

Title/Subject: **Community Justice Transition Plan**

Meeting: **Integration Joint Board**

Date: **3 June 2016**

Submitted By: **Chief Officer**

Action: **For Noting**

1. INTRODUCTION

- 1.1 The purpose of this report is to update partners on the progress of the transition from the Fife and Forth Valley Community Justice Authority to the Falkirk Community Justice Partnership, and to set out the implications of the Community Justice (Scotland) Act 2016 for the Integration Joint Board.

2. RECOMMENDATION

The Integration Joint Board is asked to:

- 2.1 note the transition arrangements; in particular to note the new statutory duties placed upon the Integration Joint Board within the Community Justice (Scotland) Act 2016.

3. BACKGROUND

- 3.1 At present, strategic planning for community justice services in Falkirk is undertaken by the Fife and Forth Valley Community Justice Authority (CJA). In December 2012, the Scottish Government undertook a consultation on the future of community justice arrangements following recommendations published in the Women Offender Commission report and Audit Scotland's Reducing Reoffending in Scotland report.
- 3.2 Following a range of consultations and discussion, the Scottish Government published its response to the final consultation in December 2014, and the Community Justice (Scotland) Bill was published in May 2015. Following a number of debates in Parliament the Bill was passed and became the Community Justice (Scotland) Act 2016 following Royal Assent in March 2016.

4. NEW ARRANGEMENTS FOR COMMUNITY JUSTICE IN FALKIRK

- 4.1 The Scottish Government's Future Model for Community Justice in Scotland consultation paper defined community justice as; "The collection of agencies and services in Scotland that individually and in partnership work to manage offenders, prevent offending and reduce reoffending and the harm that it causes, to promote social inclusion, citizenship and desistance."
- 4.2 The Act seeks to establish new arrangements for the delivery and oversight of community justice services, with current arrangements being replaced by a model involving :
- Scottish Ministers being responsible for a number of matters, including a national strategy and national performance framework for community justice
 - National leadership, oversight and support for community justice services by a new body called Community Justice Scotland
 - Local planning, delivery and monitoring of services by community justice partners
 - Scottish Government funding for local services being allocated directly to local authorities.
- 4.3 Although still in draft, the strategic priorities for community justice are likely to be centred around empowering communities, improving partnership working, improving access to services, and the effective use of interventions. An outcomes and performance framework is being developed alongside the strategy which will enable community justice partners to measure and report progress against the objectives of the Act.
- 4.4 The scope of community justice is from the point of arrest through to being given an alternative to prosecution or a community disposal and post-release control requirements.
- 4.5 The follow persons are community justice partners for the purposes of the Act:
- Each local authority
 - Each health board
 - The chief constable of the Police Service of Scotland
 - The Scottish Fire and Rescue Service
 - Skills Development Scotland
 - The Integration Joint Board
 - The Scottish Courts and Tribunals Service
 - The Scottish Ministers (in practice the Scottish Prison Service and the Crown Office and Procurator Fiscal Service).
- 4.6 The statutory community justice partners are required to engage and involve the Third Sector in the planning and delivery of services. A representative from CVS Falkirk; the third sector interface for the Falkirk area; is a standing member on the new Community Justice Partnership.
- 4.7 In Falkirk, new governance arrangements have been established within the Falkirk Community Planning Partnership (CPP). The Falkirk Community

Justice Partnership sits within the Falkirk CPP structure with a direct reporting line into the Public Protection Chief Officers Group. The Integration Joint Board, as a statutory partner, is a standing member of the partnership and is represented by Patricia Cassidy, Chief Officer.

