



National Strategy for Community Justice: Revision Consultation

Response from Victim Support Scotland - 24 May 2022

Questions

Scottish Government would like your feedback on the National Strategy for Community Justice: Revision Consultation. The questions are focused on key aspects of the revised strategy included within the consultation document (section 7). Please read the consultation document before responding.

8.1 National Strategy for Community Justice - Aims

The draft national aims for the revised National Strategy for Community Justice are:

- **Aim 1:** Optimise the use of diversion and intervention at the earliest opportunity
- **Aim 2:** Ensure that robust and consistent community interventions and public protection arrangements are in place across Scotland
- **Aim 3:** Ensure that services are available to address the needs of individuals accused or convicted of an offence
- **Aim 4:** Strengthen leadership, engagement, and partnership working

Q1. Is the wording of the four national aims understandable?

- Yes

If you answered no, please provide further explanation:

Q2. Do you think the four national aims capture the most important aspects of community justice?

- No

If you answered no, please provide further explanation:

We believe that there is little mention of victims in Aims 2 & 3 and we have explained in more detail in those questions why this is the case and what measures could be taken to improve the aims and subsequent priority actions.

Q3. To what extent do you agree/disagree with the national aims for the revised National Strategy for Community Justice?

National Aims	Strongly disagree	Disagree	Neutral	Agree	Strongly agree
Aim 1: Optimise the use of diversion and intervention at the earliest opportunity			X		

Aim 2: Ensure that robust and consistent community interventions and public protection arrangements are in place across Scotland			X		
Aim 3: Ensure that services are available to address the needs of individuals accused or convicted of an offence			X		
Aim 4: Strengthen leadership, engagement, and partnership working			X		

Do you have any further comments on the National Aims?

National Strategy for Community Justice - Priority Actions: In February 2022, the Scottish Government published consultation feedback on the review of the current National Strategy for Community Justice. Informed by the responses to this review and other evidence and engagement, priority actions have been developed under each of the national aims. The priority actions should support the national aims.

Q4. To what extent do you agree/disagree that these community justice priority actions will contribute to the achievement of national Aim 1 (Optimise the use of diversion and intervention at the earliest opportunity)?

Priority actions for Aim 1	Strongly disagree	disagree	Neutral	Agree	Strongly agree
1. Enhance early intervention by ensuring greater consistency, confidence in and awareness of services which support the use of direct measures and diversion from prosecution			X		
2. Improve support for vulnerable individuals by ensuring the provision of consistent, equitable and accessible immediate support in a crisis and screening within Police Custody Centres			X		

3. Improve support following arrest by ensuring substance use and mental health services are available and appropriate referrals take place at the earliest opportunity			X		

Q5. Do you have any further comments or suggested changes on how these priority actions will contribute to achieving Aim 1 (Optimise the use of diversion and intervention at the earliest opportunity)?

Q6. To what extent do you agree/disagree that these community justice priority actions will contribute to the achievement of national Aim 2 (Ensure that robust and consistent community interventions and public protection arrangements are in place across Scotland)?

Priority actions for Aim 2	Strongly disagree	Disagree	Neutral	Agree	Strongly agree
4. Support the use of credible and robust alternatives to remand by ensuring high quality services are consistently available and delivered effectively				X	
5. Strengthen supported management in the community by increasing and widening the use of electronic monitoring and technologies				X	
6. Ensure that those given community sentences are managed appropriately and safely by delivering high quality, consistently available, trauma-informed services and programmes that support public protection			X		
7. Ensure restorative justice is available across Scotland to all those who wish to access it by ensuring consistent provision and effective promotion of available services			X		

Q7. Do you have any further comments or suggested changes on how these priority actions will contribute to achieving Aim 2 (Ensure that robust and consistent community interventions and public protection arrangements are in place across Scotland)?

Victim Support Scotland would like to highlight that in Aim 2 - community intervention and public protection arrangements - there is no mention in any of the priority actions about what public protection arrangements are in place to protect victims and witnesses from re-offending. Apart from Restorative Justice being available, there is no mention in the priority actions about victim safety. We believe that you cannot talk about Public Protection if there is no mention of the public, victims or their families.

With regards to Restorative Justice under priority action 7 – again, there is no mention of victims of crime in the priority action and it should be worded so that it will be available to both the victim and perpetrator of the crime. VSS believes that no programme should be described as “restorative justice”, unless as a priority, it is victim centred and victim led. We do agree that it should be available across Scotland for victims of crime who wish to participate, but we believe there should also be mention in the action about advice and support availability as well as high quality training of facilitators. Doing any form of Restorative Justice process without highly trained facilitators can cause more harm than good.

Q8. To what extent do you agree/disagree that these community justice priority actions will contribute to the achievement of national Aim 3 (Ensure that services are available to address the needs of individuals accused or convicted of an offence)?

