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<b>Report To:</b>	<b>Inverclyde Alliance Board</b>	<b>Date:</b>	<b>4 October 2021</b>
<b>Report By:</b>	<b>Allen Stevenson Interim Corporate Director (Chief Officer) Inverclyde Health and Social Care Partnership (HSCP)</b>	<b>Report No:</b>	
<b>Contact Officer:</b>	<b>Sharon McAlees Head of Criminal Justice &amp; Children's Services</b>	<b>Contact No:</b>	<b>715282</b>
<b>Subject:</b>	<b>Inverclyde Community Justice Partnership Update</b>		

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## **1.0 PURPOSE**

- 1.1 The purpose of this report is to advise the Inverclyde Alliance Board of a review of the National Strategy for Community Justice, a review of the Outcomes Performance and Improvement Framework and a proposal by the Inverclyde Community Justice Partnership in respect of the Inverclyde Community Justice Outcomes Improvement Plan (CJOIP).

## **2.0 SUMMARY**

- 2.1 The Community Justice (Scotland) Act 2016 ("the Act") requires community justice partners to produce a Community Justice Outcomes Improvement Plan (CJOIP) for each local authority area, outlining how they intend to work together to reduce re-offending. The current Inverclyde CJOIP expires in 2022.
- 2.2 The Act also sets out the mechanisms for reviewing the national strategy for community justice led by The Scottish Government (SG), the Outcomes Performance Improvement Framework (OPIF) led by Community Justice Scotland (CJS) and a community justice plan for each local authority area.
- 2.3 In May 2021 SG and CJS issued a joint letter to the chair of the Inverclyde Community Justice Partnership regarding a review of both the national strategy and OPIF. This matter was discussed at the Inverclyde Community Justice Partnership in the context of the Inverclyde CJOIP and an options appraisal presented in respect of future steps. The Partnership propose to extend the current Inverclyde CJOIP by one further year and to produce the next Inverclyde CJOIP on 1 April 2023.

## **3.0 RECOMMENDATIONS**

- 3.1 It is recommended that the Inverclyde Alliance Board:
- Notes the content of the joint letter from The Scottish Government and Community Justice Scotland; and
  - Endorses a decision by the Inverclyde Community Justice Partnership to extend the current Inverclyde CJOIP by one further year and to publish the next Inverclyde Community Justice Outcomes Improvement Plan on 1 April 2023.

## 4.0 BACKGROUND

- 4.1 The Community Justice (Scotland) Act 2016 (“the Act”) requires community justice partners to produce a Community Justice Outcomes Improvement Plan (CJOIP) for each local authority area, outlining how they intend to work together to reduce re-offending. Partners must report annually on progress against locally and nationally determined outcomes.
- 4.2 The legislation states that Statutory Partners must review their CJOIP:
- After the publication of a revised national strategy for community justice; a revised national performance framework
  - After the publication of a revised local outcomes improvement plan in relation to the area under section 7(5) of the Community Empowerment (Scotland) Act 2015.
  - From time to time.
- 4.3 Under Section 15 and 17 of the Act, the National Strategy for Community Justice and the Community Justice Outcomes, Performance and Improvement Framework (OPIF) were published on 24 November 2016
- 4.4 Section 16 of the Act sets out that Scottish Ministers must review the national strategy no later than five years after the strategy is published. Following such a review, the Scottish Ministers must either publish a revised strategy, or publish a statement indicating that they consider that the strategy should not be revised.
- 4.5 Section 18 of the Act sets out that Community Justice Scotland (CJS) must review the OPIF no later than five years after the framework is published. Following such a review, CJS must either make proposals to Scottish Ministers for the revision of the framework, or publish a statement indicating that they consider that the framework should not be revised. The Scottish Ministers must consider proposals made to them following CJS’ review of the framework and then either publish a revised framework reflecting them (with such modifications as they consider appropriate) or publish a statement indicating that they consider that the framework should not be revised.
- 4.6 To comply with the Act, reviews of both the national strategy and the OPIF must therefore be completed by 24 November 2021 (though publication of any revised documents may take place after this date).
- 4.7 Following the review, partners are required to publish a revised version or publish a statement stating why they do not consider the plan should be revised. When reviewing or revising the CJOIP partners must have regard to the national strategy, the national performance framework, and the local outcomes improvement plan.
- 4.8 The Inverclyde Community Justice Outcomes Improvement Plan 2017-2022 was submitted to the Scottish Government on 31st March 2017, with full local responsibility for implementation commencing on 1st April 2017 and is due to expire on 31<sup>st</sup> March 2022.
- 4.9 In May 2021, the Chair of the Inverclyde Community Justice Partnership received a joint letter from Scottish Government (SG) and CJS detailing the legislative framework, review of the national strategy and OPIF, overview of likely timescales and the potential impact on local CJOIPs. This letter is appended for Alliance Board members.

