



Corporate Plan 2020-23

Laid before the Scottish Parliament by the Scottish Courts and Tribunals Service in pursuance of section 66(4)(a) of the Judiciary and Courts (Scotland) Act 2008.

May 2020

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Chairman's Foreword

This Corporate Plan sets out the strategic priorities and objectives of the Scottish Courts and Tribunals Service (SCTS) to 2023.

2020 marks the 10th anniversary of SCTS being established as a non-ministerial department. Over the past decade, Scotland has experienced significant change. Our purpose, which is supporting justice, requires us to be both constant and dynamic. Constant in the standard of service we provide to those who rely on the courts, tribunals and the Office of the Public Guardian. Constant in the values that we hold; respect, service and excellence. Dynamic in the way in which we provide our services: the systems and facilities which we use to do so and the skills, and resources that we provide to our staff.

As we move into a new decade, we can be proud of the progress which we have made and positive about the future. Over the period of our last plan, we: launched the first end-to-end digital case management process in the UK; supported the transition of a range of devolved tribunals into both a new legal structure and a new purpose built facility; took significant steps to reduce the trauma faced by child and vulnerable witnesses in giving evidence; and developed a state of the art Justice Centre in Inverness

The administration of justice must reflect our changing society. Over the coming three years, we will continue to develop and innovate, in order to meet those needs: there will be particular focus on:

- Reform of the way in which criminal cases are managed, which will: improve the experience for victims and witnesses; respond to increasing levels of sexual offending and explore how best to resolve cases in the most effective, efficient and compassionate way.
- The transfer of devolved tribunals into the First-tier Tribunal for Scotland will be completed, allowing the benefits of that structure to be fully realised, as we prepare for significant growth in the range and number of cases that they will manage.
- The provision of digital services across court and tribunal business will continue to grow, with online submission and management becoming increasingly the norm over time.

Maintaining our core service, whilst achieving these ambitious changes, will be a challenge. It is a challenge that we will rise to meet.

Our skilled, dedicated and compassionate staff care deeply about the system and all those who use it. It is by investing in them, and in the systems and infrastructure they use, that we will deliver the best possible service. We will also work in partnership across the justice system, to meet its broader outcomes and the challenges faced across the public sector, including the need to set an example in response to the threat posed by climate change.

It is a privilege to serve as Chairman of the SCTS Board. The commitment, insight and expertise of my fellow Board members is greatly appreciated. With their support, I am confident that the coming decade will present real opportunities to improve the service provided by the organisation and the justice system as a whole.

Rt. Hon. Lord Carloway, Lord President
Chairman of the SCTS Board



Chief Executive's Introduction

The Scottish Courts and Tribunals Service has been privileged to play a leading role in significant reforms across Scotland's justice system in recent years. That role will continue as we move into this new planning period. Our ambitions set out in this plan describe how we will maintain and improve our purpose of supporting justice. The past decade has seen the most significant changes to our justice system in living memory through civil courts reform, the pre-recording of children's evidence, the expansion of the devolved tribunals and the development of new thinking that will shape our future criminal justice system. These have been achieved against a backdrop of economic and constitutional uncertainty, through careful planning, effective management and collaborative working.

In the course of our last plan we have introduced digital case submission and management for simple procedure cases; opened new facilities that dramatically improve the service we provide to children and vulnerable witnesses in Glasgow and Inverness; improved transparency through the publication of detailed court performance data; and continued to exceed our already ambitious carbon reduction targets. All this has been achieved alongside record customer satisfaction levels reported through independent surveys and assessments.

We have developed as a competent, confident and influential organisation and these attributes will be key to our future success. We will expand and develop our online services. The transfer of devolved tribunals to the First-Tier Tribunal for Scotland will be completed. Work to transform the way in which evidence is captured from child and vulnerable witnesses will expand to cover a greater proportion of cases; and new approaches to managing criminal business will be tested, developed and put into practice. All these goals are made possible by our skilled, dedicated and flexible staff. We will continue investing in their development to ensure they can build the professional skills required to achieve our shared goals.

Our relationship and the quality of support to the judiciary is crucial, as is the importance of working collaboratively with other justice organisations: neither can be overstated. Our work helps realise the vision and priorities for justice in Scotland, and underpins the values set out in Scotland's National Performance Framework, by ensuring we have a society that respects the rule of law. The services we provide will always be needed: but the way in which they are provided must continue to move with the times. We will keep working to improve, listening both those within the justice system and, importantly, to those who use our services every day. By building on that collective experience we can make the right improvements in the right way.

Our values of respect, service and excellence guide all that we do. They ensure that we maintain strong risk, performance and change management systems to demonstrate accountability. They ensure that we always focus on the people whom we serve. And they ensure that we do not become complacent in driving improvement — as our ambitions in this plan set out.

Eric McQueenChief Executive



About SCTS

Who we are

The Scottish Courts and Tribunals Service (SCTS) is a non-ministerial department established by the Judiciary and Courts (Scotland) Act 2008. Its statutory function is to provide administrative support to the Scottish courts, devolved tribunals and the Office of the Public Guardian (OPG). On 1 April 2015 SCTS became responsible for the administration of Scotland's devolved tribunals.

The SCTS has a presence in communities across Scotland. Court and tribunal business is conducted daily across the country in over 40 locations and, in the case of tribunal business, some 70 further remote locations.

In addition to administering Scotland's courts and tribunals SCTS supports the Office of the Public Guardian and Accountant of Court. The OPG provides guidance and undertakes investigations to protect vulnerable people under the terms of the Adults with Incapacity (Scotland) Act 2000. The Public Guardian is also the Accountant of Court.

SCTS also provides the staff and administrative support to:

- the Scottish Civil Justice Council, which drafts rules of procedure for the civil courts and advises the Lord President on the development of the civil justice system;
- the Scottish Sentencing Council, responsible for promoting consistency in sentencing, assisting the development of sentencing policy and promoting greater awareness and understanding of sentencing through, among other things, the preparation of sentencing guidelines for the Scottish criminal courts.



