



**REPORT TO:** East Lothian Integration Joint Board

**MEETING DATE:** 26 January 2017

**BY:** Chief Officer

**SUBJECT:** Community Justice Transition

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**1 PURPOSE**

To inform the IJB on progress with the community justice transition and highlight the need for further dialogue.

**2 RECOMMENDATIONS**

- 2.1 The IJB is asked to note its role as a statutory partner in Scotland's new Community Justice arrangements, with a duty to co-operate and actively contribute to reducing reoffending.
- 2.1 The IJB is invited to develop dialogue with the Reducing Reoffending Board around how assessments of need and strategic approaches are shared and aligned between partners.

**3 BACKGROUND**

**Community Justice Act**

- 3.1 The Community Justice (Scotland) Act 2016 received royal assent on 21 March 2016. It sets out a process of change towards a new model of community justice.
- 3.2 Community Justice is defined 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”.*
- 3.3 The Scottish Government's Vision for Community Justice is outlined below:

**Vision:** 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.

**Mission statement:** Deliver a decisive shift in the balance between community and custodial sentences by: Increasing the use of community based interventions and; Reducing the use of short-term custodial sentences. Improve reintegration from custody to community.

**The four main priorities are:**

- Improved community understanding and participation
- Strategic planning and partnership working
- Effective use of evidence-based interventions
- Equal access to services

- 3.4 The objectives of the Community Justice Act are to help create a stronger community justice system based on local collaborative strategic planning and delivery, with responsibility for community justice matters being transferred to Community Planning Partnerships (CPPs).
- 3.5 The changes will also result in the disestablishment of the existing 8 Community Justice Authorities on 31 March 2017 and the establishment of a new national body, Community Justice Scotland. This new body will provide assurance and identify and promote best practice.
- 3.6 Under the new Act, a range of partners have a statutory duty to actively contribute to reducing reoffending. The identified core partners include the Local Authority, Health Board, Police Scotland, the Scottish Fire & Rescue Service, Skills Development Scotland, Integrated Joint Boards, the Scottish Courts and Tribunal Service and the Scottish Prison Service.

### **National Community Justice Strategy**

- 3.7 The National Community Justice Strategy was launched on 24th November 2016<sup>1</sup>. Importantly, this strategy relates primarily to adults. For children and young people see the Youth Justice Strategy for Scotland<sup>2</sup>.
- 3.8 Responsibilities for community justice services will be fully transferred from Community Justice Authorities to Community Planning Partnerships on 1<sup>st</sup> April 2017, with a 'transition year' during 2016/17. *'It will be the responsibility of partners to ensure that any local integration arrangements enacted for health and social care are consistent with*

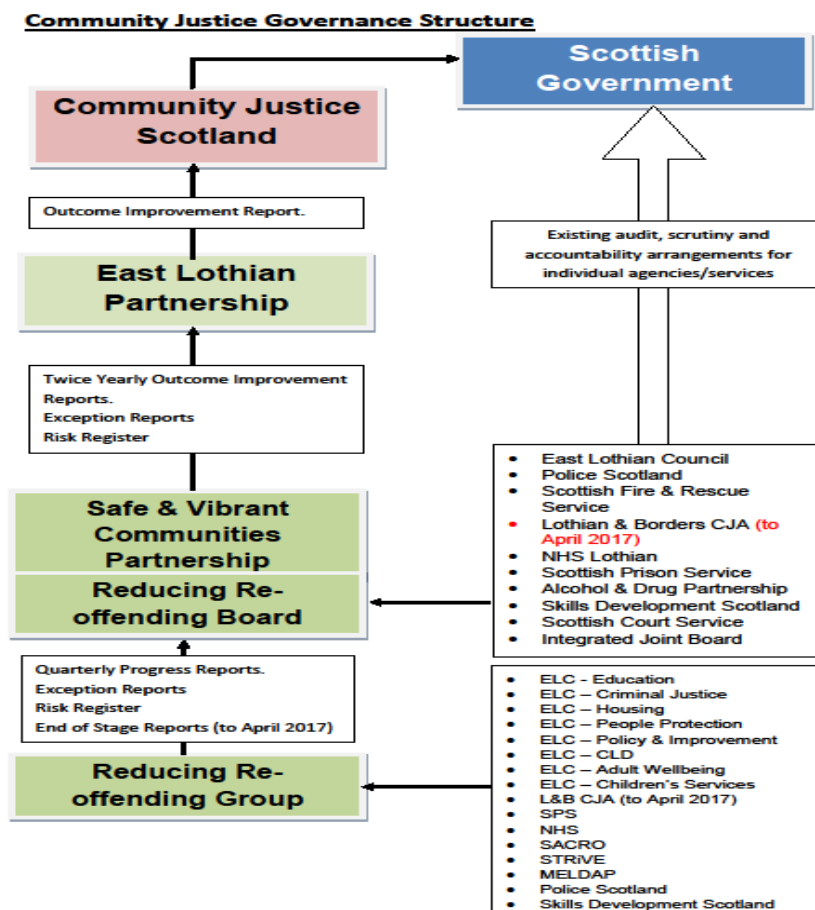
<sup>1</sup> National Community Justice Strategy: <http://www.gov.scot/Publications/2016/11/5600>

