

Christine Graham
Convener
The Justice Committee
Scottish Parliament
Edinburgh
EH99 1SP

3 February 2016

Dear Christine,

As you know, the Commission recommended that the Scottish Government should provide this Parliament with an annual update on the progress made to implement its recommendations. This is the fourth such report.

There have been a number of substantial developments in penal policy since my previous update to Parliament in December 2014. Before I outline in more detail progress made against the Commission's recommendations (set out in more detail in the annex to this letter), it is important to reflect on how the aims and principles that the Commission identified in its report sit within that wider context.

I am clear that this Government's vision for penal reform must reflect the values of a modern and progressive Scotland. Robust community sentences ensure that an offender pays back their debt to society, but can also help address the causes of their offending. Evidence shows that appropriate community sentences are more effective than short custodial sentences in reducing reoffending, and their use will help reduce the prison population. While these aims apply to both men and women, they clearly accord with the Commission's ambitions for how better outcomes could be achieved for women in Scotland's criminal justice system.

It is time to get away from preoccupations with "soft" or "strong" on crime – we need to develop policies that are smart and help to reduce reoffending. We must define what the role of prison is – and be clear that imprisonment is to be used as punishment, not for punishment. Imprisonment remains the ultimate sanction available to the Court – and will always be appropriate in certain cases – but it should not be imposed lightly.

Over the past year, I have clearly stated that we will prioritise efforts to reduce the prison population – for example by increasing support for robust community sentences; developing alternatives to remand; and re-examining the presumption on short term sentences – and this is why I decided not to proceed with proposals for HMP Inverclyde.

After a period of engagement and public consultation, and drawing on good practice elsewhere, I announced that a smaller national prison for women offenders would be built at the Cornton Vale site to accommodate those individuals who require greater security or particular support, along with a network of smaller community custody units that will house those women who will be better served by remaining closer to their families and community. But any development of a new female custodial estate must be seen in the context of a new, ambitious approach to penal policy.

The Commission recognised that many of the aims and principles advanced through its recommendations could be helpful and relevant to both men and women in the justice system, and many of the Commission's guiding principles are reflected in the future direction of our penal policy overall. For example, the Commission questioned the usefulness of short custodial sentences, and the recent consultation on strengthening the presumption against short term sentences gave an excellent opportunity to look critically at their use. The Commission also looked to strengthen the use of alternatives to remand – and work is now underway to enhance and expand those alternatives. The Commission also emphasised the importance of taking a holistic approach to respond to the needs of women offenders, and the work of the Ministerial Group on Offender Reintegration has recognised the important role that universal public services play in meeting the wider reintegration needs of both women and men leaving custody.

Since the Commission reported in 2012, additional funding has been made available by this Government to support the development of new or enhanced community justice services for women. This has provided local justice partners with a valuable opportunity to develop services that reflect local need. Independent evaluation of these projects has recognised the value of providing specialised community justice services for women, using different models and approaches.

In addition, a transfer of £1.5m from the Scottish Prison Service to support community justice services for women will now take place. In 2014-15 we used those funds to provide further financial support for the projects mentioned above, and to provide additional funding to support diversion from prosecution and bail supervision services.

The current process of restructuring community justice will deliver a number of changes that reflect the Commission's aspirations for a new regime that would enhance the leadership and visibility of the community justice sector, and strengthen the co-ordination and accountability for the delivery of community justice services. The Community Justice (Scotland) Bill reflects the aspirations of enhanced leadership, co-ordination, innovation, accountability and local strategic planning that the Commission identified.

The Ministerial Group on Offender Reintegration provided a forum to emphasise the important contribution that universal public services make to reintegration. The publication of the Ministerial Group's report in September 2015 outlined a series of commitments that aim to deliver improvements for those reintegrating back into our communities.

Access to appropriate, effective healthcare is a prime example of how a universal public service provides a crucial contribution to meeting the non-criminogenic needs of those with convictions. The activities of the National Prisoner Healthcare Network (NPHN) provides a useful forum for practitioners from the Health and Justice sectors to examine the needs of all prisoners, before during and after their time in custody. The NPHN's work will address the concerns that the Commission expressed regarding the delivery of general and mental healthcare for women in the justice system.

