Justice Committee

Community Justice (Scotland) Bill: Stage 1 Report

Response from the Scottish Government

I am grateful to the Justice Committee for its thorough Stage 1 Report on the Community Justice (Scotland) Bill. I welcome its endorsement for the need to improve community justice structures, and its broad support for the general principles of the Bill. I am pleased to respond to the recommendations in the Committee’s Report. I have set out the Scottish Government position on each of the recommendations in the Annex attached to this letter.

I am grateful to you and your Committee, and to the other Committees which took evidence on the Bill, for the thorough and constructive stage 1 reports which they have provided. I hope you will find that the Scottish Government’s response is a positive one which addresses the points that your Committee has raised.

I believe that the discussion and debate which has taken place over Stage 1, along with the consideration of our proposals at Stage 2, will result in a better Bill. Most importantly these will provide a sound statutory basis for the new model for community justice in Scotland which will deliver a community solution to achieving improved outcomes; preventing and reducing further offending; and supporting desistance.

I am copying this letter to the Conveners of the other Committees which considered this Bill.

Paul Wheelhouse
Minister for Community Safety and Legal Affairs
11 January 2016
ANNEX

1. The Committee notes that the definition of “community justice” used in the Bill differs from that contained in the Scottish Government's consultation on which the Bill is based. We would welcome clarification as to why this decision was taken, given that no explanation for this change of approach is provided in the Policy Memorandum. The Committee welcomes the Minister's acceptance that revisions to the definition are required and asks that he includes stakeholders in the discussions around developing any revised definition.

The current definition of community justice in the Bill sets out what “community justice” is as a series of activities in relation to which there is to be strategic, outcomes-focussed planning at a local level. It is a legal definition for the specific purposes of the Bill. The definition used in the consultation cannot be used in the Bill because it is a definition of the community justice sector.

The Scottish Government had always intended to review the definition in the Bill to ensure that it was in alignment with community justice policy and existing legislation. The Scottish Government is now looking to broaden the definition of community justice in the Bill so that it goes beyond its current focus on people who have been convicted, to facilitate earlier intervention and prevention of further offending. The revised definition will be discussed with stakeholders ahead of Stage 2.

2. The Committee is sympathetic to the views of some witnesses that prevention and early intervention should be reflected in the definition of “community justice” and elsewhere in the Bill as appropriate to allow services to be aimed at averting offending behaviour as well as those dealing with reoffending. We note the Minister's position that early intervention and the prevention of offending is being taken forward through other policies and initiatives, but we welcome his commitment to give further consideration to the definition of community justice, including to try to reflect the evidence heard on prevention and early intervention.

The definition is now being reviewed with a view to broadening it to capture activity in relation to those who may have committed offences but not been prosecuted i.e. those on a diversion from prosecution order and those on bail who are awaiting trial. The existing definition of community justice is limiting as it focuses on people who have been convicted of an offence. The proposed new approach is intended to facilitate earlier intervention and thereby prevent offending behaviour from escalating.

3. The Committee notes that some victims’ groups were keen to see the interests of victims specifically reflected in the definition. We are encouraged by the Minister's commitment to consider how the interests of victims can be represented as the Bill is taken forward and ask that he reports back to the Committee on his decisions regarding this matter prior to Stage 2 proceedings on the Bill.
The Scottish Government recognises the importance of the interests of victims of crime and notes the part played by the Victims and Witnesses (Scotland) Act 2014 in providing for these needs. From a community justice perspective, the Scottish Government’s intention to reflect early intervention and the prevention of further offending in the revised definition is likely to be particularly welcomed by victims’ organisations. Also, victims’ organisations will be involved in developing the National Strategy and the National Performance Framework. The Strategy, Framework, and guidance will all make clear how important the third sector, including victims groups, are to the new model for community justice. In addition to this, the Scottish Government proposes to lodge amendments at stage 2 to give the third sector (including victims’ organisations) a stronger participative role in the planning of community justice, thereby giving these organisations stronger representation.

4. The Committee notes witnesses’ concerns regarding use of the term “offenders” in the definition and that the Minister has committed to considering — sensible alternative wording for those who have offended. Any revised definition requires to be both succinct and accurate. We consider that the national strategy on community justice proposed in this Bill may be a more appropriate place to tackle any negative perceptions associated with the term than in the Bill itself. We also note that the definition may require to be widened to encompass those who may offend in addition to “offenders” should the Scottish Government decide to include references to early intervention and prevention in the definition, as proposed by some witnesses.

