



# Community Justice (Scotland) Act 2016

## 2016 asp 10

### *Community Justice Scotland*

#### **4 Functions**

- (1) Community Justice Scotland's main functions are—
- (a) to promote the national strategy (see section 37(1)),
  - (b) to monitor, promote and support improvement in, and keep the Scottish Ministers informed about, performance in the provision of community justice (and in particular, performance in relation to the achievement of the nationally determined outcomes),
  - (c) to promote and support—
    - (i) improvement in the quality and range of provision of community justice (and in particular, improvement in meeting the needs of persons mentioned in subsection (2)),
    - (ii) making the best use of the facilities, people and other resources available to provide community justice,
  - (d) to promote public awareness of benefits arising from—
    - (i) persons who are convicted of offences being sentenced to community disposals rather than imprisonment or detention in penal institutions, and
    - (ii) managing and supporting persons falling within section 1(3), (6) or (7) with a view to them not offending in future or, if that is not realistic, reducing future offending by them.
- (2) The persons referred to in subsection (1)(c)(i) are persons who—
- (a) fall within section 1(3), (6) or (7), or
  - (b) are being prepared for release, having been convicted of offences and sentenced to imprisonment or detention in penal institutions.
- (3) In subsection (1)(d)(i), “community disposals” has the same meaning as in section 1.
- (4) Community Justice Scotland also has the other functions conferred on it by virtue of this or any other enactment.
- (5) The Scottish Ministers may by regulations—

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**Changes to legislation:** Community Justice (Scotland) Act 2016, Section 4 is up to date with all changes known to be in force on or before 19 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (a) confer additional functions in relation to community justice on Community Justice Scotland,
  - (b) transfer functions in relation to community justice from another person to Community Justice Scotland,
  - (c) make changes to functions of Community Justice Scotland (but only if the changed function is a function in relation to community justice),
  - (d) remove from Community Justice Scotland functions conferred by virtue of paragraph (a),
  - (e) transfer to another person functions transferred to Community Justice Scotland by virtue of paragraph (b).
- (6) Regulations under subsection (5) may modify this or any other enactment.
- (7) Before making regulations under subsection (5), the Scottish Ministers must consult—
- (a) Community Justice Scotland,
  - (b) each of the other community justice partners (see section 13(1)), and
  - (c) such other persons as they consider appropriate.
- (8) Regulations under subsection (5) are subject to the affirmative procedure.

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**Commencement Information**

**II** S. 4 in force at 1.4.2017 by [S.S.I. 2017/33](#), [reg. 2\(3\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 34A34B and cross-heading inserted by [2023 asp 4 s. 12\(2\)](#)
- s. 34C34D and cross-heading inserted by [2023 asp 4 s. 13\(2\)](#)