## **5.0 REVIEW OF THE NATIONAL STRATEGY FOR COMMUNITY JUSTICE AND REVIEW OF THE OUTCOMES PERFORMANCE AND IMPROVEMENT FRAMEWORK**

- 5.1 Following the release of the Programme for Government (2021 to 2022) it has been confirmed by SG that they will develop and launch a new National Community Justice Strategy by spring 2022 setting out clear aims with an emphasis on early intervention and encouraging a further shift away from the use of custody. SG had previously considered how best to carry out the review of the national strategy (which had been delayed to some extent by both the pandemic and the pre-election period), including ensuring that all relevant partner organisations were able to contribute to this.
- 5.2 The Community Justice Lead Officer, on behalf of the Inverclyde Community Justice Partnership, was recently updated via the Community Justice Network. At the time of submission to the Inverclyde Alliance Board, SG advised that a review consultation for partners that are engaged with or have a direct interest in the current strategy will be circulated in September, alongside some workshop discussions. The purpose of the consultation is to inform the development of the new strategy by gathering views on what has worked well and what hasn't since the publication of the first strategy, and to assess what changes in approach might be necessary. This review will be completed by 24th November 2021, at which point the development of the new strategy will commence (anticipated publication in Spring 2022).
- 5.3 CJS have reviewed the OPIF and concluded that it needs to be revised. An OPIF revision project has now been established and aims to further define the specific revisions required and develop proposals for consideration by the Scottish Ministers. The Community Justice Lead Officer, on behalf of the Inverclyde Community Justice Partnership, was recently updated via the Community Justice Network. A checkpoint report has been submitted to the Scottish Government to ensure that they, as OPIF owner and project sponsor, are satisfied with the direction of travel and are content for progress to continue as outlined.

## **6.0 INVERCLYDE COMMUNITY JUSTICE PARTNERSHIP POSITION**

- 6.1 Following receipt of the letter to the Chair of the Inverclyde Community Justice Partnership, the matter was considered at the Partnership meeting on 6 July 2021. There was submitted an options appraisal with the Partnership asked to consider publishing a new Inverclyde CJOIP on 1<sup>st</sup> April 2022 to be revised following publication of the new national strategy and revised OPIF or to extend the current CJOIP by one further year awaiting the publication of a new national strategy and revised OPIF.
- 6.2 There was consensus by the Community Justice Partnership to extend the current CJOIP by one further year with publication of a new Inverclyde CJOIP on 1 April 2023. This approach was considered as the most appropriate to ensure that the next Inverclyde CJOIP takes cognisance of the reviews of both the national strategy and OPIF and to ensure that the document meets the needs of communities across Inverclyde.
- 6.3 At the request of the Chair this matter was forwarded to both the SG and CJS for their consideration. Although no response was provided by SG, the Community Justice Lead Officer did meet with a representative from CJS. The view of CJS was supportive of this decision to ensure a CJOIP that meets the needs of the national landscape as well as the needs of Inverclyde. CJS also advised that other Community Justice Partnerships had adopted a similar approach and consequently remitted the matter to their appropriate Committee structure as well as producing a position statement.
- 6.4 Noting the above, it is the intention of the Inverclyde CJP to produce a position statement on the relevant Inverclyde Council webpage following endorsement by the Inverclyde Alliance Board.
- 6.5 Should the Inverclyde Alliance Board endorse the recommendation, it is the intention of the Community Justice Partnership to extend the current CJOIP by one further year to ensure any outstanding actions are concluded, to proceed with a Strategic Needs and Strengths Assessment (SNSA) outlining the justice picture within Inverclyde and progressing any emerging trends and future issues in relation to community justice.