When the Commission was established in 2012, the female prison population had steadily risen for more than ten years. Recent statistics on prison population show that this has stopped, and the female prison population has reduced. This is a welcome development, and is evidence of the shared view that the numbers of women going to prison was not acceptable – as well as of the range of efforts across the justice sector to recognise and address the needs and circumstances of women who offend. However, this is the beginning, and not an end to this work.


For certain women, their offending behaviour and history may make it appropriate for them to receive a custodial sentence. Where the court decides that is the case, the future development of the female custodial estate will provide facilities providing security and support for those individuals that need them. But it will also create community-facing facilities that will enable some women prisoners to remain closely connected to children and families, and to engage with other opportunities to rehabilitate and reintegrate themselves.

However, this effort to provide good quality custodial facilities sits alongside our aim to continue to reduce the numbers of women being placed in custody – whether serving short term sentences, or on remand – when a more productive alternative can be used. I am confident that this aim is shared across the justice sector, and we will continue to look to justice organisations, wider public services, the third sector, and Scottish society as a whole to consider how their activities recognise and address the needs of women – and men – in the justice system, and what more could usefully be done to assist them to change their lives for the better and to become contributing citizens in their communities.

This report is the last annual update to this Parliament, following the approach that the Commission recommended. There have been considerable changes in the time since the Commission reported, and while there have been notable improvements, I am confident that improving outcomes for women in our criminal justice system will continue to be a priority for this and future Governments. The changes that have begun both in the community and in custody are progressive and ambitious. The enthusiasm and aspiration that the Commission demonstrated will continue to inform our penal policy in the future, and the further development of stronger community-based provision will deliver better outcomes for both women and men.

I look forward to discussing these issues with the Committee when we meet on 9 February.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Michael Matheson', with a stylized flourish at the end.

Michael Matheson

Community Justice Services for women

1. Between 2013-15 £3m in development grants was invested by the Scottish Government to support a range of projects delivering new or enhanced community justice services for women across Scotland. The previous annual update letter to the Justice Committee (dated 11 Dec 2014) provided details on the nature of the projects.
2. On 1 September 2015 an independent evaluation report was published. The evaluation's findings were that the extended provision of community services had supported women to make progress towards outcomes associated with desistance. The holistic approach taken by these projects was seen to have offered a genuinely enhanced service, compared with traditional social work supervision for women. Overall, the report considered that there is a strong rationale to continue an approach where locally defined services adopt holistic, gender-responsive, and flexible practice. The report also supported the approach taken by the Scottish Government to support the development of a range of projects that could reflect local need, resources and priorities – rather than attempting to impose a single model or method across all areas. The full report is available on the SG website, at: <http://www.gov.scot/Publications/2015/09/5053>
3. This grant funding was offered on a very clear, time-limited basis, with no offer of continuing funding. All the proposals were supported on the clear understanding that the project leads were expected to sustain their projects through sourcing local funding.
4. In Spring 2015, projects were asked to report on their financial position, and future sustainability. Where individual projects indicated that they had not yet secured full funding, the SG issued a further modest grant allocation to help them to sustain their operations, and to continue to pursue local sustainability. A total of £640k was allocated across 12 projects, drawn from the £1.5m budget transfer from Scottish Prison Service for community provision. This funding was again issued as a one-off development grant, and projects were clearly advised that future funding must come from local resources.
5. The insistence that these enhanced community justice services for women can and should be sustained locally reflects the Commission's position that improved services should be deliverable through the effective use of existing resources, rather than requiring additional resources from the centre.

Funding transfer from SPS to community justice provision for women

6. In January 2015, the Cabinet Secretary announced that £1.5m would be transferred from the Scottish Prison Service budget to fund community justice provision for women.
7. As noted above, part of this resource has been used to extend support for projects developing enhanced support for women offenders.
8. The remaining £840k has been distributed equally between the eight Community Justice Authorities, to support diversion from prosecution, and the provision of bail supervision for women.
9. It has subsequently been decided that this transfer of £1.5m from SPS will take place again in the financial year 2016/17. This is an additional resource to support services for women in the community, in addition to the mainstream community justice budget.