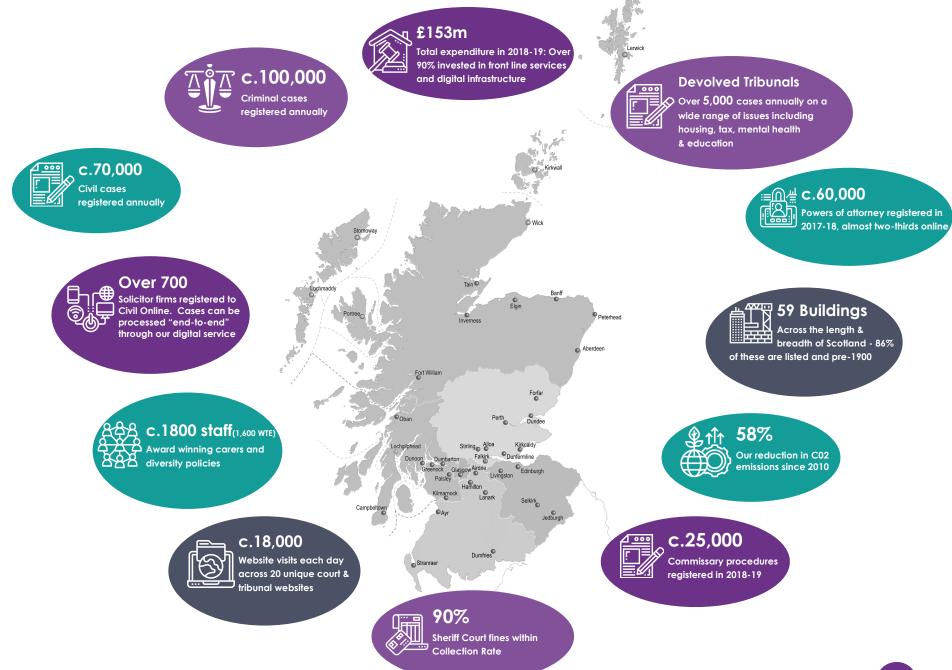
What we do

The work of the SCTS covers a broader range of issues than you may think. In providing support to Scotland's courts, devolved tribunals and the Office of the Public Guardian we touch the lives of many people on a daily basis – be that through formal court or tribunal business, fulfilling your civic duty as a juror, paying fees or fines, seeking help in managing the affairs of an incapable adult or dealing with the estate of a loved one who has passed away.

SCTS deals with over a quarter of a million cases/applications each year. Behind each one of these is an individual – looking to the system to help them assert their rights, address wrongs or provide support in a time of need. It is this work – which takes place every day in our courts, tribunals and administrative centres across Scotland – that consumes most of the time, energy and skill of our staff. We take a pride in working as one team and providing high levels of service to all those who use the courts, tribunals and OPG.

We are always looking to improve the services we provide – through innovation and development. Whilst delivering our core services is the top priority considering how we can improve and develop is also crucial if we are to keep delivering the highest quality service.

How we support Justice across Scotland



Our Purpose, Priorities & Values

Our Purpose

The purpose of SCTS is **supporting justice**. We fulfil that purpose by providing the people, buildings and services needed to support the judiciary, the courts, tribunals and Office of the Public Guardian. Our work focuses on improving access to justice, reducing delay and cost within the justice system and maximising the use of technology to improve our services.

Scotland's courts and tribunals have a long and proud tradition of supporting justice and, whilst it can be easy to take this for granted, it is a function that every strong, successful, democratic nation needs to value and uphold. In doing so, the SCTS will ensure that the services provided by Scotland's courts, tribunals and OPG match the expectations of its people.

Our Priorities

To achieve our purpose we organise the main activities in our plans around 7 **strategic priorities**. By focusing on these priorities we ensure that everything we do is of benefit to Scotland's justice system, those who rely on it and those who work to uphold and improve it on a daily basis.

Our Values & Behaviours

The core **values** we observe and seek to promote in others are **respect**, **service** and **excellence**. To achieve them we follow three key **behaviours** in respect of each value.



Respect	Service	Excellence
Be courteous Be open & fair Work as one team	Deliver a professional service Learn in all we do Set an example	Innovate Collaborate Be accountable

Supporting Scotland

Our **strategy map** sets out our purpose, values and key behaviours – these guide our priorities and work as we support Scotland's justice system.

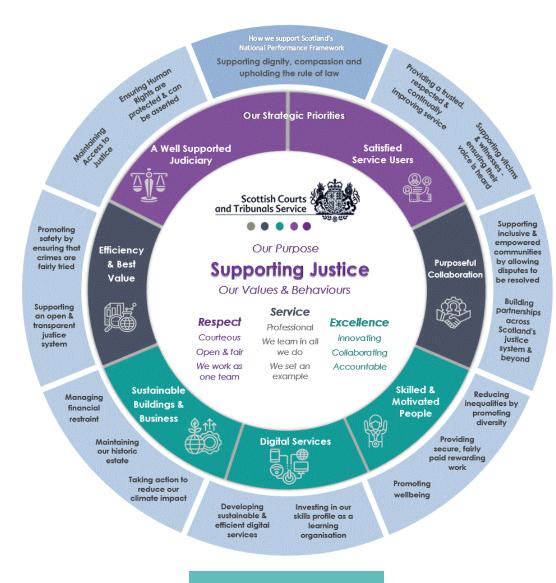
The values that sit at the core of Scotland's National Performance Framework are that – 'We are a society which treats all our people with kindness, dignity and compassion, respects the rule of law, and acts in an open and transparent way". A well functioning courts and tribunals system is essential to the upkeep of those values.