## **7.0 IMPLICATIONS**

### **7.1 Legal:**

Section 22(2) of the Act sets out that the community justice partners of a local authority area must review their local CJOIPs after the publication of a revised national strategy and/or a revised OPIF. Following such a review, the community justice partners must either publish a revised plan or publish a statement indicating that they consider that the plan should not be revised.

### **7.2 Finance:**

A Community Justice Lead Officer is appointed and hosted by Criminal Justice & Children's Services within Inverclyde HSCP using the Scottish Government's transition funding allocation of £50,000 to Inverclyde. There is however an annual shortfall and the Criminal Justice Social Work budget is currently being utilised to meet these costs. This highlights the temporary nature of funding and the need to articulate at appropriate national forums the case for a long-term commitment to funding to ensure the successful implementation of the community justice agenda.

7.3 Human Resources: none at present

7.4 Equality and Diversity: none at present

7.5 Repopulation: none at present

7.6 Inequalities: none at present

## **8.0 CONSULTATIONS**

8.1 This proposal was tabled at the Inverclyde Community Justice Partnership meeting on 6 July 2021 and approved pending discussions with CJS.

## **9.0 LIST OF BACKGROUND PAPERS**

9.1 None

To: Chief Social Work Officers  
 Community Justice Partnership Chairs  
 Community Justice Partnership Coordinators  
 Council Chief Executives  
 Justice Social Work Managers  
 OPIF Revision Project Core Group  
 OPIF Revision Project Reference Group  
 Statutory Partners Group



May 2021

Dear colleagues,

## **Review of the National Strategy for Community Justice and Review of the Outcomes, Performance and Improvement Framework**

### Background

Under sections 15 and 17 of the [Community Justice \(Scotland\) Act 2016](#) ('the Act'), the [National Strategy for Community Justice](#) ('the national strategy') and the [Community Justice Outcomes, Performance and Improvement Framework](#) ('the OPIF') were published on 24 November 2016.

Section 16 of the Act sets out that Scottish Ministers must review the national strategy no later than five years after the strategy is published. Following such a review, the Scottish Ministers must either publish a revised strategy, or publish a statement indicating that they consider that the strategy should not be revised.

Section 18 of the Act sets out that Community Justice Scotland (CJS) must review the OPIF no later than five years after the framework is published. Following such a review, CJS must either make proposals to Scottish Ministers for the revision of the framework, or publish a statement indicating that they consider that the framework should not be revised. The Scottish Ministers must consider proposals made to them following CJS' review of the framework and then either publish a revised framework reflecting them (with such modifications as they consider appropriate) or publish a statement indicating that they consider that the framework should not be revised.

To comply with the Act, reviews of both the national strategy and the OPIF must therefore be completed by 24 November 2021 (though publication of any revised documents may take place after this date).

### Progress to Date

#### **Review of the National Strategy**

The Scottish Government (SG) is currently considering how best to carry out the review of the national strategy (which has been delayed to some extent by both the pandemic and the pre-election period), including ensuring that all relevant partner organisations are able to contribute to this. The final approach taken will be subject to the views of the new administration, but it is expected that substantive work on the strategy review will begin in summer 2021.

## **Review of the OPIF**

CJS have reviewed the OPIF and concluded that it needs to be revised. An OPIF revision project has now been established and aims to further define the specific revisions required and develop proposals for consideration by the Scottish Ministers.

The project's core group are currently developing the proposed approach and revisions. The core group includes representation from Community Justice Partnerships (CJPs), SG (Community Justice Division and Justice Analytical Services), the Care Inspectorate, and the Criminal Justice Voluntary Sector Forum. This work is being developed in consultation with a wider range of stakeholders as outlined in the project's engagement approach.