Fiscal Work Orders

10. The national roll-out of Fiscal Work Orders (FWOs) took place as scheduled on 1 April 2015, meaning that these orders are now available in all 32 local authorities for relevant offences committed on or after that date. This fulfilled the Commission's recommendation that these measures be available nationally.

11. FWOs are available for both men and women, and provide constructive community work activities or programmes for individuals who are alleged to have committed offences which do not require a court hearing, allowing for the speedier and more appropriate resolution of these cases. Additional funding was made available to each CJA for the period 2015/16 to assist local authorities to either set up new schemes, or to make the transition from pilot scheme to mainstream service as appropriate.
12. To support the rollout, the Scottish Government has established a National Implementation Group to oversee the early operation of FWOs across Scotland. This group is chaired by the Scottish Government and consists of representatives from CoSLA, Social Work Scotland, Community Justice Authorities, and the Crown Office and Procurator Fiscal Service. The group will monitor the uptake and throughput of FWOs during the initial 12 months period following the national launch in the first instance, and will also be asked to provide advice or views on any emerging issues relating to the operation of FWOs during that time.

Consultation on the Presumption against Short Sentences

13. The Scottish Government recently consulted on proposals to strengthen the legislative presumption against custodial sentences of three months or less. We are clear that short sentences are ineffective at reducing reoffending and that imprisonment should be used appropriately as the option of last resort.
14. The consultation paper sought responses and views on two main points: first, should the current presumption be extended and if so by how much; and secondly is a more radical review of the presumption and the use of short-term imprisonment more generally, required?
15. The proposals contained within the paper form one part of the Scottish Government's on-going and wide-ranging work to reduce the use of short-term imprisonment in Scotland. Any proposed extension to the presumption, or any other changes to the use of short-term imprisonment, must be considered within the context of this wider work which is designed to deliver effective community-based sentences that enhance public safety and promote rehabilitation.
16. The consultation closed on Wednesday 16th December 2015. The responses to the consultation will be analysed, and used to inform any subsequent decisions on how best to address the use of short-term imprisonment.

New measures to reduce the use of remand and short custodial sentences

17. The Commission on Women Offenders report supports development of justice systems that will reduce the use of short sentences, and of remand, for women offenders. This aim has been reflected in on-going activities which the SG has led to examine how this could be implemented for both women and men.
18. As part of this approach, projects focused on reducing the use of remand and short sentences is being develop in a number of Sheriff Courts across the country. This initiative will use improvement methodology, which provides a mechanism to measure the impact of activities on an agreed aim (in this case, reductions in the use of remand and in sentences of less than a year). Improvement methodology uses, and learns from, local real-time data, and provides the opportunity to test evidence-based changes in a controlled way.
19. The initial phase of this project is focused on three pathfinder sites, based around Dundee, Hamilton and Paisley Sheriff Courts, and is bringing together a range of partners who have a role in influencing and delivering alternatives to both remand and short custodial sentences.
20. Justice officials have spent the past few months working intensively with stakeholders in the three pathfinder sites to build a more complete picture of local processes and experience regarding use of remand and short sentences, along with what might help to drive reductions in these areas.

This engagement has begun to identify a number of emerging themes around approaches which could support reductions in remand and short prison sentences. It is in these areas where practical tests of change are likely to be identified.

21. This project is still in the early stages of development. The specifics of these changes will vary between the pathfinder sites, and will be identified by the local project teams (which will include representatives from all relevant local stakeholders) on the basis of local needs and circumstances.