The Scottish Government proposes to lodge amendments on the definition of community justice in the Bill at stage 2 to reflect earlier intervention and prevention of further offending, so that community justice will cover a wider range of people rather than focusing solely on people who have been convicted. Clearly it is important to stop people entering the criminal justice system in the first place. That is why the Scottish Government has a clear focus on advancing the Whole System Approach and improving life chances. The drive in community justice to reduce re-offending is part of its wider approach to promoting social justice and tackling inequality, which includes action to improve early years’ experiences; to raise educational attainment for all; and to continue to promote the whole systems approach to youth justice.

The Scottish Government is also reviewing the use of the term “offender” to see whether an alternative term can be identified which is succinct and accurate. The National Strategy for Community Justice is currently being developed, and it is likely that there will be a strand focused on activities to address stigma.

5. The Committee draws the Minister’s attention to the concerns of the third sector, and in particular smaller voluntary bodies, regarding the logistical and financial barriers to engaging with 32 local authorities rather than eight CJAs, including the potential impact it may have on the delivery of community justice services (especially in more remote areas). The Committee accepts that this may, at least to some extent, be alleviated by local authorities working across geographical borders where it is appropriate to do so. The Committee returns to this issue later in the report.

The Scottish Government understands that the third sector has some concerns about how the new arrangements will impact on them. The Scottish Government is working with the third sector in addressing these concerns. The funding provision
and engagement work being undertaken by the Scottish Government in the transitional period will help planning partners prepare for their roles under the new model and better understand how they can work together in an efficient way. It is intended that £50,000 per annum will (subject to the Comprehensive Spending Review) be allocated to the Criminal Justice Voluntary Sector Forum for three years ending in 2017/18. Identifying a means of the third sector engaging in an efficient way with the 32 sets of Community Justice Partners will be considered as part of the transition work.

6. We note from the Minister’s most recent letter that the Scottish Government’s intention is for both the national strategy and the national performance framework to be published in mid-2016, after the relevant sections have been commenced. As referred to earlier, we consider it vital that stakeholders are fully involved in the development of this documentation to ensure the best working model can be achieved and that any potential difficulties can be addressed as early as possible. We request early sight of the documents. We agree with witnesses that reoffending rates are not the only indicator of success and therefore ask the Scottish Government to reflect on the view that indicators of broader outcomes should be included in the national performance framework.

Partners and stakeholders are fully involved in the development of both the National Strategy for Community Justice and the National Performance Framework, with a significant amount of engagement and discussion on-going. To help ensure that collaboration is at the heart of this work, the Strategy is being guided by the National Strategy for Community Justice Steering Group, which is made up of partners and stakeholders from a broad range of backgrounds, including social work, the Scottish Prison Service, the NHS, Police Scotland, third sector, central and local government, community planning partnerships, academia and people with a history of offending.

The National Performance Framework is being developed with representatives from organisations that are central to improving outcomes for community justice. Draft outcomes and indicators are currently being tested with five Community Planning Partnership areas. These were developed with a broad range of stakeholders over the last 12 months. The draft outcomes will be reviewed and validated during the prototyping stage which is due to end in December 2015. The outcomes and indicators are not focussing primarily on re-offending rates but importantly on the basic needs and services of individuals to desist from offending.

The Scottish Government will endeavour to provide drafts of these documents to the Committee in advance of stage 3 and, if that is not possible given the anticipated stage 3 date (currently February 2016), will at least provide outlines of these documents.

7. The Committee notes the difference of views amongst witnesses regarding the level of oversight that the national body should have, with local authority bodies preferring a ‘light-touch’ approach, and others, including Dame Elish Angiolini, Chair of the former Commission on Women Offenders, and Safeguarding Communities Reducing Offending (SACRO), supportive of local bodies being more accountable to Community Justice Scotland. The
Committee considers that, if the national body does not have adequate powers of oversight to measure and drive forward improvements in performance, there is a danger that weaknesses in relation to accountability, strategic leadership and the ability to properly measure outcomes in the existing arrangements will persist.

The Scottish Government shares the Committee’s view that robust oversight arrangements are vital to the efficient operation of the new model for community justice. So too are local leadership and ownership of community justice. The new model therefore respects the existing lines of accountability for the Community Justice Partners. The responsibility for resolving any local issues with planning, rests with the local Community Justice Partners themselves.

