



The Scottish Parliament
Pàrlamaid na h-Alba

JUSTICE COMMITTEE

AGENDA

28th Meeting, 2015 (Session 4)

Tuesday 6 October 2015

The Committee will meet at 9.30 am in the James Clerk Maxwell Room (CR4).

1. **Community Justice (Scotland) Bill:** The Committee will take evidence on the Bill at Stage 1 from—

Paul Wheelhouse, Minister for Community Safety and Legal Affairs, Andy Bruce, Deputy Director, Community Justice Division, Arlene Stuart, Head of Community Justice Operational Unit, Elaine Hamilton, Community Justice Bill Team Leader, Craig French, Directorate for Legal Services, and Carolyn O'Malley, Directorate for Legal Services, Scottish Government.

2. **Criminal Justice (Scotland) Bill:** The Committee will consider the Bill at Stage 2 (Day 4).

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The papers for this meeting are as follows—

Agenda item 1

Paper by the clerk

J/S4/15/28/1

Private paper

J/S4/15/28/2 (P)

[Community Justice \(Scotland\) Bill, accompanying documents and SPICe briefing](#)

[Written submissions received on the Bill](#)

Agenda item 2

[Criminal Justice \(Scotland\) Bill and all other associated documents](#)

Justice Committee

28th Meeting, 2015 (Session 4), Tuesday, 6 October 2015

Community Justice (Scotland) Bill

Note by the Clerk

Purpose

1. This paper provides some background information in advance of the Committee's final Stage 1 evidence session on the Community Justice (Scotland) Bill on 6 October.

The Bill

2. The Bill was introduced in the Parliament on 7 May and referred to the Justice Committee on 13 May. The Policy Memorandum states that "the purpose of the Bill is to replace the existing model for community justice services, which is based on eight regional Community Justice Authorities¹ (CJAs), with a new model". The Bill would in particular:

- require Scottish Ministers to publish both a national strategy and a national performance framework in relation to community justice,
- create a national body, Community Justice Scotland (CJS), with responsibility for overseeing and keeping Scottish Ministers informed about performance in relation to community justice provision, promoting and supporting improvements, and promoting the national strategy.
- require CJS to publish a strategy for innovation, learning and development in relation to community justice, identify and promote good practice and commission services,
- define a set of community justice partners with responsibility for planning, delivery and monitoring of community justice services at local authority level, and
- require CJS and community justice partners to co-operate with each other in carrying out their functions in relation to community justice.

3. The Bill and accompanying documents can be found at:

<http://www.scottish.parliament.uk/parliamentarybusiness/Bills/88702.aspx>

4. Further background information is available in the SPICe briefing on the Bill at:

<http://www.scottish.parliament.uk/parliamentarybusiness/91595.aspx>

Committee consideration

Justice Committee

5. Written submissions received by the Committee on the Bill can be accessed at:

<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/89548.aspx>

¹ The role of CJAs is to plan, co-ordinate, monitor and report on the delivery of offender services and to produce a strategic plan for their area in consultation with statutory and non-statutory partner bodies. The membership of CJAs is restricted to elected members.

6. The Committee has to date held three evidence sessions on the Bill, on 1, 15 and 22 September.² Key issues discussed at the earlier sessions include:

- the definition of community justice in the Bill,
- the balance between national and local responsibility for community justice arrangements proposed in the Bill,
- the role of the proposed new national body, Community Justice Scotland,
- whether the structures and governance arrangements proposed for the delivery of community justice are appropriate,
- the role of the third sector, local elected members, and victims and their families in relation to the Bill,
- commissioning arrangements, and
- resourcing of the proposals in the Bill.

7. Official reports of the meetings on 1, 15 and 22 September can be found at:

<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/29847.aspx>

Other committees

8. The Delegated Powers and Law Reform Committee published its report on the delegated powers in the Bill on 30 September. The report is available at:

<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/92745.aspx>

9. The Finance Committee's report on the financial memorandum on the Bill was published on 1 October and can be found at:

<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/92776.aspx>

Next steps

10. The Justice Committee's final evidence session on the Bill, involving the Minister for Community Safety and Legal Affairs, is on 6 October. The Committee will publish a Stage 1 report on the Bill in early November and a Stage 1 debate will be held in the Parliament thereafter.

² Witnesses on 1 September included: Dame Elish Angiolini (representing the Commission on Women Offenders); Audit Scotland; the Society of Local Authority Chief Executives and Senior Managers (SOLACE) Scotland. Participants on 15 September included a number of community planning partnerships community justice authorities and local authority criminal justice social work. The session on 22 September involved Police Scotland; Social Work Scotland; Scottish Prison Service; Forth Valley Health Board; Parole Board for Scotland; Risk Management Authority; Apex Scotland; Criminal Justice Voluntary Sector Forum; Families Outside; Positive Prison? Positive Futures; SACRO; Scottish Women's Aid; Shelter (Scotland); The Robertson Trust; and Victim Support Scotland.