Expansion of use of Electronic Monitoring

22. As noted in the previous update to the Committee, Scottish Government fulfilled the Commission's specific recommendation of further consideration of the use of electronic monitoring as condition of bail by addressing the suggestion specifically in the public consultation on the future uses of electronic monitoring held in 2013-14.
23. That consultation returned a mixed response on the suggestion of utilising electronic monitoring as part of bail, with some positive views, but with a majority voicing concerns over the possibility of up-tariffing, or the degradation of risk management in the extension of bail. As such, the use of electronic monitoring for bail was not selected to be carried forward any further at that time.
24. The international evidence shows that electronic monitoring is most effective when used as part of a wider package of support. As well as providing an element of control, in line with public protection, electronic monitoring can help to build and maintain connections with a person's family, their community and any employer, all of which can help reduce the likelihood of re-offending.
25. The SG has convened an expert group on electronic monitoring, which is currently exploring the scope for enhanced use of electronic monitoring as part of a wider package of support. New uses which are being considered by the Expert Group include its use for bail for men and women, and any potential use in the new Women's Community Custodial Units. The expert group is also considering how the electronic monitoring service in Scotland can be enhanced with the introduction of new technology such as GPS and alcohol monitoring.
26. The expert working group will report its recommendations to the Cabinet Secretary for Justice in Spring 2016.

Problem-solving approaches in court

27. A new project examining the application of problem solving approaches in the summary court has been developed at Aberdeen Sheriff Court, and it was officially opened on 2 November 2015.
28. After careful consultation with stakeholders and justice partners, the first phase of a problem solving working model was agreed, and will work with a cohort of women aged 16 and over who have committed repeat offences, have multiple and complex needs, and who commit low level crimes.
29. At this time, the project has been allocated funding to continue for two years. A second phase is planned for 2016 and will include a male cohort, although the exact criteria have yet to be agreed with stakeholders and justice partners.
30. The basic process is for Criminal Justice Social Work staff to assess female offenders prior to trial, and where an individual is eligible for this project they will seek the Procurator Fiscal's agreement to refer the case to the "problem solving" court. An expedited CJSW report will be prepared for the court's information, including an assessment of whether the individual is suitable for this approach. If the court agrees, the individual will receive a Structured Deferred Sentence, and this will provide a basis for interaction with the court. All women enrolled in this process will also be referred to the Aberdeen Women's Justice Centre, and a wrap-around package of

treatment, support, guidance and supervision will be put in place. If the individual subsequently completes the structured deferred sentence to the Sheriff's satisfaction, they will then be admonished.

31. This new project fulfils the Commission's recommendation that the problem-solving approach be trialled in the summary court.
32. It also acts on the Commission's recommendation regarding the use of a more rapid reporting process, as an expedited report will be provided by Social Work officials (typically within 48 hours of the offender pleading guilty), and the report will be available to the sheriff before a deferred sentencing to assist their decision.
33. Lastly, the project responds to the Commission's recommendation that where the court assigns subsequent progress hearings to be held, that the same sentencer should deal with subsequent hearings. A dedicated sheriff, procurator fiscal depute and clerk of court are assigned to problem solving cases. The dedicated sheriff deals with the offender from the first calling stage through to sentencing and subsequent reviews. The frequency of reviews will be determined by the sheriff who will be guided by Social Work reports, based on the offender's progress.
34. This approach to progress hearings is also applied in the Drug Court in Glasgow, and anecdotal evidence suggests that a similar approach has been deployed in other summary courts in relation to offenders' fulfilment of Community Payback Orders.

Sentencing options

35. The Commission recommended the creation of two new custodial sentences – a suspended sentence, and a composite sentence (comprising a custodial period, followed by a period under a suspended sentence). The Scottish Government deferred its decision on this recommendation – primarily due to the concern (which the Commission report recognised) that the creation of new short sentences might lead to up-tariffing, and the use of custodial options where they might not otherwise be applied.
36. Given the more progressive direction that this Government is taking regarding penal policies (including efforts to reduce the use of custody and remand wherever appropriate, reviewing the presumption on short sentences, and continuing to invest in robust community sentences) it would be out of step to implement new measures which would increase the options for the use of custody, and (even inadvertently) create conditions where courts might be more inclined to use custodial measures.
37. In light of this, the Scottish Government does not propose to implement the Commission's recommendations to create a suspended or composite sentence.
38. The Commission report indicates that the aim of these proposals was, in part, to devise a sentencing option that could secure the offender's compliance with efforts to engage them in rehabilitation and desistance. Where appropriate, the use of Structured Deferred Sentences (such as will be deployed in the "problem-solving" court project), already provide a method by which the court can defer a final sentencing decision whilst monitoring the individual's compliance with programmes and support measures.

