



Community Justice (Scotland) Act 2016

2016 asp 10

National strategy and performance framework

15 National strategy in relation to community justice

- (1) The Scottish Ministers must, no later than one year after this section comes into force, publish a strategy in relation to community justice in Scotland.
- (2) The strategy may contain such material in relation to community justice as the Scottish Ministers consider appropriate, including in particular—
 - (a) a statement of the aims of community justice,
 - (b) action that the Scottish Ministers propose to take, or consider that others should take, to achieve, or support the achievement of, those aims,
 - (c) action that the Scottish Ministers consider that others should take to facilitate access to relevant general services by persons who have been convicted of an offence following the release of such persons from imprisonment or detention in a penal institution.
- (3) In subsection (2)(c), “relevant general services” has the same meaning as in section 1.
- (4) In preparing the strategy, the Scottish Ministers must consult—
 - (a) each of the other community justice partners,
 - (b) such third sector bodies involved in community justice as they consider appropriate, and
 - (c) such other persons as they consider appropriate.
- (5) Subsection (4) is complied with even if the consultation has been undertaken, or initiated, before this section comes into force.
- (6) As soon as reasonably practicable after the strategy has been published under subsection (1), the Scottish Ministers must lay a copy of it before the Scottish Parliament.

16 Review of national strategy

- (1) The Scottish Ministers must review the strategy published under section 15(1)—
 - (a) no later than 5 years after the strategy is published, and

- (b) then from time to time (but no later than 5 years after the last review).
- (2) Following such a review, the Scottish Ministers must either—
 - (a) publish a revised strategy, or
 - (b) publish a statement indicating that they consider that the strategy should not be revised.
- (3) Subsection (2) of section 15 applies to a revised strategy as it applies to the strategy published under subsection (1) that section.
- (4) In reviewing, and in revising, the strategy, the Scottish Ministers must consult—
 - (a) Community Justice Scotland,
 - (b) each of the other community justice partners,
 - (c) such third sector bodies involved in community justice as they consider appropriate, and
 - (d) such other persons as they consider appropriate.
- (5) As soon as reasonably practicable after a revised strategy has been published under subsection (2)(a), the Scottish Ministers must lay a copy of it before the Scottish Parliament.
- (6) Where a revised strategy is published under subsection (2)(a), this section—
 - (a) ceases to apply in relation to the previous strategy, and
 - (b) applies instead in relation to the revised strategy (as it applied in relation to the strategy published under section 15(1)).

17 National performance framework in relation to community justice

- (1) The Scottish Ministers must, no later than one year after this section comes into force, publish a performance framework in relation to community justice in Scotland.
- (2) The framework is to set out—
 - (a) outcomes in relation to community justice which are to be achieved in the area of each local authority (called “nationally determined outcomes”), and
 - (b) indicators to be used to measure performance in achieving the outcomes (called “national indicators”).
- (3) The framework may contain such other material concerning performance in relation to community justice as the Scottish Ministers consider appropriate, including in particular—
 - (a) other indicators which may be used to measure performance in relation to community justice, including indicators in relation to access to and use of relevant general services,
 - (b) advice or guidance in relation to—
 - (i) anything in the framework,
 - (ii) achieving improvement in performance in relation to community justice more generally.
- (4) In subsection (3)(a), “relevant general services” has the same meaning as in section 1.
- (5) In preparing the framework, the Scottish Ministers must consult—
 - (a) each of the other community justice partners,

- (b) such third sector bodies involved in community justice as they consider appropriate, and
 - (c) such other persons as they consider appropriate.
- (6) Subsection (5) is complied with even if the consultation has been undertaken, or initiated, before this section comes into force.

18 Review of national performance framework

- (1) Community Justice Scotland must review the framework published under section 17(1)—
- (a) no later than 5 years after the framework is published, and
 - (b) then from time to time (but no later than 5 years after the last review).
- (2) Following such a review, Community Justice Scotland must either—
- (a) make proposals to the Scottish Ministers for the revision of the framework, or
 - (b) publish a statement indicating that they consider that the framework should not be revised.
- (3) In reviewing the framework, and in developing proposals for revision of it, Community Justice Scotland must—
- (a) have regard to the national strategy, and
 - (b) consult—
 - (i) each of the community justice partners (other than the Scottish Ministers),
 - (ii) such third sector bodies involved in community justice as it considers appropriate, and
 - (iii) such other persons as it considers appropriate.
- (4) The Scottish Ministers must consider any proposals made to them under subsection (2) and then either—
- (a) publish a revised framework reflecting them, with such modifications as they consider appropriate, or
 - (b) publish a statement indicating that they consider that the framework should not be revised.
- (5) The Scottish Ministers must consult Community Justice Scotland before—
- (a) publishing a revised framework under subsection (4)(a) containing modifications, or
 - (b) publishing a statement under subsection (4)(b).
- (6) Subsections (2) and (3) of section 17 apply to a revised framework as they apply to the framework published under subsection (1) of that section.
- (7) Where a revised framework is published under subsection (4)(a), this section—
- (a) ceases to apply in relation to the previous framework, and
 - (b) applies instead in relation to the revised framework (as it applied in relation to the framework published under section 17(1)).