



**Barnardo's Scotland briefing:
Stage 1 debate of the Community Justice (Scotland) Bill**

Key points from the Committee report we would like to highlight

- The definition of Community Justice should include prevention and early intervention as well as be widened to include dependent children, families of offenders and the wider community, as well as victims and witnesses.
- Duties to include the third sector in the planning and delivery of community justice should to be stronger.
- National Outcomes for community justice should cover a broad range of outcomes
- Clarity should be provided on how successful community justice projects will be supported financially in the future.

Barnardo's Scotland welcomes the introduction of this Bill, in particular the policy intention *"to help create a stronger community justice system based on local collaborative strategic planning and delivery, with national leadership, support and assurance"* and importantly *"local delivery, partnerships and collaboration at its heart"*. However there are still some important issues which need addressing in the Bill as drafted.

Definition of community justice

The Justice Committee's Stage 1 report highlighted our written evidence which stated that:

"The definition [of community justice] should include the need to support children, families, victims, witnesses and the wider community, not just individuals with convictions"¹

This view was also supported by the Criminal Justice Voluntary Sector Forum. The Policy Memorandum states that the new model for community justice as set out in the Bill *'draws on the characteristics identified by Scottish Government as key to delivering better outcomes for victims, for people who offend and their families, and for local communities'*.

We would also like to see the definition of community justice in the Bill reflect a focus on prevention and early intervention, as it stands the scope of the Bill is restricted to those who have already committed an offence. Despite prevention being a central feature of the Policy Memorandum it is crucially missing from the definition of community justice in the Bill.

Engagement with the third sector

¹ http://www.barnardos.org.uk/barnardo_s_scotland_response_-_community_justice_scotland_bill.pdf (Page 2)

As mentioned in our written evidence, the third sector has an invaluable role to play in community justice and we would like to see the Bill include the third sector as an equal partner; this could be done through placing statutory responsibilities on those responsible for leadership and governance to include the third sector as an equal partner in the planning and delivery of community justice services.

We therefore welcome the Minister's commitment to *"listen to the sectors concerns and explore how we might amend the provisions to provide for a stronger participatory role for the third sector"*.

We were also pleased to note the Justice Committee's recommendation that the Scottish Government should reflect on whether the 'consulting' requirement in relation to community bodies in the Bill is strong enough. We believe this requirement could and should go further.

National Performance Framework

We welcome the National Strategy and hope that it will provide the strategic vision for community justice which is needed.

We agree with the recommendations in the Justice Committee report that the outcomes contained in the National Performance Framework should not just be about measuring reoffending rates, but should also look at the wider implications for individuals.

National Outcomes for community justice should cover a broad range of outcomes so that children, families and the wider community are covered. This would mean community justice partners would have a duty to fund non-essential services in order to achieve these outcomes, such as Prison Visitors Centres and other services and projects which look at achieving positive destinations, family relationships and integration back into local communities for individuals who have committed an offence.

Funding

As the Bill stands, funding for community justice will continue to go to local authorities and we voiced concerns about this in our written evidence at Stage 1. Some of our services have raised concerns that funding may be restricted to narrow 'core services' within local authorities such as supervision orders and other core social work services. With increasing pressure on local authority budgets there is a danger that funding will be diverted away from non-essential services which could marginalise the third sector. The Justice Committee highlighted this in their report stating:

"We also have concerns that some successful projects may be at risk due to the lack of sustainable funding"

We therefore welcome the vision set out by the Minister for Community Safety and Legal Affairs to shift resources from prisons to community-based disposals. We also welcome the review of funding mechanisms for community justice social work services, to reconsider the current model of 3 year funding for services.

For more information contact:

Nicki Wray, Policy and Research Officer, Barnardo's Scotland
111 Oxfords Road North, Edinburgh, EH14 1ED
nicola.wray@barnardos.org.uk / 0131 446 7033