

# Community Justice (Scotland) Bill

---

---

## Groupings of Amendments for Stage 3

This document provides procedural information which will assist in preparing for and following proceedings on the above Bill. The information provided is as follows:

- the list of groupings (that is, the order in which amendments will be debated). Any procedural points relevant to each group are noted;
- the text of amendments to be debated on the day of Stage 3 consideration, set out in the order in which they will be debated. **THIS LIST DOES NOT REPLACE THE MARSHALLED LIST, WHICH SETS OUT THE AMENDMENTS IN THE ORDER IN WHICH THEY WILL BE DISPOSED OF.**

### Groupings of amendments

**Note:** The time limits indicated are those set out in the timetabling motion to be considered by the Parliament before the Stage 3 proceedings begin. If that motion is agreed to, debate on the groups above each line must be concluded by the time indicated, although the amendments in those groups may still be moved formally and disposed of later in the proceedings.

#### **Group 1: Meaning of community justice**

1, 2, 3, 4, 5, 6, 7, 8, 9, 26, 27, 10, 11

#### **Group 2: References to services in relation to community justice**

12, 13, 22, 23, 24

#### **Group 3: Third sector bodies involved in community justice: victims' groups**

28, 29

#### **Group 4: National strategy and performance framework: content**

14, 15, 16, 18, 19

---

**Debate to end no later than 30 minutes after proceedings begin**

---

#### **Group 5: Timing of consultation and commencement**

17, 20, 21, 25, 25A

#### **Group 6: Community justice outcomes improvement plan: participation statement**

30, 31

**Group 7: Duty of co-operation**

32

**Group 8: Provision as to repeal of Act**

33

---

**Debate to end no later than 1 hour after proceedings begin**

**THIS IS NOT THE MARSHALLED LIST**

**Amendments in debating order**

**Group 1: Meaning of community justice**

**Paul Wheelhouse**

- 1 In section 1, page 1, line 13, after <arranging> insert <relevant>

**Paul Wheelhouse**

- 2 In section 1, page 1, line 16, at end insert—  
<( ) facilitating the provision of relevant general services which persons mentioned in paragraph (d) are likely to need immediately following their release.>

**Paul Wheelhouse**

- 3 In section 1, page 1, leave out lines 17 and 18

**Paul Wheelhouse**

- 4 In section 1, page 1, leave out lines 19 to 24

**Paul Wheelhouse**

- 5 In section 1, page 2, line 6, leave out from <opportunities> to end of line 7 and insert <things falling with paragraph (b)(i) or (ii),>

**Paul Wheelhouse**

- 6 In section 1, page 2, line 8, after <of> insert <relevant>

**Paul Wheelhouse**

- 7 In section 1, page 2, line 9, leave out subsection (2ZA)

**Paul Wheelhouse**

- 8 In section 1A, page 3, line 3, at beginning insert <relevant>

**Paul Wheelhouse**

- 9 In section 1A, page 3, line 4, leave out <, including services and support>

**Paul Wheelhouse**

- 26 In section 1A, page 3, line 8, leave out <looked-after>

**Paul Wheelhouse**

- 27 In section 1A, page 3, leave out lines 9 and line 10 and insert—  
<( ) physical or mental health (including, in particular, alcohol and drug treatment services),  
( ) social welfare,

## THIS IS NOT THE MARSHALLED LIST

- ( ) any other matter which does or may affect the likelihood of future offending by persons falling within section 1(2A), (2D) or (2E),>

### Paul Wheelhouse

- 10 In section 1A, page 3, line 31, after <act> insert <or made the omission>

### Paul Wheelhouse

- 11 In section 1A, page 3, line 32, after <act> insert <or made the omission>

## Group 2: References to services in relation to community justice

### Paul Wheelhouse

- 12 In section 12A, page 8, line 31, leave out <in relation to community justice> and insert <falling within subsection (1A)>

### Paul Wheelhouse

- 13 In section 12A, page 8, line 34, at end insert—

<(1A) A service falls within this subsection if the service—

- (a) is provided to persons falling within section 1(2A), (2D) or (2E) and involves managing or supporting them with a view to eliminating or reducing future offending by them, or
- (b) is provided to persons who are being prepared for release, having been convicted of offences and sentenced to imprisonment or detention in penal institutions, and involves preparing them for that release.

(1B) In subsection (1A)(a), “supporting” has the same meaning as in section 1(1)(b).>

### Paul Wheelhouse

- 22 In section 26, page 17, line 23, leave out <in relation to community justice> and insert <falling within subsection (2A)>

### Paul Wheelhouse

- 23 In section 26, page 17, line 27, at end insert—

<(2A) A service falls within this subsection if the service—

- (a) is provided to persons falling within section 1(2A), (2D) or (2E) and involves managing or supporting them with a view to eliminating or reducing future offending by them, or
- (b) is provided to persons who are being released, having been convicted of offences and sentenced to imprisonment or detention in penal institutions, and involves preparing them for that release.

