



# Community Justice (Scotland) Act 2016

## 2016 asp 10

### *Meaning of “community justice”*

#### **1 Meaning of “community justice”**

(1) In this Act, “community justice” means—

- (a) giving effect to bail conditions, community disposals and post-release control requirements,
- (b) managing and supporting persons falling within subsection (3), (6) or (7) with a view to them not offending in future or, if that is not realistic, reducing future offending by them,
- (c) arranging relevant general services in ways which facilitate persons falling within subsection (3), (6) or (7) accessing and using them,
- (d) preparing persons who have been convicted of offences and sentenced to imprisonment or detention in penal institutions for release,
- (e) facilitating the provision of relevant general services which persons mentioned in paragraph (d) are likely to need immediately following their release.

(2) In subsection (1)(b), “supporting” includes—

- (a) advising and guiding,
- (b) providing—
  - (i) opportunities to participate in activities designed to eliminate or reduce future offending,
  - (ii) emotional and practical support designed to eliminate or reduce future offending,
- (c) helping—
  - (i) to access things falling with paragraph (b)(i) or (ii),
  - (ii) to access and make use of relevant general services.

(3) A person falls within this subsection if the person—

- (a) has, whether before or after this section comes into force, been the subject of an act mentioned in subsection (4), and
- (b) is not for the time being imprisoned or detained in a penal institution (whether in consequence of the act or otherwise).

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**Changes to legislation:** There are currently no known outstanding effects for the  
Community Justice (Scotland) Act 2016, Section 1. (See end of Document for details)

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- (4) The acts referred to in subsection (3)(a) are—
  - (a) conviction for an offence,
  - (b) the making, in respect of an offence, of a relevant finding (see section 2(2)(b)),
  - (c) being given an alternative to prosecution in respect of an offence,
  - (d) arrest on suspicion of having committed an offence by any person having power to do so in respect of the offence.
- (5) Subsection (4) includes acts occurring anywhere in the world.
- (6) A person falls within this subsection if the person is the subject of a recognised EU supervision measure.
- (7) A person falls within this subsection if the person—
  - (a) is aged 16 or 17, and
  - (b) is subject to a compulsory supervision order made by virtue of the ground mentioned in section 67(2)(j) of the Children's Hearings (Scotland) Act 2011.

**Changes to legislation:**

There are currently no known outstanding effects for the Community Justice (Scotland) Act 2016, Section 1.