



Community Justice (Scotland) Act 2016

2016 asp 10

Performance in relation to community justice outcomes

26 Monitoring of performance in relation to community justice outcomes

- (1) In pursuance of section 4(1)(b), Community Justice Scotland must in relation to the area of each local authority—
 - (a) monitor performance in the achievement of—
 - (i) the nationally determined outcomes, and
 - (ii) each locally determined outcome, and
 - (b) from time to time, report to the community justice partners for the area on its assessment of that performance.
- (2) In making an assessment for the purpose of subsection (1)(b), Community Justice Scotland must use the relevant indicators.
- (3) Community justice partners to whom a report has been made under subsection (1)(b) must comply with any direction issued by Community Justice Scotland—
 - (a) to arrange for the publication (in such manner as may be specified) of—
 - (i) the report, or
 - (ii) specified information in relation to the report, or
 - (b) to notify Community Justice Scotland (within such period as may be specified) of—
 - (i) the action the community justice partners have taken or propose to take in response to the report, or
 - (ii) their intention not to take any action in response to the report.
- (4) In this section—
 - “relevant indicators” has the same meaning as in section 23,
 - “specified” means specified in the direction.

27 Annual report on performance in relation to community justice outcomes

- (1) In pursuance of section 4(1)(b), Community Justice Scotland must, as soon as reasonably practicable after 31 March in each year, publish a report setting out its

assessment of performance in Scotland as a whole in relation to the achievement of the nationally determined outcomes.

- (2) In making an assessment for the purpose of subsection (1), Community Justice Scotland must use the national indicators.
- (3) In preparing a report under subsection (1), Community Justice Scotland must consult—
 - (a) each of the community justice partners,
 - (b) such third sector bodies involved in community justice as it considers appropriate, and
 - (c) such other persons as it considers appropriate.
- (4) As soon as reasonably practicable after a report has been published under subsection (1), Community Justice Scotland must lay a copy of it before the Scottish Parliament.

28 Performance improvement 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) in pursuance of section 4(1)(b).
- (2) Those things are—
 - (a) identifying, establishing or promoting good practice in relation to community justice outcomes improvement planning and reporting,
 - (b) providing advice, guidance or assistance to the community justice partners for the area of a local authority in relation to community justice outcomes improvement planning and reporting,
 - (c) identifying, establishing or promoting good practice in relation to the provision of community justice,
 - (d) providing advice, guidance or assistance to the community justice partners for the area of a local authority in relation to the provision of community justice,
 - (e) making local improvement recommendations (see section 29),
 - (f) making national improvement recommendations (see section 30).
- (3) In subsection (2), “community justice outcomes improvement planning and reporting” means the exercise of the functions conferred on the community justice partners for the areas of local authorities by sections 19 to 23.

29 Local improvement recommendations

- (1) A local improvement recommendation is a recommendation addressed to the community justice partners for the area of a local authority which sets out action which Community Justice Scotland considers—
 - (a) is necessary to enable the achievement of a nationally determined outcome or a locally determined outcome in the area of the authority, or
 - (b) would or might help to improve performance in achieving such an outcome in that area, or otherwise in relation to community justice in that area.
- (2) Community justice partners to whom a local improvement recommendation has been made must comply with any direction issued by Community Justice Scotland—

- (a) to arrange for the publication (in such manner as may be specified) of—
 - (i) the recommendation, or
 - (ii) specified information in relation to the recommendation, or
 - (b) to notify Community Justice Scotland (within such period as may be specified) of—
 - (i) the action the community justice partners have taken or propose to take in response to the recommendation, or
 - (ii) their intention not to take any action in response to the recommendation.
- (3) In subsection (2), “specified” means specified in the direction.

30 National improvement recommendations

- (1) A national improvement recommendation is a recommendation addressed to the Scottish Ministers which sets out action which Community Justice Scotland considers—
- (a) is necessary to enable the achievement of a nationally determined outcome in Scotland as a whole or in the area of a particular local authority, or
 - (b) would or might help to improve performance in achieving such an outcome in that area, or otherwise in relation to community justice, in Scotland as a whole or in the area of a particular local authority.
- (2) As soon as reasonably practicable after making a national improvement recommendation, Community Justice Scotland must publish it.