Should partners request assistance on issues that they have not been able to resolve locally, then Community Justice Scotland can offer support and advice. The Bill also provides for Community Justice Scotland to make recommendations to Scottish Ministers should a performance issue persist. The Bill does not specify what the recommendations might be, as this is a matter for Community Justice Scotland to propose and for Scottish Ministers to determine what, if any, action to take. The recommendations might include the need for an improvement plan or the need for a formal inspection. In exceptional circumstances, there could be a recommendation to establish a rescue task group. These arrangements will be reflected in guidance in due course.

The Scottish Government has reflected on the Committee’s comments and will propose a modest amendment to strengthen Community Justice Scotland’s oversight functions, particularly in relation to improving performance in community justice planning.

8. The Bill does not propose the creation of a national Community Justice and Prison Delivery Board; therefore, the Committee did not fully pursue the issue. We recognise that there are benefits in the Scottish Prison Service and community justice services working more closely together to ensure that support and resources are targeted appropriately. Thus, we are encouraged that Community Justice Scotland will sit on the Scottish Government’s Justice Board with other partners, such as the Scottish Prison Service, where strategic thinking and reprioritisation of funding between agencies can be considered. We also welcome the Minister’s commitment to ensure that the national strategy would promote the use of effective, evidence-based community disposals, and that the national performance framework would provide increased visibility of use of these disposals.

The Scottish Government welcomes the Committee’s endorsement of the intention for Community Justice Scotland to sit on the Scottish Government’s Justice Board. Community Justice Scotland’s seat on the Board will allow the body and therefore community justice, to have the same standing as the custodial sector and, with the other Heads of Justice organisations around the table, allows for discussion on resources and outcomes.

The new model established by the Bill will support the Scottish Government’s vision for a fairer justice system in Scotland by promoting awareness of the benefits of
community sentences rather than custodial sentences, and improvements in the reintegration to the community of people leaving custody. The new National Performance Framework will enable the consistent evaluation of progress in delivering community justice outcomes. Transparency and visibility will be assured through the requirement to publish community justice plans and annual performance reports.

The National Strategy for community justice will provide the vision for community justice. It will help partners to prioritise key areas which they will address in partnership, through an approach which is both outcomes-focused and evidence-based. In this way, the strategy will facilitate and drive improvement in community justice.

9. The Committee notes that some witnesses supported the suggestion of an inspector reporting on the effectiveness of community justice or joint inspections by existing inspectorates, while others did not consider this was necessary. On balance, we consider that other bodies, including the new national body and Audit Scotland, have a role in reporting on community justice, and that the new arrangements should have time to become established before there is consideration of whether an inspector or joint inspections are needed.

The National Performance Framework will include an agreed approach to self-evaluation; scrutiny and inspection; evaluation; principles; and a quality statement. The Scottish Government is working closely with scrutiny and inspection bodies, including Audit Scotland and the Care Inspectorate, to develop the approach to scrutiny and inspection for community justice under the new model. The Scottish Government agrees with the Committee that the inspection arrangements should not be required in the early days of the new model.

10. While the Committee heard evidence that local elected members should sit on the Community Justice Scotland Board to ensure local political accountability, it also heard that it would be impossible to find a local elected member who could represent all areas. The Committee considers that Board members should be selected to reflect the range of skills and experience needed to fulfil the role and, while local elected members may be chosen on this basis, a specific requirement to do so should not be included in the Bill.

The Scottish Government shares the Committee’s views on this matter. Board members will be appointed by Scottish Ministers through the formal Public Appointments process in compliance with the Code of Practice for Ministerial Appointments to Public Bodies in Scotland. Selection will be based on the mix of skills and experience that applicants can bring to the role, not on the basis that they are representing their own organisation.

11. Notwithstanding our recommendations aimed at strengthening the oversight functions of Community Justice Scotland earlier in this report, the Committee is broadly content with its functions as set out in the Bill. However, we warn against a ‘one-size-fits-all’ approach: community justice arrangements must be flexible enough to allow decisions to be taken at local level, based on local need.
The Scottish Government recognises that local areas are best placed to determine the outcomes that are the priority for improvement in their local area and the activities required to achieve such improvement. Community Justice Partners must plan for and report on all national outcomes together with any additional local priorities. These arrangements will be complemented by Community Justice Scotland working with local partners to identify and share best practice and to develop a strategic approach to commissioning.

