



# Community Justice (Scotland) Act 2016

## 2016 asp 10

### *Innovation, learning and development*

#### **32 Strategy for innovation, learning and development**

- (1) In pursuance of section 4(1)(c), Community Justice Scotland must, no later than one year after this section comes into force, publish a strategy for innovation, learning and development in relation to community justice.
- (2) The strategy may contain such material about innovation, learning and development in relation to community justice as Community Justice Scotland considers appropriate.
- (3) In preparing the strategy, Community Justice Scotland must—
  - (a) have regard to—
    - (i) the national strategy, and
    - (ii) the national performance framework,
  - (b) consult—
    - (i) each of the community justice partners,
    - (ii) such third sector bodies involved in community justice as it considers appropriate, and
    - (iii) such other persons as it considers appropriate.

#### **Commencement Information**

**II** S. 32 in force at 1.4.2017 by S.S.I. 2017/33, reg. 2(3)

#### **33 Review of strategy for innovation, learning and development**

- (1) Community Justice Scotland must review the strategy published under section 32(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, Community Justice Scotland must either—
  - (a) publish a revised strategy, or

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**Changes to legislation:** There are currently no known outstanding effects for the Community Justice (Scotland) Act 2016, Cross Heading: Innovation, learning and development. (See end of Document for details)

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- (b) publish a statement indicating that it considers that the strategy should not be revised.
- (3) Subsection (2) of section 32 applies to a revised strategy as it applies to the strategy published under subsection (1) of that section.
- (4) In reviewing, and in revising, the strategy, Community Justice Scotland must—
  - (a) have regard to—
    - (i) the national strategy, and
    - (ii) the national performance framework,
  - (b) consult—
    - (i) each of the community justice partners,
    - (ii) such third sector bodies involved in community justice as it considers appropriate, and
    - (iii) such other persons as it considers appropriate.
- (5) 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 32(1)).

**Commencement Information**

**I2** S. 33 in force at 1.4.2017 by S.S.I. 2017/33, reg. 2(3)

**34 Innovation, learning and development activity**

- (1) The powers conferred on Community Justice Scotland by section 5 include, in particular, power to do any of the things mentioned in subsection (2)—
  - (a) in furtherance of the strategy for innovation, learning and development, or
  - (b) otherwise, in pursuance of section 4(1)(c).
- (2) Those things are—
  - (a) conducting, commissioning or co-ordinating research about—
    - (i) community justice, or
    - (ii) activity elsewhere in the world which corresponds with, or is reasonably similar to, community justice,
  - (b) identifying, establishing or promoting good practice in relation to community justice,
  - (c) developing or providing education or training in relation to community justice,
  - (d) requiring community justice partners (other than the Scottish Ministers) to do any of the things mentioned in paragraphs (a) to (c),
  - (e) encouraging or assisting community justice partners, or other persons, to do any of the things mentioned in paragraphs (a) to (c).
- (3) Community Justice Scotland must, so far as reasonably practicable, comply with a request by the Scottish Ministers that it—
  - (a) conducts or commissions research about a particular matter by virtue of subsection (1),

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- (b) identifies or establishes good practice in relation to a particular matter, or promotes particular good practice, by virtue of subsection (1),
  - (c) develops or provides particular education or training by virtue of subsection (1).
- (4) Community Justice Scotland may charge for any education or training developed or provided by it by virtue of subsection (1).
- (5) A community justice partner must comply with any requirement made of it as mentioned in subsection (2)(d).
- (6) In this section—
- (a) the reference to the strategy for innovation, learning and development is to—
    - (i) the strategy published under section 32(1), or
    - (ii) if a revised strategy has been published under section 33(2)(a), the revised strategy (or most recent revised strategy, as the case may be),
  - (b) the references to developing education or training include procuring and funding the development of education or training,
  - (c) the references to providing education or training include procuring and funding the provision of education or training,
  - (d) the references to education include educational materials,
  - (e) the references to training include training materials.

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**Commencement Information**

**I3** S. 34 in force at 1.4.2017 by S.S.I. 2017/33, reg. 2(3)

**Changes to legislation:**

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