(2B) In subsection (2A)(a), “supporting” has the same meaning as in section 1(1)(b).>

### Paul Wheelhouse

- 24 In section 26, page 18, line 16, leave out <in relation to community justice> and insert <falling within subsection (2A)>

## **THIS IS NOT THE MARSHALLED LIST**

### **Group 3: Third sector bodies involved in community justice: victims' groups**

#### **Margaret McDougall**

- 28** In section 12A, page 8, line 34, after <justice> insert <(see subsection (2A))>

#### **Margaret McDougall**

- 29** In section 12A, page 9, line 2, at end insert—

<(2A) The persons referred to in subsection (1)(b)(ii) include, in particular—

- (a) families of persons mentioned in subsection (2),
- (b) victims and families of victims.

(2B) In subsection (2A)(b), “victims” means persons who are, or appear to be, victims of offences or alleged offences.>

### **Group 4: National strategy and performance framework: content**

#### **Paul Wheelhouse**

- 14** In section 13, page 9, leave out lines 15 to 20

#### **Paul Wheelhouse**

- 15** In section 13, page 9, line 22, leave out <housing> and insert <relevant general>

#### **Paul Wheelhouse**

- 16** In section 13, page 9, line 24, at end insert—

<( ) In subsection (2)(d), “relevant general services” has the same meaning as in section 1.>

#### **Paul Wheelhouse**

- 18** In section 15, page 10, line 28, leave out <housing> and insert <relevant general>

#### **Paul Wheelhouse**

- 19** In section 15, page 10, line 33, at end insert—

<( ) In subsection (3)(a), “relevant general services” has the same meaning as in section 1.>

### **Group 5: Timing of consultation and commencement**

#### **Paul Wheelhouse**

- 17** In section 13, page 9, line 29, at end insert—

<( ) Subsection (3) is complied with even if the consultation has been undertaken, or initiated, before this section comes into force.>

**THIS IS NOT THE MARSHALLED LIST**

**Paul Wheelhouse**

- 20 In section 15, page 10, line 38, at end insert—  
<( ) Subsection (4) is complied with even if the consultation has been undertaken, or initiated, before this section comes into force.>

**Paul Wheelhouse**

- 21 In section 21, page 15, line 2, at end insert—  
<( ) Subsection (3) is complied with even if the consultation has been undertaken, or initiated, before this section comes into force.>

**Paul Wheelhouse**

- 25 In section 36, page 23, line 3, after <Sections> insert <1, 1A, 12(1), 12A(1) to (2), 13, 15, 32,>

**Margaret McDougall**

- 25A As an amendment to amendment 25, line 1, leave out <(2)> and insert <(2B)>

**Group 6: Community justice outcomes improvement plan: participation statement**

**Margaret McDougall**

- 30 After section 18, insert—  
**<Community justice outcomes improvement plan: participation statement**
- (1) The community justice partners for the area of a local authority must prepare a statement setting out, in relation to their plan under section 17—
    - (a) the action which they took in pursuance of section 18(3), and
    - (b) which bodies falling within section 18(4) participated in the preparation of the plan by virtue of section 18(3).
  - (2) A statement under subsection (1) may be incorporated in the plan under section 17 to which it relates.
  - (3) If the statement is not so incorporated, the community justice partners for the area must, as soon as reasonably practicable after the plan under section 17 to which it relates is published, publish the statement and then send a copy to Community Justice Scotland.>

**Margaret McDougall**

- 31 In section 19, page 13, line 32, at end insert—  
<( ) Section (*Community justice outcomes improvement plan: participation statement*) applies in relation to a revised plan as it applies to a plan under section 17.>

**THIS IS NOT THE MARSHALLED LIST**

**Group 7: Duty of co-operation**

**Elaine Murray**

**32** In section 30, page 20, line 37, at end insert—

<( ) In complying with subsection (1), a person or group of persons must have regard to the desirability of community justice in a particular area being best suited to the needs of that area.>

**Group 8: Provision as to repeal of Act**

**Margaret Mitchell**

**33\*** After section 32, insert—

*<Provision as to repeal of Act*

**Provision as to repeal of Act**

- (1) Sections 1 to 32 and schedules 1 and 2 of this Act are repealed at the end of the 6 year period, unless regulations are made under subsection (2).
- (2) The Scottish Ministers may by regulations, after the end of the 5 year period but before the end of the 6 year period, provide that sections 1 to 32 and schedules 1 and 2 are to continue in effect despite subsection (1).
- (3) The Scottish Ministers may by regulations make such provision (including provision modifying any enactment) as may be necessary or expedient in consequence of the repeal of sections 1 to 32 and schedules 1 and 2 by virtue of subsection (1).
- (4) Regulations under subsection (2) or (3) are subject to the affirmative procedure.
- (5) In this section—

“the 5 year period” means the period of 5 years beginning with the day of Royal Assent,

“the 6 year period” means the period of 6 years beginning with that day.>



© Parliamentary copyright. Scottish Parliamentary Corporate Body

The Scottish Parliament's copyright policy can be found on the website - [www.scottish.parliament.uk](http://www.scottish.parliament.uk) or by contacting Public Information on 0131 348 5000.

---

Published in Scotland by the Scottish Parliamentary Corporate Body

---

All documents are available on  
the Scottish Parliament website at:

[www.scottish.parliament.uk/documents](http://www.scottish.parliament.uk/documents)

For information on the Scottish Parliament contact  
Public Information on:

Telephone: 0131 348 5000  
Textphone: 0800 092 7100  
Email: [sp.info@scottish.parliament.uk](mailto:sp.info@scottish.parliament.uk)

---