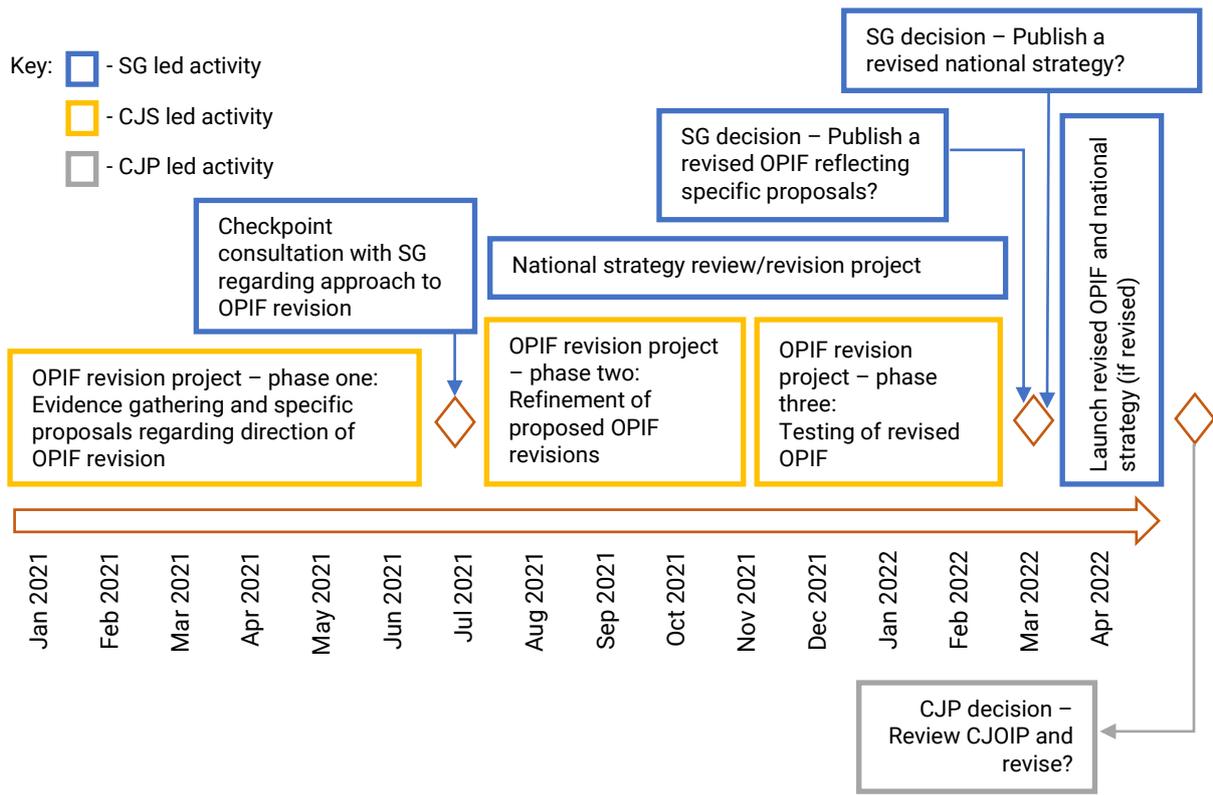
The project is overseen by a reference group which has representation from the third sector, SG, CJS, lived experience, Social Work Scotland, and COSLA. There are additional governance structures in place between SG and CJS to manage the recommendations approval process and ensure that appropriate links are maintained between the review and revision of both the national strategy and OPIF.

As part of the ongoing consultation process, specific views will be sought from the Scottish Government in early summer with regard to CJS' suggested approach and any specific revisions of the OPIF. If CJS and the SG are in agreement about the proposed approach, phase two of the project will further refine the revised framework, taking into account any changes made to the national strategy following its review in due course. A third phase of the project will focus on testing aspects of the revised framework, before final proposals for revision are made to Scottish Ministers.