Offender mentoring services

39. Through the Reducing Reoffending Change Fund (and in partnership with The Robertson Trust), the SG has continued to provide funding to a number of services which provide mentoring support to women in the criminal justice system.
40. The "Shine" Public Social Partnership have continued to deliver a national service to women leaving prison (and a number of women in the community or on remand), to provide a flexible

one-to-one service to help them address the practical and personal problems which shape their behaviour, and cause them to offend.

41. The Shine PSP was recently awarded a Herald Society Award for excellence in partnership working, which is a vital characteristic for a service delivered by a partnership of third sector organisations, and which was co-designed and established through partnerships between third and public sector bodies.
42. Shine PSP has the capacity to support over 700 women a year, and has recently been enhancing its offer of support for women on remand, through the development of a "tracking system" so women on remand can be supported in a more consistent and effective manner, and reduce the risk of becoming disconnected from services which might otherwise benefit them.
43. The Reducing Reoffending Change Fund also provides funding to support the mentoring services provided by Tayside Council on Alcohol, and Voluntary Action South Lanarkshire. The extension of the Change Fund to March 2017 has provided an extended period of operation for these services, and representatives from the SG, and other stakeholders are in discussion with the PSPs to examine how mentoring services for men and women can be incorporated into the future development of community justice.

Future Custodial Estate for Women

44. Plans for the female custodial estate were announced in June 2015 in light of the decision not to proceed with HMP Inverclyde. Instead, a new small national prison for women on the current site of HMP Cornton Vale, accommodating around 80 women; and 5 small community-based custodial units across Scotland which would each provide around 20 places will be developed. This will deliver 180 new high quality gender specific places for women in addition to the 50 already available at HMP Grampian. Alongside this new build programme, elements of the existing female estate will be adapted or decommissioned over time in response to the number of women in custody. This allows maximum flexibility in shifting from custodial to community-based solutions that are closer to the spirit of the Commission's recommendations.

Community Reintegration

45. The Commission report made clear that while women offenders should take a personal responsibility to address the issues that may be contributing to their offending behaviour, the Commission had concluded that successful social integration is not something that the individual can achieve on their own, and that there is a role for private, voluntary and statutory organisations to support the efforts of offenders to change their behaviour, and make a positive contribution to society. The Commission held that offenders – whether male or female – are citizens who hold rights to the range of services that are shared by everyone.

Ministerial Group on Offender Reintegration

46. The Ministerial Group on Offender Reintegration (MGOR) was established in October 2013 to address the demand for better integration between the justice system and wider universal services and to focus attention on the role of non-justice sector contributions to the reintegration of individuals transitioning from custody back to our communities.
47. The membership of the group was drawn from relevant Scottish Government Ministerial portfolios which contribute to an individual's reintegration journey post release from custody (Justice, Community Safety; Housing and Welfare; Fair work, Skills and Training; Youth and Women's Employment; Housing and Welfare; and Public Health).
48. The Group met five times from October 2013 to June 2015 to discuss a range of issues, including thematic meetings on housing, employability and welfare, and healthcare. It considered the evidence base, and called on knowledge and expertise from invited participants, in order to identify effective ways of facilitating an individual's access to, and continued engagement with, wider universal public services following release.

49. The *Report of the Ministerial Group for Offender Reintegration* was published on 16 September 2015 and contains 18 ministerial commitments agreed by the MGOR. Activities which have already taken place in response to the MGOR commitments include:

- the Working2Change Employability Summit held on 20 May 2015 at My Dynamic Earth (in conjunction with the SPS and Scottish Business in the Community);
- the National Prison Healthcare Network's commissioning of a workstream to review current psychological interventions within prison and through to the community;
- the publication of a national specification for a smoking cessation service, to be delivered in all prisons;
- publication of a comprehensive guidance in October 2014 for public service officials working with individuals in custody (including young offenders) on the Scottish Welfare Fund, and how local authorities can take account of the issues faced by those in our criminal justice system when engaging with the Fund.