Dignity and compassion can only be guaranteed if, when violated, there is access to independent redress, before an impartial panel, within a reasonable time and at a reasonable cost.

A society can only be said to respect the rule of law if it maintains effective institutions through which its laws can be independently interpreted and disputes resolved, within reasonable timescales.

The principle of open justice, accessible to all, underpins open and transparent government. Courts and tribunals ensure that citizens and the state have an agreed, binding, independent mechanism to resolve disputes – and to ensure that those who have done wrong are held to account.

Our **7 strategic priorities** help us organise the work we do in the most effective way. They also demonstrate how that work contributes to a significant number of the outcomes and goals set out in Scotland's National Performance Framework.



SCTS Strategy Map

Our Structure - The SCTS Board



SCTS Board 2020-21

Top row (left to right) - Rt. Hon Lady Smith, Joe Al-Gharabally, Rt. Hon Lady Dorrian, Eric McQueen, Col. David McIlroy, Sheriff Grant McCulloch

Bottom row (left to right) – Sheriff Aisha Anwar, Sheriff Principal Craig Turnbull, Anne Scott, Rt. Hon. Lord Carloway (Chair), Dr. Kirsty J Hood QC, Simon Catto, Morna Rae JP

The Scottish Courts and Tribunals Service is an independent, judicially-led, public body, with the composition of the Board set in statute.

Chaired by the Lord President, Scotland's most senior judge, its membership is drawn from those holding judicial office, members with a legal background and independent members from outwith the justice system. You can find out more about each Board member on our website.

- The Board sets the strategic direction of the SCTS, makes the key decisions and monitors progress to ensure the delivery of strategic priorities. The Board is supported by four committees covering audit and risk; people; remuneration; and estates, health & safety, fire and security.
- Each of the committees oversees major projects and programmes relevant to its area, providing specialist direction and guidance to ensure effective project and programme management at a strategic level.

Our Structure - The Executive Team

Day-to-day management responsibility for the staff and operation of the SCTS is delegated to the Chief Executive, who is also a member of the SCTS Board. The Chief Executive is supported by four executive directors. Together they make up the SCTS Executive Team - responsible for corporate and operational delivery. The Judicial Office for Scotland is a separate office established within the SCTS to provide support to the Lord President in fulfilling his responsibilities as the head of the Scottish Judiciary.





Eric McQueen

Human Resources, Communications, Corporate Governance

Chief Operations Officer



David Fraser

Chief Finance Officer



Richard Maconachie

Chief
Development
& Innovation
Officer

Kay McCorquodale

Executive
Director –
Judicial
Office



Tim Barraclough

Courts, Tribunals & OPG Operations, Education & Learning National Fines Unit

Finance &
Procurement
Property Services

Development, Information & Legislation Digital Services

Judicial Office Legal Support Strategy & Education

Supporting Justice – 2020-23: Trends, Challenges & Opportunities

As we move into a new planning period it is important to reflect on how the business facing Scotland's Courts, devolved tribunals and the Office of the Public Guardian has changed over the past three years, and to reflect on the key trends in society that may affect what we do and how we do it in the coming years.

Court Business

After a sustained period of reductions in recorded crime 2018-19 saw an increase of 1% overall. That figure masks quite significant changes in the nature of recorded crime. Levels of sexual offending are at their highest level since current records began in 1971 and there has been a 10% increase in non-sexual crimes of violence between 2017-18 and 2018-19.

This change has been reflected in the trend over the past three years – the number of indictments registered annually in the High Court has increased by over 70% compared with the level recorded in 2016-17. The public rightly expect that these cases will be managed effectively. Ensuring that they are well-managed – and that those involved in them, particularly the victims and vulnerable witnesses are properly supported – can be resource intensive.

Tribunal Business

The creation of the First-tier Tribunal for Scotland and the migration of the majority of Scotland's devolved tribunals into its chamber structure has been a major development over the past three years. This has been accompanied by steady increases in the workload of the devolved tribunals overall.

There has been continuing growth in the business of the Mental Health Tribunal, which carries the highest caseload. Business levels in the Housing and Property Chamber have increased significantly, following the transfer of jurisdiction for certain case types from the sheriff court. Projections indicate that business in Scotland's devolved tribunals will continue to grow, as users take advantage of their specialist jurisdictions to resolve issues and as the new devolved jurisdictions (e.g. social security) experience growth in case volumes over the coming years.

Plans to transfer the administration of business in the reserved tribunals (including immigration, taxation and employment) remain on the table – but the timing of any transfer is yet to be agreed by the Scottish and UK Governments.

Office of the Public Guardian

The Office of the Public Guardian (OPG) provides a range of services to support and protect adults with incapacity by supervising the management of their affairs and assisting those members of the public who wish to make plans for the future. OPG business levels have continued to grow steadily - as an increasing number of people recognise the importance of registering a Power of Attorney (PoA) in order to ensure their financial affairs can be managed effectively, should they become unable to manage them. The annual number of PoAs registered has increased by over 30% between 2016-17 and 2019-20. The level of guardianship orders registered annually has remained broadly stable.

More detailed information on case volumes for all court, devolved tribunal and OPG business over the past 3 years – and projections for the coming year, can be found in our current annual business plan, available here

Supporting Justice – 2020-23: Trends, Challenges & Opportunities

Meeting our Users' Needs

Whilst the service that we provide will always be needed we must recognise that the way in which it is provided can, and should, move with the times to meet the needs and expectations of those that use it. Over the period of our last plan we introduced the first end-to-end digital process for civil cases in the UK, enhanced our use of video conferencing to reduce the need for appearance in person and expanded the range of information and data we make available about our work online, to build insight and understanding.

Developments in technology and people's changing expectations of how our services should be provided will inform further improvements over the period of this plan – as we aim to minimise physical attendance at court to those cases where it is essential; increase the range of information and services that users can access online and consider the ambitious but essential goal of moving towards a zero-emissions model of operations before 2045, in line with the Scottish Government's climate change ambitions.