<sup>2</sup> Youth Justice Strategy for Scotland: <http://www.gov.scot/Publications/2015/06/2244>

requirements for partners to deliver on community justice outcomes and vice versa<sup>3</sup>

### East Lothian Reducing Reoffending Arrangements

- 3.9 At its October 2015 meeting, East Lothian Partnership agreed to new arrangements proposed for community justice in East Lothian. These proposals included the Safe & Vibrant Communities Partnership taking on the role of Reducing Reoffending Board, as well as the setting up of a Reducing Reoffending Group to act as planning and delivery group for a local Community Justice Strategic Plan.
- 3.10 A meeting of the Safe and Vibrant Communities Partnership in November 2015 agreed that the S&VCP would take on the role of Reducing Reoffending Board and would extend its membership as necessary
- 3.11 The governance structure for community justice in East Lothian is as follows:



<sup>3</sup> 2015 Scottish Government, The New Model for Community Justice in Scotland, FAQs: <http://www.gov.scot/Resource/0048/00486213.pdf>

## **Community Justice and Health and Social Care Needs**

- 3.12 Those in contact with our criminal justice system come predominately from communities which experience poor physical, mental and social health. They frequently suffer from multiple and complex short and long term health issues, including both physical and mental health problems, learning difficulties, and substance misuse. A disproportionately high number of those who spend time in our prisons have never worked, have been in care or dropped out of school with few or no qualifications<sup>4</sup>.
- 3.13 Efforts to improve the health and wellbeing of those in contact with the community justice represents an excellent opportunity to provide care and support for some of our most vulnerable and difficult to serve individuals.

### **4 POLICY IMPLICATIONS**

- 4.1 The East Lothian Reducing Reoffending Board will be responsible for conducting a local needs assessment and creating a Community Justice Outcomes Improvement Plan. The development and realisation of these will need to be in accord with the Health and Social Care Partnership's needs assessment and strategic plan and vice versa.
- 4.2 As dialogue between the IJB/HSCP and the Reducing Reoffending Board develops, priority areas of overlap will need to be identified and partnership representation identified for emerging Community Justice work.

### **5 INTEGRATED IMPACT ASSESSMENT**

- 5.1 As this partnership work develops it will need to incorporate integrated impact assessments to consider the impact of plans on inequalities and protected characteristics.

### **6 RESOURCE IMPLICATIONS**

- 6.1 Financial – There are no immediate financial implications
- 6.2 Personnel – There are no immediate personnel implications
- 6.3 Other – There are no other implications

### **7 BACKGROUND PAPERS**

Scottish Government (2016) Guidance for local partners in the new model for Community Justice: <http://www.gov.scot/Resource/0051/00510514.pdf>

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<sup>4</sup> Graham, L. (2007) SPS Prison Health in Scotland – A Healthcare Needs Assessment

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