Flexible release from prison to support reintegration

50. Given the practical problems that can be caused when individuals are liberated from prison on the days preceding weekends and public holidays (when it can be difficult, or impossible for an individual to access public services they need), the SG committed to introduce legislation to allow the Scottish Prison Service to address this matter. Provisions were put forward in the Prisoners (Control of Release) (Scotland) Bill that will give SPS discretion to release an individual in custody, serving a sentence of more than 15 days, by up to two days before their release date for the purposes of community reintegration. The Act received Royal Assent on 4 August 2015 and came into force on 1 February 2016.

Healthcare

51. National Prisoner Healthcare Network's (NPHN) Female Offender Health workstream will be engaging with the developing plans for the creation of new custodial facilities for women, in order to support the development of high quality health and mental health provision for women placed in custody, and to support the engagement between these facilities and the local NHS Boards.
52. The Female Offender Health workstream is one in a number of thematic workstreams established by the NPHN. The complementary workstreams are co-ordinated within the NPHN overall work plan, and will link consideration of female offenders with the workstreams on mental health; offender throughcare; psychological therapies; substance misuse; and brain injury. Through the NPHN workstream's activities, a female offender pathway will be developed in line with the new approach to the custody of women, but also including community justice processes, and care in police custody.
53. The NPHN's workstreams on female offenders, mental health and psychological therapies will provide a range of opportunities to consider the provision of services for women with borderline personality disorders and PTSD. In light of this, the SG would not now aim to implement a separate review of the matter.
54. The work of two of the principle workstreams of the National Prisoner Healthcare Network is drawing to a conclusion with final reports now being widely circulated for comment and implementation. The Throughcare workstream which was a multi-agency group have made a number of recommendations that reflect and support the Ministerial Report on Offender Reintegration. The aim being to enable offenders to access healthcare that will improve their health and potentially reduce the possibility of them re-offending following liberation. The Mental Health workstream was a group formed to develop implementation proposals from the recommendations of an original Mental Health workstream. This work addresses a number of strands that will support NHS Boards, SPS and other agencies to support the high numbers of

those in prisons with mental health problems. The workstream on psychological therapies has convened a reference group of psychology practitioners in prison, who are developing a specification for interventions in prisons. They have already mapped current provision of psychological interventions to the community stepped care matrix

55. SG Mental Health Unit continues to fund work being undertaken by NHS Lothian, in collaboration with HMP Edinburgh and HMP Cornton Vale, to examine areas of good practice in the delivery of mental health services to women in prison, and on release. In addition to staff training and supervision for working with women with personality disorder, Interpersonal Psychological Therapy groups for women with depression, and Mentalisation-based Therapy groups for women with borderline personality disorders – these services have been providing clinical psychology services to women in HMP Edinburgh, and a practitioners group on Mentalisation therapies. A rolling programme of training has been established for prison staff on personality disorders, and training on mentalisation is being provided to SPS staff and related professionals.
56. In a related development, a “Community Triage” project has been implemented to provide operational police officers with local health service information, to ensure individuals in mental health crisis are assessed as quickly and appropriately as possible, and to reduce the incidence of such individuals being detained in police stations or hospitals, or becoming directed into the criminal justice system.
57. In a pilot project conducted between January and June last year by NHS staff and Police in Greater Glasgow, police officers were given out-of-hours telephone access to Community Psychiatric Nurses (CPNs) who provided professional support to people in distress. CPNs provided advice to officers or a telephone consultation to the individual about whom police were concerned. Where necessary, a face-to-face assessment was carried out, and if needed, hospital admission was arranged. Officers in the pilot came into contact with 234 individuals in distress and or suffering from mental health issues out of hours (45% of whom were women). A total of 96% of those people were fit and well enough to remain at home after being assessed by the CPNs, and in no need of further intervention at that time. Only nine people during the course of the pilot were admitted to hospital. Just six people were reported for offences, after being found to be fit and well by the CPNs. A related project has been developed in Lothian, and work is ongoing to promote the use of this method amongst Police, NHS and local authority stakeholders.