"Moving the court to a virtual place, as some have argued, provides a potential to rebuild more accessible services and to redefine or re-imagine the values and principles for this virtual context. For too long transparency has focused on the hearing rather than the whole process; almost all of which can be made available to the public online."

Lord Carloway, Lord President, Managing Courts of the Future

A Diverse Nation and Organisation

As the range of services we administer has grown in recent years the diversity of the organisation has changed to match. The justice system must reflect the society that it serves – for it to do so we must ensure that SCTS remains a great place for people from all walks of life to work. Our approach to workforce planning will continue to develop so that we can offer attractive careers – balancing flexibility, mobility and opportunities to develop.

It is only by maintaining a skilled, engaged and diverse workforce that we can provide a high-quality, innovative and compassionate service – recognising that, behind every case, are individuals with their own expectations and needs. Our work to improve the service provided to the most vulnerable people in the system will continue – backed up by the development of a trauma-informed workforce, able to appropriately respond and support the broad range of people who find themselves involved in the system – often through no fault of their own.

Supporting Justice – 2020-23: Trends, Challenges & Opportunities

Scotland in 2020 and Beyond

The values that sit at the core of Scotland's National Performance Framework are that – 'We are a society which treats all our people with kindness, dignity and compassion, respects the rule of law, and acts in an open and transparent way". To respect the rule of law we must maintain the institutions through which laws can be interpreted and disputes resolved.

Dignity and compassion can only be guaranteed if, when violated, there is an independent system which allows wrongdoing to be addressed and supports people to assert their rights within a reasonable time and at a reasonable cost. The principle of open justice underpins open and transparent government. Courts and tribunals exist to ensure that citizens and the state have a binding, independent mechanism to resolve disputes.

Whilst it can be easy to overlook these crucial functions fulfilled by Scotland's courts and tribunals in times of stability their ongoing presence is essential so they can be called upon when issues relating to the law and how it is used – by individuals, organisations or even the government itself – need to be resolved.

Over the course of this plan Scotland will face a number of new opportunities and challenges – our constitutional settlement will change as the UK exits the EU; new laws and policies will be passed at both Holyrood and Westminster; and public sector funding is likely to remain constrained. In such times of change the importance of a well-functioning, independent justice system cannot be overstated. We will work in collaboration with agencies and organisations across the system to maintain standards, take forward key reforms and ensure it remains a system of which Scotland can be proud.

Hearing Room at the new Evidence & Hearings Suite,
Glasgow Tribunals Centre

Key Reform Areas - Criminal Justice

Redesigning summary criminal court procedure

The criminal justice process must balance a range of competing interests – whilst seeking to ascertain the truth and maintain fairness at all times. The Evidence and Procedure Review recognised that, despite numerous efforts, the current summary justice system generates a level of "churn" – where procedural steps are repeated or cancelled at short notice for a variety of reasons, including the unavailability of witnesses and the preparedness of the case. Building on those findings we have launched a project to develop and pilot a new model for the management of summary criminal cases.

Given the complexity of the system and the range of parties involved the new approaches will be piloted in a range of locations. Three pilots were launched in early 2020 at Dundee, Hamilton and Paisley Sheriff Courts. These will test the benefits of new approaches to dealing with summary criminal business, including the use of stronger judicial case management and earlier engagement with the parties.

The pilots provide an opportunity to assess how more active case management works and how it could be made even more effective in future by changes to the law and more innovative use of technology – to reduce the need for attendance at court in person and increase the potential of digital case management. The goal of the pilots is to:

- resolve cases at the earliest opportunity, without the need for a trial being fixed;
- reduce the need for full disclosure where cases can be resolved;
- reduce the number of cases called for trial;
- reduce the number of witnesses unnecessarily called, and
- preserve trials for cases that cannot be resolved by other means.

The pilots will run for at least 18 months. Throughout that period, there will be ongoing monitoring and evaluation, with their outcomes being used to develop proposals for system-wide reform over the period of this plan.

"We are changing the environment in which witnesses give evidence to one that is supportive, calming and appropriate."

Lord Justice Clerk, Lady Dorrian,
Opening of Evidence & Hearing Suite, Glasgow

Responding to the level of sexual offending cases

Levels of sexual offending are at their highest since current records began.

This growth has changed the balance of work in Scotland's criminal courts – particularly the High Court. We must ensure that the system adapts to manage the business it faces in the most efficient and effective way.

For this reason a review group, led by the Lord Justice Clerk (Lady Dorrian) was established in 2019 with the remit to examine how sexual offences cases are currently managed by courts and whether there is a better way these cases can be dealt with to improve the experiences of all participants. The multi-agency group will consider what distinguishes sexual cases from other criminal cases and how court processes, including the experiences of victims and witnesses can be improved without compromising the rights of an accused. The review will include potential changes to court and judicial structures, skills development and procedure and practices.

The work of the review is ongoing and will be published in the spring of 2020. We anticipate that it will lead to a number of proposals for change and improvement. We will work with our partners across the justice system over the period of this plan to ensure that the court process for sexual offending is reformed in line with any recommendations, ensuring that the way in which cases are managed is fair, efficient and compassionate.

<u>Key Reform Areas – 2020-23</u>

Criminal Justice Reform

Over 100,000 criminal cases were registered in Scotland's courts in 2018-19 – ranging from relatively minor offences through to the most serious and significant crimes. Our role is to support the judiciary in the administration of those cases in order that the truth can be ascertained and offenders brought to justice.

For many years the criminal court process remained broadly static, but over the past three years a number of important initiatives have commenced to realise the vision set out in the Evidence and Procedure Review and its follow-up reports. This work, led by SCTS, is aimed at improving the quality of evidence presented in criminal trials, the efficiency of the criminal court process and the experience for those who find themselves involved in it.

