Dear Committee

COMMUNITY EMPOWERMENT (SCOTLAND) BILL – CALL FOR WRITTEN EVIDENCE

I am writing to you on behalf of the eight Community Justice Authorities (CJAs) in Scotland. We welcome this opportunity to submit our evidence, setting out our views on the provisions of this wide-ranging Bill.

Our particular interest in this Bill stems from the Scottish Government’s plans to transfer the responsibility for Community Justice and reducing re-offending from the CJAs to Scotland’s 32 Community Planning Partnerships (CPPs) by early 2016.

Our experience is that resilient, confident communities are at the heart of developing a safer, stronger Scotland. The Bill will provide CPPs with the powers to engage with Community Justice organisations at both national and community levels. Communities will need to be supported to acknowledge, engage and take ownership of the agenda and to realise their own potential to reduce re-offending.

Given that our interest in the Bill is specific, we have not responded directly to the five questions set out in your call for written evidence. However, there are a number of issues that we feel remain unresolved and should be brought to the Committee’s attention - we have outlined these below:

i. There is an absence of specified justice bodies within the list of public bodies to be covered in Schedule 2 (Annex C, page 21). If we see Community Planning as the critical partnership for driving the public sector commitment to Community Empowerment, then we need to ensure CPPs link strategically with all key partners.

For community justice, we note that under the lists of Relevant Authorities and Public Services Authorities, key partners are not explicitly listed. Community Empowerment, in relation to improving justice within communities, will fall short without the critical input from
partners within justice, in particular the Scottish Prison Service, the Crown Office and Procurator Fiscals Office and the Scottish Court Service.

There are also a number of key third sector partners, many unique to justice, who are vital, not least of which is Victim Support Scotland.

ii. Whilst the definition of Community Body, set out at section 1, appears widely embracing, the necessary steps within the definition may inhibit engagement with broader, informal communities of interest. Such communities are not necessarily organised or constituted groups. This would potentially limit the opportunity for many justice-based communities of interest to engage with public bodies, such as offenders and ex-offenders (including those recently released from custody), families affected by the criminal justice system and victims of crime.

iii. It is vital that there is a clear place for Community Justice on the agenda of CPPs that does not get overshadowed by other, high profile issues. CPPs need to be clear on what Community Justice encompasses, and to be resourced to take on their new duties and responsibilities. This should be clearly linked into the lessons that can be shared from the CJAs.

iv. CJAs have demonstrated the added value of partnership working across a wide range of groups and organisations, including a strong role for the third sector. It is our experience that partners can and will commit to shared outcomes where these are clearly defined and of mutual benefit. CJAs have also developed and tested out new models of collaborative funding and joint capacity building. To develop, drive forward and sustain this level of partnership requires significant coordination and support.

v. Community interests and priorities must continue to play a central role in community justice within the new arrangements. Operating as CJA Boards, local Elected Members have brought communities’ voices to the table.

vi. We welcome the impetus on partners to contribute (rather than simply identify or align) funds, staff and other resources that the CPPs deem appropriate. We do however have concerns around the priority Community Justice will receive amongst the competing demands that this will bring.

vii. We welcome the enhanced focus on neighbourhood planning within community planning. It should be noted though, that within Justice, there is very little data available at a neighbourhood level, therefore most justice partners will need considerable support (and in some cases resources) to report in this way.

Thank you again for the opportunity to submit written comments on this Bill. We believe that communities lie at the heart of promoting community justice and reducing reoffending, and that the Community Empowerment Bill therefore has the potential to create a safer and stronger Scotland.

Yours faithfully

Cllr Peter McNamara
Chair of National CJA Conveners Group