12. The Committee notes the concerns of a number of witnesses that the power to confer additional functions on Community Justice Scotland, by regulations (section 3(4)), along with the general power for the body to do anything that appears to be necessary in the exercise of its functions (section 4), could lead to an erosion of local authority functions and responsibilities relating to community justice. The Committee endorses the Delegated Powers and Law Reform Committee’s report in which it accepted in principle the powers under section 3(4). We also note that the DPLR Committee drew this Committee’s attention to the general power and the Scottish Government’s explanation as to why this is necessary. On balance, the Committee considers that the general power is sensible in allowing the body to exercise its functions effectively, but we ask the Scottish Government to monitor how this works in practice to ensure that CJS does not intrude into areas best dealt with at local level. Clarification of roles and responsibilities, as recommended earlier in this report, would also assist in this regard.

The Scottish Government welcomes the Committee’s support for the powers under section 3(4) of the Bill. The power for Scottish Ministers to alter the functions of Community Justice Scotland is a future-proofing measure. It would not be used lightly, and any regulations would be subject to affirmative procedure and therefore subject to detailed Parliamentary scrutiny. Scottish Ministers would also require to consult Community Justice Scotland and anyone else they considered appropriate before making any such regulations. The Scottish Government intends to lodge a Stage 2 amendment to further strengthen the consultation requirement by including Community Justice Partners as an additional statutory consultee.

It should also be noted that the Scottish Government will have a sponsorship relationship with Community Justice Scotland and will thereby ensure that Community Justice Scotland operates within its functions. There is no intention for the power to be used for the purpose of eroding local authority functions and responsibilities.

Roles and responsibilities will be further clarified through guidance.

13. The Committee considers that CJS has an important role in commissioning services where there is a national or strategic need. However, we note the position of some witnesses that CJS should, in developing and arranging services, avoid undermining local needs.

The Scottish Government would like to clarify that the default position, in keeping with the local model, is for the majority of commissioning to take place locally.
There are no prescribed areas in which services would be commissioned on a pan-Scotland/national basis. National commissioning would take place on the basis of being able to deliver value for partners, for example through economies of scale. It is also not the case that all national commissioning would be undertaken via Community Justice Scotland. Under the new model, lead authority or existing national arrangements should be used where these are the best avenue to do so.

Where a new or national initiative needs to be established by Scottish Ministers, and there is an impact on local financial and commissioning decisions, Scottish Ministers would consult with COSLA Leaders as appropriate, with a view to seeking agreement. This respects the established procedures for the setting of the public sector budget in Scotland. In addition, the Bill provides that when considering establishing a new national initiative, Scottish Ministers must first consult the Community Justice Partners and anyone else they considered appropriate.

One of Community Justice Scotland’s first tasks will be to work with Community Justice Partners and the Third Sector to develop and agree a strategic approach to commissioning.

14. The Committee considers that the list of community justice partners should not be extended too widely, in order to ensure effective decision-making. We welcome the Minister’s commitment to listen to the third sector’s concerns regarding participation in the new arrangements, but ask the Scottish Government to reflect on whether the requirement in the Bill for statutory partners to only “consult” with community bodies is strong enough to ensure effective collaboration and engagement with the third sector.

The Scottish Government’s view is that a statutory requirement to consult is one which must be taken seriously - consultation must be meaningful and genuine and not simply a cursory exercise.

It should be noted that section 18 of the Bill enhances the duty placed on Community Justice Partners to consult when preparing a community justice plan under section 17 by requiring those partners to consider which bodies may be able to contribute to the preparation of the plan; to make all reasonable efforts to secure the participation of such bodies; and where such a body does wish to participate, to take reasonable steps to enable the body to do so. This provision is intended to ensure the participation of those third sector bodies that wish to be involved in the preparation of the community justice plan.

Nevertheless, the Scottish Government has considered the views of the Committee and stakeholders and will be proposing a stage 2 amendment to give a stronger participative voice to the third sector not only in planning community justice but also at a strategic level through contributing to the development of the National Strategy for Community Justice and the National Performance Framework. Indeed, third sector bodies are already closely involved in the on-going development of National Strategy and Framework.

15. The Committee notes the views of some witnesses that the Bill should specify a lead partner within each community justice partnership, with
responsibility for ensuring that certain tasks are completed. While we consider that there may be merit in appointing a lead partner to ensure a focus to discussions, we would be wary, as suggested by the Minister, of this leading to other partners avoiding their responsibilities. The Committee therefore does not support a specific requirement in the Bill that a lead partner be appointed. Instead, we recommend that partnerships have the flexibility to appoint a lead partner where they consider it would be appropriate to do so and that good practice in this area is shared through guidance. We also consider that clarification of the duties of community justice partners would be helpful in ensuring that each partner fulfils its responsibilities.

