

Justice Committee

Community Justice (Scotland) Bill

Written submission from Unison Scotland

Introduction

UNISON is Scotland's largest trade union representing almost 160,000 members working in the public sector – the majority of who work in local government. We represent community justice social workers and administrative staff across Scotland, who will be affected by the Scottish Government's proposals as well as many working in the voluntary sector supporting offenders and victims of crime.

UNISON Scotland welcomes the opportunity to respond to the Scottish Parliament Justice Committee's call for evidence on the Community Justice (Scotland) Bill. We have consulted widely with our members who have expertise in this field and set out their views in our response.

General comments

UNISON Scotland responded to the consultation on "Redesigning the Community Justice System" in April 2013 in which we supported Option B to put the statutory responsibility for the strategic planning, commissioning and delivery of services firmly within the local authority, delivered by local planning frameworks (Community Planning Partnerships, Alcohol and Drug Partnerships or the proposed Health and Social Care Partnerships). We also responded to the Scottish Parliament's call for evidence in July 2014 on the Future Model of Community Justice in Scotland.

As stated in our response to the earlier consultations, UNISON Scotland fully supports the aims of the Scottish Government to reduce reoffending. We welcome the fact that reoffending rates have fallen over the years but accept that there is still a lot more that could be done, particularly in areas of prevention which would deliver clear improved outcomes.

We are pleased that the Scottish Government has not chosen a national service as its preferred method of delivery, but are happy to support a national framework to help assure consistency of service across Scotland. We are not, however, convinced that the balance of responsibility between the new body Community Justice Scotland and local delivery organisation is correct.

Consultation questions

Question 1: UNISON believes that the Bill will help address some of the weaknesses identified in the 2012 report as well as tackling reoffending and reducing the prison population.

Question 2: We are content with the definition of 'community justice' in the Bill.

Question 3: We believe that the proposals for the new national body (Community Justice Scotland) should lead to improvements in areas such as leadership, oversight, identification of best practice. We are not clear on the effects of the proposals for commissioning of services and would wish clarification on the extent of this.

Question 4: We believe that Community Justice Partners should have the necessary powers, duties and structures required to effectively perform their proposed role in relation to community justice. However, the Bill is light on these aspects of local delivery, dealing more often with the role of Community Justice Scotland.

Question 5: UNISON requires more clarification on the local delivery aspects of community justice and cannot at the moment be clear whether the balance is correct.

Question 6: The proposed reform should support improvement in terms of (a) leadership, strategic direction and planning; (b) consultation and accountability; (c) partnership and collaboration. However, we require clarification on the extent of the Community Justice Scotland's powers for the commissioning of services and therefore, are not able to comment on this aspect.

Question 7: The resources set out in the Financial Memorandum should be adequate to transform the community justice system in the way envisaged, but this will depend on the amount needed to train staff so that they are adequately prepared to work within the new situation.

Question 8: The timetable for moving to the new arrangements by 1 April 2017 is achievable but again is dependent on how robust the transition arrangements are.

UNISON previously welcomed the attention given to the transition process believing that good communication with the workforce and other bodies was essential to ensuring a smooth transition.

We understand that CJAs may remain in place for a period following the implementation of the new system, but believe that the staff involved must be assured of their positions following this period.

Additional comments

We remain concerned at the minimum mention of staff in the proposals. It is the workforce that delivers community justice across Scotland and scant attention has been paid to involving them or their representatives in any of the structures proposed in the Bill.

We continue to believe that there should be representatives of practitioners and the workforce on the Board for Community Justice Scotland, preferably through their trade unions.

UNISON Scotland
20 August 2015