- 4.8 During 2016/17, Falkirk CPP will assume responsibilities under the new model in transition. On 1st April 2017 the incorporation of community justice responsibilities under Falkirk CPP will begin in full and the Community Justice Authorities will cease to exist.
- 4.9 Under the new CPP governance arrangements, the Community Justice Partnership will follow the principles of the CPP and health and social care integration locality planning process, to ensure that we identify where within defined localities and communities individuals are furthest from achieving outcomes. Within the CPP's Strategic Outcomes Local Delivery (SOLD) plan, the work of the Community Justice Partnership will have particular relevance for the local outcome "our area will be a safer place to live."
- 4.10 Those with lived experience of community justice services often have a range of needs which require partnership working and the Community Justice Partnership and the Health and Social Care Partnership strategic plans share common outcomes and priorities. The Community Justice (Scotland) Act makes specific reference to helping people with convictions to access and make use of relevant general services designed to address areas of need such as housing, employment, education, physical and mental health and social welfare.
- 4.11 The Social Inclusion Project is an example of where the Partnerships are already working well together. The project has been running for 12 months and has demonstrated a more effective way for public sector services to work together to improve communication and information sharing, improve coordination between services and reduce the waste of resources through misuse or duplication. The multi-agency partnership approach has broken through traditional professional work silos to create a cross disciplinary delivery approach. The project has achieved a 78% engagement rate from some of our most hard to reach individuals within community justice. Of those referred, 46% were primary alcohol users, 35% were drug and alcohol users and 16% were primary drug users. 35% of individuals referred had a mental health diagnosis. A recent evaluation of the project shows that, within the first year of operation, the project has made a significant contribution to the achievement of the Integration Joint Board's outcomes and priorities.
- 4.12 Substance misuse is prevalent amongst community justice service users and we work closely with health colleagues in delivering a Falkirk criminal justice substance misuse service. The Criminal Justice Service purchases a nurse team lead, two nurses and prescribing Doctor time within the Substance Misuse Service. There is also on going work to establish links to key health systems in the criminal justice building to make more efficient use of nurse time.

- 4.13 People supported through statutory measures continue to be vulnerable after their involvement with the Criminal Justice Service ceases. There may be opportunities for the Partnerships to work together to provide follow-up provision to sustain and further improve outcomes for individuals.

5. CONCLUSIONS

- 5.1 The Community Justice (Scotland) Act received Royal Assent in March 2016 and sets out new arrangements for the delivery and oversight of community justice services.
- 5.2 New governance arrangements for community justice have been established in Falkirk within the Community Planning Partnership. During 2016/17 Falkirk CPP will assume responsibilities under the model in transition and on 31st March 2017 the Fife and Forth Valley Community Justice Authority will cease to exist.
- 5.3 The Falkirk Integration Joint Board is a statutory partner within the Act and is a standing member on the Community Justice Partnership; represented by Patricia Cassidy, Chief Officer. The Community Justice Partnership will provide a framework to enable the monitoring and reporting of community justice outcomes in Falkirk.
- 5.4 Through the work of the Community Justice Partnership, we will be looking to identify areas where, in conjunction with the Health and Social Care Partnership, we can further expand and build on the existing good practice and joint working in order to improve outcomes for our clients.

Resource Implications

The Integration Joint Board is named within the Act as a statutory partner with a duty of co-operation with other community justice partners in Falkirk and Community Justice Scotland. Such co-operation may include the sharing of information, providing advice and assistance, co-ordinating activities (and seeking to prevent unnecessary duplication) and funding activities together. Monies to provide statutory provision within the Criminal Justice Service will remain ring-fenced under the new arrangements.

Impact on IJB Outcomes and Priorities

The strategic plans of the Community Justice Partnership and the Health and Social Care Partnership share common outcomes and priorities.

Legal & Risk Implications

The Community Justice (Scotland) Act 2016 received Royal Assent in March 2016 and names the Integration Joint Board as a statutory partner within community justice.

Consultation

The Falkirk Community Justice Partnership will be required to submit an outcomes improvement plan to Community Justice Scotland in March 2017.

The plan will set out, in relation to each of the nationally determined outcomes, an assessment from the community justice partners as to whether the outcome is being achieved in the area, and if not, how near the outcome is to being achieved. In light of that assessment, priority areas of action will be identified. As part of the evidence gathering process for the outcomes improvement plan, a number of consultation events have been planned. These include representation from the Criminal Justice Service, the Third Sector, and other community justice stakeholders.

Equalities Assessment

This report does not recommend a change to policy or practice. Therefore an equality impact assessment is not required at this time.

Approved for Submission by: Patricia Cassidy, Chief Officer

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Date: 24 May 2016

List of Background Papers:

Falkirk Community Justice Transition Plan
Community Justice (Scotland) Act 2016