The Scottish Government agrees fully with the Committee’s position on this. Collective responsibility is vital to the success of the new model for community justice. That is why the Scottish Government does not favour the idea of a lead partner within each community justice partnership, with responsibility for ensuring that certain tasks are completed. Rather, it will be a matter for the Community Justice Partners to discuss and agree amongst themselves their respective roles in coming together to plan for community justice in their area.

Clarification of the duties of community justice partners to ensure that each partner fulfils its responsibilities is a key part of the transition work which the Scottish Government is currently undertaking with partners. Guidance will issue in due course to provide a further source of clarification.

16. The Committee remains unclear why the Bill does not specify that planning of community justice is a responsibility of community planning partnerships, as expected following the Scottish Government’s 2014 consultation and subsequent material on the new arrangements. We do not see merit in creating a new grouping of community justice partnerships and therefore recommend that the Bill clearly specifies that CPPs have responsibility for community justice planning with a view to making the new arrangements as clear and as simple as possible.

Community Planning Partnerships (“CPPs”) are not mentioned in the Bill because they are not statutory entities for accountability purposes – rather they are the sum of their partners and then only when carrying out community planning under the Community Empowerment (Scotland) Act 2005. Scottish Ministers cannot, therefore, assign duties direct to them. The new model confers the planning, monitoring and accountability functions instead on designated community justice partners - they can be held to account for their contribution to community justice outcomes in ways that CPPs cannot, since CPPs have no formal lines of accountability other than to local communities.

Some of the community planning partners do not have a sufficiently strong and direct interest in community justice planning to justify placing statutory planning duties on them. Therefore it would not have been fair or proportionate to do so. The eight statutory Community Justice Partners, have been chosen because of their unique role individually but also collectively in delivering services which, if planned and delivered appropriately and against an evidence-based approach, will improve community justice outcomes.
Nevertheless, the Scottish Government has always set the planning for community justice within the context of wider community planning. Indeed the collective knowledge of CPPs supports the multi-agency, holistic approach to reducing re-offending which is at the heart of the new model. The Scottish Government therefore expects CPPs to be at the core of the new model and community justice planning to take place using community planning structures. Evidence to date points to this being the case.

There are further links between community justice planning and wider community planning. For example, community justice partners will have a duty to take account of the CPP local outcomes improvement plan for their area when setting their own plan for community justice. This will ensure synergy and alignment of outcomes between the two plans to minimise parallel planning. In addition to this, six of the eight community justice partners are existing community planning partners. Therefore, in practice there will be important links between CPPs and Community Justice Partners. They share ambitions of joint working to improve outcomes, prevent harm and tackle inequalities.

The transition work currently ongoing clarifies roles and responsibilities and will help CPPs and Community Justice Partners to consider the sort of relationship they want, and to build that relationship. Further clarification will come when transition plans are submitted in January 2016. The Scottish Government intends to publish guidance once the Community Justice Bill has received Royal Assent. This guidance will reiterate the expectation that community justice planning should be carried out using community planning structures.

17. The Committee welcomes the clarification provided by the Minister that local authorities would still be able to work across geographical borders where appropriate and recommends that good practice in this area be promoted in guidance.

Collaboration is at the heart of the new model. The Scottish Government will include joint-working arrangements in the guidance in due course and promote good practice in this area. Current transition work includes identification of shared services.

The hub for innovation, learning and development, which will be part of Community Justice Scotland, will facilitate a knowledge exchange such as collaborating with other organisations, bodies or professions to facilitate the sharing of best practice.

18. The Committee is disappointed that the same concerns about the funding and sustainability of third sector community justice projects have persisted over many years. We do, however, welcome the Scottish Government’s current review of the funding mechanism for community justice social work services which is due to report shortly, and we would welcome early sight of this report to help inform our consideration of the provisions in this Bill and related issues.

The Scottish Government shares the Committee’s concerns about the impact that short-term funding has on the third sector. The Scottish Government recognises the constraints and uncertainty that one year funding creates, particularly around the strategic commissioning of services. A move from annual system of funding to
indicative funding over a three year period was one of the issues considered by a funding technical advisory group in its review of the formula for Section 27 funding for community justice. A number of proposals made by the technical advisory group were considered by a community justice Funding Group in December 2015 which, if endorsed by the joint SG and COSLA Settlement and Distribution Group, should see a new funding model going live in 2017-2018.