Improving the experience for Victims and Witnesses

The criminal justice system cannot fulfil its functions unless witnesses come forward to give evidence. However, there is a risk that witnesses – especially child and other vulnerable witnesses – may be reluctant to do so if the process is daunting. There is also a risk that they may be re-traumatised by participating in the process. Giving evidence in court long after events have taken place does not support a witness being able to provide their best evidence, which could diminish the ability of the court to ensure a fair and just outcome.

From January 2020 the Vulnerable Witnesses (Criminal Evidence) (Scotland) Act introduced a presumption in favour of pre-recording the evidence of children and vulnerable witnesses. Child witnesses in a range of High Court cases will now have their evidence pre-recorded (rather than appear at trial) ensuring that the best quality of evidence can be obtained well in advance of trial. Having evidence captured, disclosed, and cross examined earlier in the process will assist all parties in making decisions that deliver fair and just outcomes.

Over the course of this plan we will work to ensure that this approach is rolled-out to a wider range of cases – expanding from the High Court to solemn cases in the Sheriff Court. This will help minimise the trauma of giving evidence – using purpose-designed facilities such as the evidence and hearings suite opened in Glasgow in 2019. A further three such suites are currently in development in Edinburgh, Aberdeen and Inverness.

By increasing the use of this approach we will be able to improve the quality of evidence captured whilst supporting witnesses to conclude their involvement with the justice system within a much shorter timeframe.

New Evidence Taking Facilities, Evidence & Hearing Suites

<u>Key Reform Areas – 2020-23</u>

Tribunals Reform

Over the past three years the volume of cases received annually by Scotland's devolved tribunals has increased by over 75%. This reflects a range of factors – growing business across established tribunal jurisdictions, the development of new and expanded jurisdictions as a result of devolution and a growing appetite amongst users for the specialist and tailored approach that tribunals can take to resolving disputes in particular areas.

This period of rapid and challenging growth has occurred in parallel with major structural change – as Scotland's devolved tribunals migrate into the First-tier Tribunal for Scotland and its various chambers. That process will continue over the period of this plan, where our key priorities are:

- completion of the transfer of devolved tribunals;
- realising the benefits of the new chamber structure; and
- managing ongoing growth in business and the potential for new jurisdictions to transfer.

First-tier Tribunal for Scotland – Completing the transfer

The First-ter Tribunal for Scotland was established to organise Scotland's devolved tribunals into a co-ordinated chamber structure, under the leadership of Lady Smith, President of the Scottish Tribunals. A number of significant jurisdictions have already transferred to the new structure, with the Housing and Property, Health and Education, General Regulatory, Tax and Social Security Chambers established over the period of the past three years. The Upper Tribunal for Scotland was also established to hear appeals on decisions of the chambers of the First-tier Tribunal.

Over the period of this plan the development of the First Tier Tribunal will be completed, with the transfer of further jurisdictions into the Chambers that have been established taking place on a phased basis. Completion of that programme is scheduled for 2022.

Glasgow Tribunals Centre
Opened Spring 2018

Key Reform Areas - Tribunals Reform

Realising the benefits

The vision of the Tribunals Reform Programme is to ensure that Scotland's tribunals operate within a unified structure – providing judicially led tribunals that are modern, efficient and user focused. Structural reform is not an end in itself – rather it facilitates increased development, co-operation and innovation within and between Scotland's devolved tribunals.

The benefits of that approach are already apparent – the opening of the Glasgow Tribunals' Centre in 2018 provided a modern, purpose-built facility for around 300 SCTS and HMCTS tribunals staff and offers 34 bespoke hearing rooms to manage tribunal hearings across the full range of jurisdictions. Significant upgrades have been made to a number of tribunals' websites and work is under way to explore the development of shared systems and approaches across a range of devolved tribunals in areas such as the provision of remote access to case documents and the payment of expenses to tribunal users. New approaches to user surveys have also been piloted – to capture the views of those using the service at a time of significant change.

As the First-tier Tribunal for Scotland reaches maturity over the coming years we will continue to take the opportunities available to improve and innovate – exploring the potential for greater use of digital case management to streamline hearings, of increased co-location to improve services and of increased user feedback to evaluate and inform the service we provide.

Managing Growth and Change

Alongside this ambitious programme of reform are a range of external factors that will need to be well managed to maintain the effective administration of Scotland's devolved tribunals. Business levels continue to grow. In some areas that growth is steady and gradual – such as the caseload of the Mental Health Tribunal which has been increasing at around 5% per year for the past decade. In other areas sudden and rapid change has been experienced or is planned. For example, the transfer of jurisdiction relating to private rented sector cases from the Sheriff Court to the Housing and Property Chamber led to a four-fold increase in cases received between 2018 and 2019.

Most significantly case volumes in the Social Security Chamber are forecast to increase from the low hundreds this year into the tens of thousands by the end of this planning period – as new benefits are devolved to the Scottish Government and their payment administered by Social Security Scotland. Our Tribunals Reform Programme will monitor and manage the impact of these changes – which will require additional resources to deliver, both administrative and judicial.

Proposals to transfer responsibility for the administration of reserved tribunals' business in Scotland (including the work of the immigration, employment and UK Tax and Social Security tribunals) were made in the report of the Smith Commission in 2014. The Scotland Act 2016 included provisions that enable such a transfer to take place.

To date an agreement on whether and when such a transfer will take place is yet to be reached between the Scottish and UK Governments. The transfer would be a significant undertaking – requiring several years to successfully plan and implement. It would require significant resourcing to ensure effective integration of these tribunals into the Scottish structure – including arrangements to ensure that these jurisdictions continued to be supported by skilled and experienced members of the tribunals' judiciary. We have shared these observations with colleagues in both the Scottish and UK Governments and will maintain close dialogue with them in this area – to support effective administration and high quality services throughout any transition.

