely to involve joint case management along with the data sharing required to deliver this type of service effectively
 - Organising local data summits to pool expertise and understand the data that currently informs the planning and delivery of services and setting priorities. Much of this will already inform existing community/health and social care/alcohol and drug partnership plans, and other relevant strategies

Practice example 2

A community analyst is developing profiles on each of the criminogenic needs. These will be analysed and evaluated using risk assessment techniques to identify priorities and produce a strategic assessment. All statutory partners and those with voluntary sector input are involved in the process.

The community justice needs assessment will incorporate existing relevant strategic assessments, such as community planning profiling, local area profiles and the integrated joint board strategic assessment. So much of what will be in the CJOIP already exists in other strategic plans.

A mapping exercise is also being carried out of relevant services that are provided by public and voluntary sector partners to identify gaps/overlaps in service provision. Other stakeholders in the community, including users and those impacted by crime, will be involved as part of the needs assessment, and this process is being supported by the Community Justice Authority.

Data sources

There is a range of key high-level information and resources available nationally which will assist community justice partners in their planning. These include:

- The Scottish Government [justice dashboard](#)
- The [Scottish Public Health Observatory](#) (particularly the on-line profiles tool)
- The [statistics.gov.scot](#) site which provides access to a wide range of official statistics and data query facilities
- Level of Service/Case Management Inventory in practice reports produced by the [Risk Management Authority](#)

- The Improvement Service [guidance for community planning and performance indicators programme](#), which include a range of resources (the community profiler tool is currently being redeveloped and much of the information covered is available on the Public Health Observatory or [statistics.gov.scot](#)). The recently developed community planning outcomes profile is now available for partnerships to use and has been uploaded on the Knowledge Hub. The profile will provide a consistent basis for CPP Boards to profile their local area in relation to core measures of outcomes and measures of inequalities of outcomes, and offers an overarching, high-level tool to assess if the lives of communities are improving over time. The profile is not yet in the public domain and has been shared at this stage with community planning colleagues as a “soft launch”. During this next phase, the Improvement Service will continue to engage with partnerships to refine the profile and test out how the information might be used to support decision making and engagement with local communities.

Appendix E

Logic Models and Tools to Design and evaluate community justice interventions

Scottish Government Justice Analytical Services (JAS) have published guidance on how to design and evaluate evidence-based community justice interventions. The guidance fits within an Improvement Framework and includes subject-specific resources and examples throughout.

The “5 Step Approach” is:

1. Identify the Problem;
2. Review the Evidence;
3. Draw a Logic Model;
4. Monitor your Logic Model; and
5. Evaluate.

What are logic models?

Logic models are step-by-step diagrams which simply show:

- What you’re hoping to achieve in the long run (long-term outcomes)
- The process (short- and medium-term outcomes) through which your planned activities can be expected to lead to long-term aims
- What resources will you need to do this (inputs)

Anyone who is planning activities with particular aims in mind can benefit from using a logic model. A logic model is also used as the framework for collecting data and evaluating your service. Examples of logic models are given in this Appendix below.

JAS have produced several evidence reviews which may be of use to statutory partners in following this approach:

- [What Works to Reduce Reoffending?: A Summary of the Evidence \(2015\)](#)
- [What Works to Reduce Crime?: A Summary of the Evidence \(2014\)](#)

Current situation: Why is this service needed?
 Consider needs, assets, symptoms v. problems, mission, values etc.

Inputs	Activities	Participants	Outcomes		
			What should we change?	What should we change?	What should we change?
What is invested?	What is done?	Who do we reach?	Short term	Medium term	Long term
For example: Time Research base Money Staff required Venues Equipment Materials Partners	Assess individuals Develop a curriculum, materials, products Conduct meetings Deliver services, workshops, sessions, group work Facilitate Train Make referrals	Service participants Clients Customers Staff Communities Decision-makers Policy-makers Agencies	Learning Awareness Knowledge Skills Attitudes Emotional state Motivation Aspiration	Action Behaviour Actions Practice Decision-making Policy	Contribute to: Wider social change Wider economic change Wider environmental change Wider civic change

A worked example of a logic model approach is given below.

Current situation: Summary: The evidence clearly shows that structured and intensive CBT-based programmes can reduce drug use. However, there are currently no community services in X Local Authority area which has the second highest number of drug convictions in Scotland. Although convicted individuals can access support through the DTTO and CPO requirements, there are an absence of services that can be accessed directly from the community via local GP surgeries.