19. The Committee notes the apparent imbalance in funding for the new arrangements, with Community Justice Scotland being allocated £615,000 in setup costs and £2.2 million annual running costs, and the 32 local authorities being given a share of £1.6 million transitional funding for each of the next three years. We consider that, if the new arrangements are to work effectively, the local partnerships must be properly resourced to exercise their increased duties. We also have concerns that some successful projects may be at risk due to the lack of sustainable funding. However, we welcome the commitment given by the Scottish Government to the Finance Committee that it will work with COSLA throughout the transition period to identify any emerging issues and to review its position on funding at the end of the three-year period.

The Scottish Government’s position is to consider the evidence of how the 3 year transitional funding is being used before coming to a final view on what, if any, continued funding is required. The reports against the funding will identify how this funding has been utilised in supporting the change process. In the meantime, the Scottish Government will work with COSLA throughout the transition period to identify any emerging issues. Scottish Government will then review its position on funding at the end of the three-year period.

20. The Committee notes that the majority of evidence received agreed that the timescale for implementation was realistic as local authorities were already working towards the new model. We agree: the continued period of uncertainty during the prolonged period of consultation has been unsettling for those involved in community justice arrangements and it is therefore imperative that further delay is avoided.

The Scottish Government set out the detail of the new model for community justice in its 2014 consultation, which was swiftly followed up with the Community Justice Bill in 2015. The transitional work which the Scottish Government is taking forward with stakeholders will reduce uncertainty for them and prepare them for their new roles.

21. The Committee considers that the detail provided in the Policy Memorandum on the policy intention behind the provisions in the Bill and why alternative approaches were not favoured was useful in assisting the Committee in its scrutiny of the Bill. However, the confusion of witnesses, and indeed the Committee, as to the duties of the proposed bodies and how they interact might have been avoided if further explanation had been provided in the Policy Memorandum. The Committee is also disappointed that no explanation for the change in approach to the definition of community justice was provided and, again, suggests that the widespread concern amongst witnesses at the omission of prevention and early intervention from the definition could have been lessened if an explanation had been given.
The Scottish Government notes the Committee’s views and would like to confirm that it is actively working with partners to clarify roles and its position on early intervention and prevention. The transition work will aid understanding of roles and responsibilities and help partners identify how they might work together effectively. Guidance will also clarify roles and responsibilities.

As mentioned earlier, the approach taken in the Bill is to define the activities which comprise community justice as it is those activities which are to be planned for in the Bill. The Scottish Government had always intended to review the definition to ensure that it was in alignment with community justice policy and existing legislation. It is proposing to lodge amendments to the definition that seek to address some of the concerns raised and the revised definition will be discussed with stakeholders ahead of Stage 2.

22. The Committee is content with the level of detail provided in the Financial Memorandum. We have reflected the issues raised by the Finance Committee in its report on the FM under the relevant sections in this report.

The Scottish Government has noted and responded to these points elsewhere in this document.

23. The Committee broadly supports the general principles of the Bill. We see merit in the general approach taken in the Bill, but we have made a number of recommendations aimed, in particular, at strengthening strategic leadership and accountability and demystifying the complex landscape identified as particular weaknesses in the current model by the Commission on Women Offenders and Audit Scotland in their 2012 reports. The Committee also has some doubts as to whether the Bill will de-clutter the complex community justice landscape described in these reports.

The Scottish Government welcomes the Committee’s support for the principles of the Bill and the general direction taken by the Bill. The Scottish Government is of the view that the new model addresses the main issues raised in the Commission on Women Offenders Report and Audit Scotland Report in a number of ways - in particular by providing for strong leadership; an outcomes-based approach to planning and reporting; and opportunities for innovation and workforce learning.

In terms of simplifying the complex landscape, the new model further brings clarity by providing for strong leadership and a strategic, collaborative approach to planning, reporting and the commissioning of services. The new National Strategy and National Performance Framework for community justice also lend coherence and strategic direction to what the new model is aiming to achieve.

This Bill makes clear who the community justice partners are; what they are required to do; and whom they must involve. It also defines the role of Community Justice Scotland, and makes clear how and when Scottish Ministers may be engaged. The Bill also sets out a role for communities. The key relationships are, therefore, articulated in the Bill. The transition work that the Scottish Government is currently undertaking with partners and stakeholders will provide further opportunities to be clear about roles and relationships going forward. This will help partners to prepare for their roles and to understand key processes.