<u>Key Reform Areas – Civil Justice</u>

Civil Justice Reform

The past decade has been characterised by the most significant structural changes to Scotland's civil justice system in over a century – with the recommendations of Lord Gill's Civil Courts Review leading to major shifts in jurisdiction, the creation of the All Scotland Personal Injury Court and the Sheriff Appeal Court. Whilst those structures are likely to remain in place for the coming decade the way in which business will be transacted through them is set to develop dramatically – with technology as the catalyst.



A Changing Model

As an organisation SCTS recognised the importance of developing new approaches to the management of civil court business in parallel with structural reforms. In 2019 our "Civil Online" service launched for simple procedure cases – marking the introduction of a fully digital service for around 40% of the civil caseload. The system enabled the creation of digital case files, allowing parties to submit cases, lodge documents and pay court fees online. This is the most comprehensive digital court process in the UK – allowing for all stages of a case to be dealt with, without a paper process. The first digital simple procedure hearing took place in August 2019 – with the court able to hear evidence presented by the parties, supported by digital documents and photographs previously submitted online.

There is a growing expectation amongst those using our services that they should be able to access information and interact with those services online. In response to that expectation our focus over the period of this plan will be to build on the progress we have already made – enhancing both the range of business which can be transacted digitally and the level of services available.

Our experience to date underlines the importance of this change – but also that it requires time, resource and expertise to develop. People expect the justice system to get things right – we must be sure that the law and processes are effectively aligned to take advantage of the flexibility that new technology can bring.

Change will not take place overnight, but it is essential. We believe that the use of online submission, asynchronous pleadings and processes will become the norm for a growing proportion of civil cases in the future – a future where the court is more or less virtual and does not require a physical gathering of the individuals and evidence at a single point in time for the issues to be addressed and justice served.

Developing our Services

Over the course of this plan we will continue to expand and develop our online services. The range of civil cases where online submission and case management becomes the norm will increase. This will include enhancements and expansion of our Civil Online system including functionality to support Court of Session cases, initially those dealing with personal injury.

The level of information and data we make available digitally about the work of the organisation will continue to grow. We will invest in new digital services that support the wider work of the organisation, including the systems in the Office of the Public Guardian, which have already supported the submission of some 300,000 Power of Attorney applications online.



Wider civil reforms

As part of a wider review of mental health legislation, the Scottish Government are considering changes to existing adults with incapacity legislation. The roles and responsibilities of the OPG, the Mental Health Tribunal and the sheriff courts in this area of law, particularly in relation to guardianship orders, are likely to change.

We will also continue to work with the Accountant in Bankruptcy and others in reviewing diligence legislation as part of a working group which will make recommendations to Ministers on how existing measures can be improved. Changes to the law of succession are also expected which will include reform of intestate succession and cohabitants' rights in intestacy.

The use of mediation and Alternative Dispute Resolution will feature in the reform of all areas of civil law. We will continue to be supportive of measures that are designed to ensure that the most effective and efficient use is made of judicial resources; and which improve access to justice for those seeking to resolve disputes. In supporting the development of these new approaches we will ensure that the potential for digital delivery is fully explored – making the most of the investment we have made in our infrastructure and systems.

Civil Justice Reform (cont)

Reform in various areas of the civil law is also anticipated over the coming three years. Working in partnership with the Scottish Civil Justice Council (SCJC) and the Scottish Government (SG) we will support that development, which is likely to focus on areas including the law of succession and diligence.

Family law

The Scottish Government introduced the Children (Scotland) Bill in 2019. As part of its Family Law Modernisation Strategy this will make substantial changes to the operation of family proceedings in Scotland's courts. It aims to ensure that the views of the child are heard in contact and residence cases, that there are provisions in place to further protect victims of domestic abuse and that the best interests of the child are at the centre of cases.

Legislation will also be introduced to incorporate the United Nations Convention on the Rights of the Child into domestic law. In addition, the Family Law Committee of the SCJC is considering a number of changes to court rules, including the extension of Simplified Divorce applications to families with children under 16 and the development of active judicial case management in family actions to ensure these cases are resolved efficiently and effectively.

<u>Key Reform Areas – Corporate Development</u>

SCTS has a presence across the length and breadth of Scotland – with some 1,800 staff providing services at over 50 locations. To maintain the high level of service of which we are proud whilst supporting the reforms set out in the preceding sections we must continue to invest in the organisation – its people, systems and infrastructure. We have published corporate strategies in the key areas of People, Digital and Estates – setting out our medium term priorities. These are available on the SCTS website. Alongside our focus on these core functions we must continue to learn, develop and improve, drawing insights from those who use our services and those whom we work with.

Our People

Around 90% of our people work directly with those using the justice system on a daily basis. They understand that, when people use our services it can be at significant, stressful or challenging points in their lives. We must support our people so that they can support others. Our levels of staff engagement have been consistently high in recent years – but we cannot take that for granted as the range and quantity of business we face continues to grow and our desire to innovate and improve continues. Our People Strategy set out four key themes – Valuing Everyone's contribution; Our Team, Learning and Realising Potential.

Over the course of this plan we will invest significantly in new systems to support people management. These will rationalise and improve the consistency of the information we hold, enable high quality "self-service" when people wish to access or amend it and improve the analytics available to support key functions such as recruitment and workforce planning. Development of the new system will take place on a modular basis – with the first modules coming on-stream in 2021.

Our investment in systems will be matched with ongoing development of our processes and management – we will review the operation of our performance management and development processes, to ensure they allow all our staff to give their best. We will also review our reward framework – including our pay structure and benefits package – to ensure we can attract, develop and retain a high quality workforce. We will also maintain our focus on wellbeing – supporting our staff in the workplace and investing in training so that they can support those using our services who may be experiencing trauma or distress.

