

## **POLICY NOTE**

### **THE COMMUNITY JUSTICE OUTCOMES IMPROVEMENT PLAN AND PERFORMANCE REPORT (SCOTLAND) REGULATIONS 2016**

#### **SSI 2016/309**

1. The above instrument was made in exercise of the powers conferred by sections 19(1) and 23(1)(a) of the Community Justice (Scotland) Act 2016 (“the 2016 Act”). The instrument is subject to negative procedure.

#### **Policy Objectives**

2. Regulation 2 makes provision under section 19(1) of the 2016 Act to provide that the date by which community justice partners for each local authority area must publish their first community justice outcomes improvement plan is 31st March 2017. The plan is to include an assessment of whether the nationally determined outcomes (set out in the national performance framework published under section 17) are being achieved using the nationally-determined indicators, and if not what action, if any, is to be taken to achieve them. The plan may also set out locally determined outcomes to be achieved in the area and the indicators to be used to measure performance in achieving those outcomes.

3. Regulation 3 makes provision under section 23(1)(a) of the 2016 Act to specify that the period for the first performance report prepared under that section is the period from 1st April 2017 to 31st March 2018. Section 23(1) provides that the report is to be published by the community justice partners for the local area as soon as reasonably practicable after that period. The report will set out the action they have taken to achieve the community justice outcomes set out in the plan prepared under section 19, as well as the progress they believe they have made towards achieving those outcomes, using the specific indicators set out in the plan.

#### **Consultation**

4. The date for the publication of the first community justice outcomes improvement plan has been discussed with all of the statutory community justice partners involved in ensuring a smooth transition to the new model of community justice. Other partners who have an interest have also been consulted, such as Social Work Scotland, the Community Planning Partnership Managers Network and the Criminal Justice Voluntary Sector Forum. The date was also considered during the development of the statutory guidance for the new model led by a guidance sub group of the transition workstream. The 31st March 2017 date was proposed by the Scottish Government and shared in the draft guidance which was published in April 2016 on the Knowledge Hub for Community Justice Redesign. No concerns have been raised in relation to the proposed date. Indeed, partners have stated that they would welcome early notice as to the required date to allow them to progress the development of their plans in a timely manner and ensure that they proceed through the required engagement, consultation and governance routes.

5. The period to be covered by the first performance reports in relation to community justice outcomes was discussed with the Community Justice Co-ordinators (who lead on the development of the plans at a local level) and partners, including representation from

statutory community justice partners, at an event in April 2016. There was consistent support for the performance report to cover the period 1st April 2017 to 31st March 2018. The period for the reports will be reflected in the community justice guidance when it is formally launched in November 2016.

### **Impact Assessments**

6. A range of Impact Assessments were undertaken for the Bill for the 2016 Act in April 2015. No additional impacts are expected to arise from specifying the due date for the community justice outcomes improvement plans and the period to be covered by the associated performance reports. Therefore, no dedicated impact assessments were undertaken in establishing these dates.

### **Financial Effects**

7. There are no financial effects arising from stipulating the due dates. The financial cost for all legislative provisions in the Bill for the 2016 Act was assessed as part of the Financial Memorandum for the Bill.

8. A Business and Regulatory Impact Assessment (BRIA) was carried out in respect of the legislative provisions in the Bill for the 2016 Act. Accordingly, no dedicated BRIA was undertaken in establishing the relevant dates specified in this SSI.

9. The Minister for Community Safety and Legal Affairs confirms that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government  
Justice Directorate

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