Restructure of community justice

Commission’s aspirations for community justice leadership & structure

58. The Commission’s report included their views on how improvements might be made in the leadership, structures and delivery of community justice provision. The basic recommendation was for the creation of a single community justice service which would deliver community justice services.
59. The SG’s response to the Commission indicated that it was generally accepted that the status quo in commissioning, providing and managing of community justice was no longer an option, and the Commission’s views would be incorporated into a public consultation process which would examine the future structure and leadership of community justice.
60. While the specific proposal for unifying all the aspects of leadership, commissioning and service delivery under a single Community Justice Service to was not supported through the consultation, a ‘New Model for Community Justice’ has been designed to deliver a community solution to achieving improved outcomes for community justice; to reducing re-offending; and to support desistance. In doing so, it addresses a number of key concerns that the Commission identified -

in particular by providing for strong leadership; an outcomes-based approach to planning and reporting; and opportunities for innovation and workforce learning.

61. The Commission wished to see new leadership for the community justice sector, able to drive forward improvement, and engage with the judiciary, public and media in meaningful dialogue on the appropriate role and direction of community justice. The new body, Community Justice Scotland, will provide that leadership and strategic direction for the community justice sector. The Chief Executive of Community Justice Scotland will be tasked with championing the role and significance of community justice.
62. The Commission also proposed that a new community justice structure should be better able to address performance management, and make services more accountable to commissioners and Parliament. The new national outcomes, performance and improvement framework will enable the consistent evaluation of progress in delivering community justice outcomes. Transparency will be assured through the requirement to publish community justice plans and annual reports.
63. In addition, the Commission anticipated that a new Community Justice service would deliver training and development activities, and be a focus for research and good practice. Community Justice Scotland will develop with partners and stakeholders a strategy for innovation, learning and development. It will operate a Hub for innovation, learning and development to promote good practice; develop or provide training; and commission research.

Future development of Community Justice Structures

64. The Community Justice (Scotland) Bill was introduced by Parliament in May 2015 and passed Stage 1 on 19 November 2015 and Stage 2 on 26 January 2016. The Bill takes forward those elements of the model which require new legislation. Further policy developments in relation to community justice and penal policy will complement and support the new model introduced by the Bill. The model is designed to be sufficiently flexible to respond to new policy developments and opportunities, and changing context at national and local levels.
65. The Bill includes provisions to establish a new national body, Community Justice Scotland; to place specific duties on certain statutory bodies in relation to the achievement of outcomes; and the introduction of a new National Strategy and Performance Framework for community justice in Scotland.
66. The new body, Community Justice Scotland, will be established in October 2016 and fully operational by 1 April 2017. It will work closely with statutory Community Justice Partners, the Third Sector and a range of other parties to provide support and leadership for community justice. The body will bring enhanced opportunities for innovation through the establishment of a Hub for the promotion of learning and development. It will also provide assurance to Scottish Ministers and Local Government leaders on the delivery of improved outcomes for community justice.
67. As the new model presents a more holistic and collaborative approach to community justice, partners will then plan and prepare together the activities they need to work on collectively to drive and deliver improvement with the common aim of securing better outcomes for communities across Scotland. The model places planning at the local level where decisions can be made by people who know their area best. A legal duty will be placed on a number of statutory Community Justice Partners to engage in this planning process.
68. Fundamentally, Community Justice Scotland will be established to support statutory Community Justice Partners, the Third Sector and others to work towards better outcomes for community justice in Scotland. To heighten the profile of Community Justice, the Chief Executive of Community Justice Scotland will be tasked with championing the role of community justice in parity with that for the custodial sector. The relationship between Community Justice Scotland

and those involved in community justice, both across Scotland and locally, will be one of mutual support, characterised by open and transparent communication.

69. The Scottish Government is also leading work with partners on a revised model for allocation of funding for criminal justice social work to ensure alignment with the National Strategy and Performance Framework and to move to a 3 year funding agreement.