Our Systems and Infrastructure

As an organisation we manage a broad range of infrastructure – including court buildings dating from as early as the 17th century, through to the Inverness Justice Centre – opened in March 2020 and providing state of the art court and tribunal facilities alongside accommodation for a wide range of justice services.

In addition to our built estate we rely increasingly on our "digital estate" – a range of systems, networks and hardware essential to the delivery of our business. The importance of maintaining and investing in this infrastructure cannot be overstated – it provides the venues, processes and communications through which our work is done.

The coming three years pose both opportunities and challenges as we seek to maintain and develop our infrastructure. We must continue to develop our estate to meet the changing needs of the business – be that calls for greater co-location and new facilities to improve joint working; improved video conferencing and evidence capture to support reform; or new online services to improve efficiency and access.

Ensuring the resilience of our infrastructure is a top priority – our buildings and systems must be safe, secure and fit for purpose to deliver the business. Over the past three years, whilst managing real-terms funding reductions, we invested significantly to keep our digital infrastructure on a sound footing. We have also held outstanding backlog maintenance levels across our built estate at a steady level – although there is scope for significant investment should resources become available. The need to invest in these areas will continue – to maintain a safe, secure and fit for purpose service.

During the lifetime of this plan we will continue to focus on getting as much as possible out of the assets we have – by reviewing their condition; considering options for colocation or development; maximising the use of technology to minimise unnecessary "in-person" hearings; and by supporting all those who use our services to take advantage of the new systems and processes we develop to the fullest extent.

Key Reform Areas - Corporate Development

Responding to the climate challenge

In 2019 the Scottish Government declared a climate emergency and set the target for Scotland to become a net-zero nation by 2045. SCTS takes it environmental responsibilities seriously. We have reduced our CO₂ emissions by some 58% compared with their levels in 2010/11 – through a range of efficiency measures, sustainable investments and efforts to change behaviour. We have gained and retained Carbon Trust "Triple Standard" accreditation and have plans in place to ensure that our consumption continues to fall.

As an organisation we manage a large number of facilities, many of them historic. We are responsible for administering a system that often requires physical hearings in a court or tribunal. The Scottish Government has set the challenge that public sector bodies should produce zero greenhouse gas emissions by or before 2045 – and that organisations should set a target date for reaching that goal. The goal will be challenging – but achieving it is essential. Over the period of this plan we will redouble our efforts to tackle climate change, by considering both the incremental and the more radical steps we will need to consider across the key themes of our people, our systems and our infrastructure – in order to reach the carbon zero goal.

Listening, Learning and Working Together

As we continue to administer Scotland's Courts, devolved tribunals and the Office of the Public Guardian we will keep our focus on those we serve and those we work with. The justice system operates at its best when the agencies it comprises of communicate, collaborate and innovate together.

We will continue to support the work of Justice Board for Scotland as it coordinates activity – and will play a leading role in supporting the reforms to criminal, civil and tribunal business outlined in this plan. When we work with our partners we aim at all times to be competent, confident and influential. We will use data and analytics to inform our approaches and – when we invest in change or new initiatives – we will evaluate and review what we have done to ensure it leads to improvements, drawing on independent analysis and reviews where appropriate.

The greatest source of insight available to us comes from those who use our services. To understand and improve we will continue to seek their feedback and insights. We will maintain and develop our extensive user surveys and continue to benchmark our service against the independently assessed Customer Service Excellence standard. By so doing we can be confident that, over the period of this plan we will continue to improve the service that we provide in pursuit of our purpose – supporting justice.

Inverness Justice Centre
Opened Spring 2020

Our Strategic Priorities and Key Objectives 2020-23

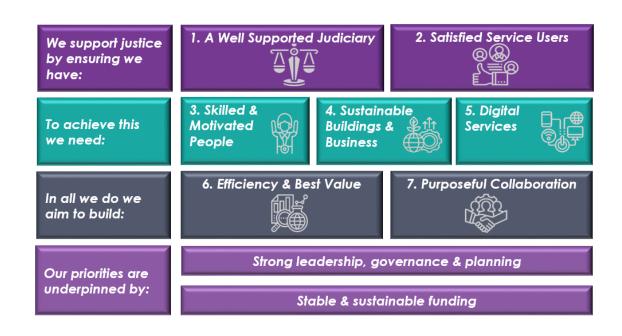
Our purpose of "supporting justice" is translated into seven strategic priorities – key areas on which we will focus over the next three years – which directly support a range of the outcomes and indicators in Scotland's National Performance Framework (as shown in our strategy map on page 6).

Our first two priorities are to ensure effective support to Scotland's courts' and tribunals' judiciary, whilst maintaining or improving levels of satisfaction amongst those who use Scotland's courts, tribunals and the OPG. Our service can only be said to be effective if these priorities are met.

Priorities 3-5 relate to the people, assets, systems and processes that we can develop, improve and invest in over the coming years to ensure our service remains effective, responsive and innovative.

Priorities 6 and 7 are about how we do our work – we will maintain a strong focus on using resources as effectively as possible and delivering on the best value themes set for all public bodies in Scotland. As part of the justice system our work and the improvements we aim to make will only be a success if we collaborate with the wide range of agencies and partners on whom the system depends.

Our **strategic objectives** for the coming three years are detailed under each of these priorities from page 24-30. These objectives will, in turn, be broken down into greater detail in our annual business plans and specific programme and project delivery plans.



- By setting our strategic priorities and objectives in this plan we create a clear direction of
- travel for the organisation over the coming three years, whilst maintaining a degree of flexibility to respond to challenges, opportunities and innovations that may arise.
- Whilst these priorities set a clear direction for what we aim to achieve over the coming
- three years, we will only be successful if the approach we take is underpinned by clear leadership, good planning and stable funding that allows us to invest for the future.



