Finance Committee
Community Justice (Scotland) Bill
Submission from Comhairle nan Eilean Siar

Response

Consultation

1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?

The Service Manager for Criminal Justice Social Work attended Scottish Government events and Northern Community Justice events throughout both the previous consultation periods and in the interim period. The potential financial aspects were discussed at these events, and in particular, concern was raised relating to the initial proposal that no transitional funding was to be attributed towards the move from CJAs to CPP's. It is welcomed that this has now been changed and that every Local Authority will be furnished with £50k per annum for a maximum of three years.

2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?

As indicated the main concern at the early stages of consultation on the Community Justice (Scotland) Bill was that all monies from the dissolution of CJAs were going to be used to fund the new Community Justice Agency and not to assist in the transition to Community Planning Partnerships. The change of position in providing monies for transition is particularly welcome.

3. Did you have sufficient time to contribute to the consultation exercise?

Yes

Costs

4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.

The Financial Memorandum appears accurate and reasonable in its indicative expectations of costs. It is a challenge to estimate potential financial implications at this stage of the change process as until the new arrangements are in place the Local Authority and CPP partners cannot identify potential gaps currently provided by the Northern CJA. For instance, there is the potential that the service provided by the current training officer for the Northern CJA would not be replicated in the new model and as such would see a gap in service in what could be provided to criminal
justice/ community justice partners in a rural and remote setting. If training is provided solely upon the mainland of a reduced frequency the costs of attending/maintaining accreditation would fall to s27 funding or to CPP partners.

5. **Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?**

The Financial Memorandum appears accurate and reasonable in its indicative expectations of costs.

6. **If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?**

As indicated the long-term costs of the Bill may only become apparent once the legislative changes are made and responsibility for community justice moves to the CPP. However, the transitional funding for 3 years is of benefit in ensuring processes and structures are suitably prepared for the legislative change. The challenge of the transitional funding being restricted to a 3 year period, relates to the sustainability of the new structure and processes. Once that funding ends the further costs will need to be met elsewhere against a background of significant funding challenges for all CPP partners. Comhairle Nan Eilean Siar would welcome discussion on on-going funding becoming available to support the changes proposed within the Bill.

7. **Does the FM accurately reflect the margins of uncertainty associated with the Bill’s estimated costs and with the timescales over which they would be expected to arise?**

The FM reflects the uncertainty associated with the Bill and its estimated costs, however, the margins of this can only be judged when the Bill is implemented and structural change takes place.

**Wider Issues**

8. **Do you believe that the FM reasonably captures any costs associated with the Bill? If not, which other costs might be incurred and by whom?**

The FM appears to capture the current knowledge and expectations of costs accurately. The example above indicates just one potential area of a loss of service or gap that may foresee unidentified future cost relating to the Bill.

9. **Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?**

This is unknown at this stage.