Priority actions for Aim 3	Strongly disagree	Disagree	Neutral	Agree	Strongly agree
8. Enhance individuals' access to health and social care and continuity of care following release from prison by improving the sharing of information between relevant partners				X	
9. Ensure that the housing needs of individuals in prison are addressed consistently and at an early stage by fully implementing and embedding the SHORE standards across all local authority areas				X	
10. Enhance individual's readiness for employment by ensuring increased access to employability support through effective education, learning, training, careers services				X	

and relevant benefit services					
11. Enhance community integration and support by increasing and promoting greater consistency in the use of voluntary throughcare and third sector services			X		

Q9. Do you have any further comments or suggested changes on how these priority actions will contribute to achieving Aim 3 (Ensure that services are available to address the needs of individuals accused or convicted of an offence)?

Victims currently feel that community justice in Scotland does not take cognisance of their needs and that policy and practice in this area are driven by the needs of those who have committed offences. Victim Support Scotland feels this gap should be addressed so there is greater awareness of community justice partners about the impacts on victims. Whilst we agree that the needs of the perpetrator should be addressed there is no mention in any of the priority actions regarding the needs of the victim of the crime that the perpetrator has committed. There is no mention of preparing the victim, or their family for the release of the perpetrator from custody. Consideration should also be given to an automatic referral for support for victims of crime when perpetrators are being released from prison. This should also be an additional priority action under Aim 3 or priority action 11 should be amended to reflect the needs of victims of crime when perpetrators are being released from prison.

Q10. To what extent do you agree/disagree that these community justice priority actions will contribute to the achievement of national Aim 4 (Strengthen leadership, engagement, and partnership working)?

Priority actions for Aim 4	Strongly disagree	Disagree	Neutral	Agree	Strongly agree
12. Deliver improved community justice outcomes by ensuring that effective leadership arrangements are in place and working well, collaborating with partners and planning strategically				X	
13. Enhance partnership planning and implementation by ensuring the voices of victims, survivors, those with lived experience and their families are effectively incorporated			X		

14. Support integration and reduce stigma by ensuring the local community and workforce have an improved understanding of and confidence in community justice			X		
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Q11. Do you have any further comments or suggested changes on how these priority actions will contribute to achieving Aim 4 (Strengthen leadership, engagement, and partnership working)?

Victim Support Scotland believes that victims voices should be heard under Aim 4. We would want to ensure that there is consistency across Scotland as currently local relationships vary across the country. Victim support organisations are not routinely invited to sit on Community Justice Partnerships. In order for these priority actions to work, there would need to be some form of guidance provided in each local authority/sheriffdom area to ensure a consistent, inclusive approach is taken when considering the views of victims, survivors, those with lived experience and their families are effectively incorporated

In relation to priority action 12 and 13, one of our staff commented as follows: ‘effective leadership will contribute to national aim 4 and in particular, to strengthen engagement and partnership working. I have found that where there is strong leadership through Community Justice Partnerships, victims organisations have a clear understanding of where they fit into community justice and are able to contribute in a meaningful way. The local Community Justice Partnership groups require strong leadership in order to make sure all stakeholders remain engaged and have a place around the table. This is also key to ensuring the voices of victims and their families are incorporated into Community Justice planning as without effective leadership and somebody to bring partners together, it is easy for those supporting victims and those supporting offenders to work separately. Where resources available to organisations are increasingly stretched, strong local leadership arrangements create opportunities for organisations to share information and work together.’

In relation to priority action 13, a staff member working with people affected by crime in a lived experience engagement role commented: ‘Victim Support Scotland’s coproduction work with people affected by crime highlights a keen wish from many people to share their experiences as a means of both raising awareness and effecting wider system change. It is crucial that the voices of people affected by crime are heard within community justice partnership planning and implementation in a meaningful way through continuous consultation and direct representation in local justice planning structures. As one person affected by crime in the Victim Support Scotland user feedback group comments, “To be heard by the people who have the power to implement changes in order to improve the system for victims and their families in the future is crucial.”

In relation to priority action 14, we believe that community confidence will only come from publishing how successful, or otherwise, reintegration has been for individuals. As an organisation we would like victims of crime to be informed (should they wish to know) whether an individual has been successfully rehabilitated, or indeed what measures have or are being taken to try and achieve

that aim. Knowledge of reoffending rates are key to community confidence in the system as a whole and they should be published on a regular basis.

Victim Support Scotland is of the opinion that to ensure victims are heard and continue to be reflected in community justice policy then Community Justice Scotland should follow the standards of service that criminal justice agencies and relevant authorities currently follow in the Victims Code for Scotland. This would ensure that the needs of victims are considered equally when considering community justice policy.

Q12. Do you have any other comments on the National Strategy for Community Justice: Revision Consultation document that were not captured in the national aims and priority actions questions?