Inputs	Activities	Participants	Outcomes		
What is invested?	What is done?	Who do we reach?	What should we change?		
			Short term	Medium term	Long term
For example: 2 years See evidence on reduced drug use and mental health though structured and intensive sessions (attached) £125,000 3 drug treatment professionals GP surgery room let for 1 day per week Computer, data collection software	Referral from GP/ Needs and risk assessment/ Develop structured plan with client Provide health and well being education Conduct skills sessions - 1 per week for each client lasting 2 hours Deliver 1 CBT-based family sessions fortnightly per client lasting 2 hours	Men and women drug users aged 25-45	Learning Client understands how they can improve their health Client learns skills required to avoid high risk situations and how to form new relationships More positive attitudes towards supportive family members Increase in motivation to change	Action Health and mental health improves Client moves away from drug using peers and forms new positive relationships Closer relationships with supportive family members Reduced drug use	Contribute to Better health outcomes Reduced reoffending Reduced pressure on other health services

Appendix F

Model Template for Local Planning

MODEL TEMPLATE FOR A COMMUNITY JUSTICE OUTCOMES IMPROVEMENT PLAN (advisory only)
THE PLAN MUST BE SUBMITTED TO COMMUNITY JUSTICE SCOTLAND AND PUBLISHED BY THE STATUTORY PARTNERS BY 31 MARCH 2017 and annual progress reported annually thereafter. The first annual report should be prepared and published by 30 September 2018 covering the period April 2017 – March 2018. This approach should be followed for future years.
A model community justice plan template is given below to assist with the preparation of the plan. Please note that this is advisory only and plans may include additional information to that specified below.
Plan area Name of relevant local authority area (or areas if plan relates to more than one local authority)
Contact details for the statutory partners for more information (this can either be a nominated contact for all the local statutory partners or a contact for each statutory partner as locally agreed)
List who are the partners who were involved in preparing the plan (statutory and non-statutory) – this could be by means of partners logos on the document
Plan content This should make clear where the plan: Specifies all the national common outcomes and the relevant common indicators you will use from the OPI Framework. Explain if there are any common indicators you will not use and why
Links to the National Strategy for Community Justice and shows what improvement actions will be used for each outcome
Aligns to the Local Outcomes Improvement Plan for the area

Specifies locally agreed additional outcomes and indicators in relation to access to services for designated persons – as outlined in chapter 2 of this guidance
Specifies other additional locally determined outcomes and indicators for community justice as agreed by statutory partners
<p>The plan should also:</p> <p>Provide demonstrable evidence of local community justice needs and priorities to be addressed in the plan including any additional local outcomes to be achieved and timeframes for action. A Community Justice profile for the local area would provide the context for this work</p>
<p>Designing Community Justice Interventions to include in the plan</p> <p>The “<u>5 Step Approach</u>” is a useful tool to design and evaluate community justice interventions</p>
Provide examples of any logic modelling approaches used to support the development of the plan
Demonstrate collective action/shared services approach – identify who is going to be responsible for what
Show how the plan will drive improvement
Show how actions will be resourced
<p>Prepare a Participation Statement (this can be published as a separate document to accompany the plan or as part of the plan)</p> <p>Show how joint working with local third sector and community bodies involved in community justice has taken place:</p>
Outline the steps taken to achieve the participation of third sector and community bodies involved in community justice locally. This could refer to meetings, public events or other engagement and consultation activity - online or by other methods - held locally which will contribute to the development of the plan.
Show where services are being jointly commissioned and/or delivered as part of this plan. N.B. This should only refer to those being commissioned collaboratively as part of this plan. It is not intended to cover services provided by the statutory partners as part of their statutory duties unless partners feel that it is appropriate to the local community justice context to highlight those. We wish to minimise unnecessary double reporting for statutory partners.

You may also wish to show how joint working with private sector and other relevant local stakeholders has taken place (specify as locally appropriate)

Outline consultation activity undertaken with Community Justice Scotland (this may particularly apply in relation to any improvement recommendations made by Community Justice Scotland to the statutory partners in a local authority area).

Confirm **review and governance** arrangements for the plan

Outline how you will review the plan and when.

Plan Process

The plan process must demonstrate:

Compliance with Equalities and Human Rights legislation - with particular reference to an equalities impact assessment of the proposed plan. The equalities impact assessment process to be agreed locally.

How the plan will address the needs of victims, witnesses their families and children as well as the needs of designated persons as outlined in the Community Justice (Scotland) Act 2016.

Plan Governance

The plan must specify:

Who has developed and authorised the plan

Date of approval of plan by statutory partners

Review arrangements (date/process)

Annual monitoring and reporting arrangements on progress achieved towards meeting agreed outcomes

Publication - location (e.g. website) and date of publication

Submit the plan to Community Justice Scotland by the end of March 2017 and report on progress annually thereafter

Plan progress report (annually after the publication of the plan)

Specify:

How each common outcome is being achieved (by reference to relevant common indicators and the improvement actions in the National Strategy)

How near the common outcome is to being achieved

Whether the outcome needs to continue to be a priority for action

What improvement action will be taken (individually or jointly) to achieve or maintain achievement of the outcome

Progress on the achievement of any locally determined outcomes in relation to locally determined indicators

Progress on the achievement of any improvement actions determined by Community Justice Scotland where appropriate

The engagement with local third sector and community bodies in the review

The Self-Evaluation Framework developed by the Care Inspectorate may assist in undertaking the review process

Submit an annual performance report on the plan to Community Justice Scotland [subject to confirmation of CPP LOIP progress report dates]

Review and prepare a new plan when determined appropriate to do so by the statutory partners (or when triggered by the creation of a new national strategy, OPI framework or Local Outcomes Improvement Plan for the local authority area)



Scottish Government
Riaghaltas na h-Alba
gov.scot

© Crown copyright 2016

OGL

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3 or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at
The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-78652-618-2 (web only)

Published by The Scottish Government, November 2016

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS84257 (11/16)

W W W . G O V . S C O T