It should be noted that the first phase of the OPIF revision project, and likely parts of the second phase, will not consider the national outcomes in detail as a result of the interdependencies between this project and the review (and possible revision) of the national strategy. Further information on this is provided below but, while detailed consideration of the national outcomes will not take place immediately, any views on these are welcome throughout both projects. While the national outcomes are a key part of the OPIF, these are relatively high level and it is considered that work on other aspects of the OPIF can continue on the assumption that the overarching intention of the strategy and outcomes, including to improve and expand the use of effective community interventions, will not change significantly. This is not to say the number of outcomes or the wording or exact target of those outcomes will not change, but the work of the OPIF revision project thus far suggests that there will be enough flexibility in the approach to adapt to outcomes that are broadly similar to those in the current OPIF.

## **Timescales**

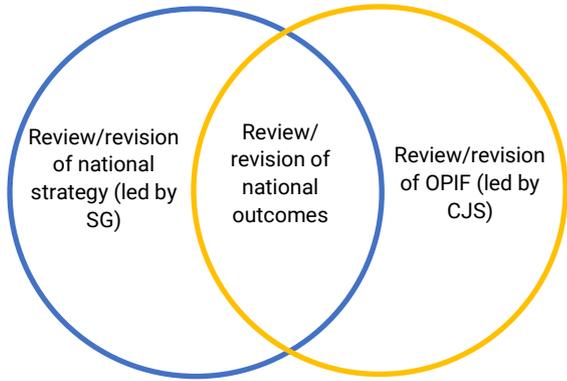
An overview of the likely timescales and milestones for both pieces of work are summarised below (timescales are estimates and subject to change):



Interdependencies

The work required to review the national strategy and the OPIF is inextricably linked. The national strategy currently sets out the vision for community justice in Scotland, and priority improvement actions required to make progress towards the priorities identified. These priorities correspond to the structural outcomes contained within the OPIF. In turn the indicators contained within the OPIF are designed to drive behaviour towards achieving these outcomes and the vision set out in the national strategy.

The SG and CJS are working closely together to align the work where it is critical to do so. Some work can proceed independently of the other with robust communication lines in place. One area where we see crucial overlap, as indicated above, is in the review of the national outcomes. While part of the OPIF, these are currently directly informed by the national strategy, and so it would be difficult to review these in detail while the future direction of the strategy is uncertain. This work will be taken forward jointly once both projects are fully established:



## Community Justice Outcome Improvement Plans (CJOIPs)

Section 22(2) of the Act sets out that the community justice partners of a local authority area must review their local CJOIPs after the publication of a revised national strategy and/or a revised OPIF. Following such a review, the community justice partners must either publish a revised plan or publish a statement indicating that they consider that the plan should not be revised.

CJS and SG are aware that 22 out of 30 local CJOIPs are either already expired or are due for renewal up to and including 2022. Work required locally to establish the evidence base for a new CJOIP, for example strategic needs and strengths assessment activity, should continue as planned while taking into account the possibility that some adjustment may need to be made as the reviews progress to reflect any emerging changes in direction to the strategy, national outcomes and OPIF indicators.

If publication of a new CJOIP falls very close to the estimated publication date of a new national strategy and/or OPIF (March 2022) then it may be pragmatic to delay publication of the CJOIP if additional time is required to carry out the required CJOIP review. We respectfully request that CJPs consult with CJS in their decision making in respect of preparing new CJOIPs (as set out in section 20(6)(a) of the Act).

We will endeavour to keep in close communication with CJPs throughout the review process to avoid, as far as possible, any late changes of approach.

### Next Steps

We will keep you updated on developments in respect of the national strategy review and the OPIF revision. This may be through further joint communications, as part of stakeholder participation and engagement within each of the projects, or through regular updates at forums such as CJP Chair and elected member briefings, and the Community Justice Network.

If you have any queries in relation to this, please don't hesitate to get in touch.

Kind regards,



Graham Ackerman  
Community Justice Division, Justice Directorate  
Scottish Government



Karyn McCluskey  
Chief Executive  
Community Justice Scotland