SP1: A WELL SUPPORTED JUDICIARY

Scotland's judiciary are equipped with the right people, systems, technology and processes to ensure they can dispense justice effectively

We will:

We will know we are making progress by:

"Hardworking and knowledgeable staff continue to be a particular strength of the organisation, demonstrating commitment and genuinely caring attitudes that are greatly appreciated by the many different customer groups and various agencies that have links to the services"

CSE Assessment Report, 2019

- 1.1 Deliver the administration of Scotland's courts, devolved tribunals and the Office of the Public Guardian to a consistently high standard throughout the period of this plan
- **1.1** Quarterly monitoring of the SCTS Board Scorecard metrics to ensure good performance and manage any issues arising

- **1.2** Ensure that all of Scotland's devolved tribunals have the systems, processes and people they need to dispense justice as their caseloads and span of responsibility continues to grow
- **1.2** Completion of the First Tier Tribunal for Scotland, through successful migration of devolved tribunals into the new structure by 2022, managing increased case volumes as part of the transition

1.3 Support Scotland's judiciary as the range and nature of cases they face continues to evolve—due to societal change, developments in systems and processes and broader policy changes

1.3 Quarterly publication and review of detailed operational performance data - including detailed review by Scotland's Local Criminal Justice Boards and oversight of system level performance through the Justice Board for Scotland



SP2: SATISFIED SERVICE USERS

We inspire confidence through the delivery of a high-quality customer service "The majority of respondents across all sheriffdoms and user groups found court staff 'very' or 'fairly' helpful, with satisfaction at the sheriffdom level ranging from 91% to 98%, and from 95% to 99% at the user group level"

Independent Court Users' Survey Report, 2019

We will:

We will know we are making progress by:

- **2.1** Improve our service by learning from those who use it through independent assessment, seeking feedback and conducting user surveys to assess how effective we are
- **2.1** Maintaining or improving on the high level of satisfaction measured by our annual independent users' survey and Customer Service Excellence assessment using the insights from them to learn and improve

- **2.2** Enhance the accessibility of our services, systems and resourcing to promote equality and diversity across all our work
- **2.2** Regular review of progress towards the equality and diversity outcomes set in our mainstreaming equality report, conducted by the independently chaired Equalities Advisory Group

2.3 Transform the service we provide to child and vulnerable witnesses to minimise the trauma they experience and ensure that the best possible evidence is captured

2.3 Increasing the number of cases in which the evidence of child and vulnerable witnesses is captured by video, at a high-quality facility, in advance of trial - supporting the phased roll-out of new laws.

Support the work of the Victims' Taskforce for Scotland and publish annual reviews of service standards for victims & witnesses



SP3: SKILLED & MOTIVATED PEOPLE

We support our people to provide excellent customer service—focusing on their performance, learning, resilience and wellbeing

"Our philosophy is to deliver a learner-centred curriculum; in other words we build our curriculum around the needs of our staff so that it is relevant, responsive, versatile and dynamic"

Robin Holmes, Education & Learning Officer

Education and Learning Unit

We will:

3.1 Support our people to do their best - by introducing a new approach to performance management and development and by

reviewing our current reward framework

We will know we are making progress by:

3.1 Launching these new approaches in the period of this plan, overseen by the SCTS' People Committee

3.2 Strengthen the wellbeing of our staff and those they support - through our wellbeing programme and the introduction of training on trauma awareness, that will improve both our understanding of trauma and our ability to support those experiencing it

3.2 Analysis of annual SCTS People Survey data relating to wellbeing, engagement and stress—to ensure that the new programmes impact positively on trends

3.3 Build the confidence and competence of our people through the development of our professional training programmes - enabling all staff to develop their skills and careers in a structured and supported way

3.3 Rolling-out a high-quality curriculum for technical and leadership training. Keeping the effectiveness of the programme under review using our training committees, reporting to the SCTS People Committee



SP4: SUSTAINABLE BUILDINGS & BUSINESS

We provide a high-quality, safe and secure environment for Scotland's Courts and Tribunals, and take further action to reduce our environmental impact without compromising our core services

"We purchase energy from utility suppliers that can supply all or a significant proportion of their supply from renewable sources and attempt to meet more of the SCTS energy needs where possible from renewable sources"

SCTS Sustainability Policy

We will:

4.1 Further reduce our impact on the environment—focusing on the three key drivers of our estate, our systems and our people as we assess how to reach the carbon zero goal

4.1 Monitoring delivery of the carbon reduction target in the SCTS Board Scorecard

We will know we are

making progress by:

Ensuring that the environmental impact of any system / process changes we make is positive

- **4.2** Set out our future vision for the courts and tribunals estate across Scotland, drawing on the lessons from the development of Inverness Justice Centre and conducting a strategic review of our estate to assess its condition, investment needs and options for future development
- **4.2** Completing a strategic review to inform future estates options and investment priorities in the course of 2020.

Updating the SCTS Estates Strategy and using this to inform dialogue with justice partners and the Scottish Government or options for (and investment in) the future estate

- **4.3** Complete and implement the findings of a review of court, tribunal and broader justice sector accommodation in the Edinburgh area, to improve estate utilisation, accessibility, efficiency and customer service
- **4.3** Completion of the planned review

Establishing a project to implement its findings, ensuring effective development and oversight of delivery by the SCTS Estates Committee



SP5: DIGITAL SERVICES

We maximise the opportunities provided by technology to improve processes, access to information and the quality of the service we provide

"It is crucial that we choose the right developments for the right reasons; that we plan and invest in them properly so they will succeed; and that we implement them in such a way that they are understood, adopted and used to the full"

SCTS Digital Strategy, 2018-23

We will:

5.1 Reduce the need for physical attendance at proceedings where it adds little or no value by exploiting the technology introduced across Scotland's courts & tribunals

We will know we are making progress by:

5.1 Working with partners to maximise the use of video links and digital evidence presentation where competent, monitoring monthly usage data to increase the proportion of hearings that are conducted virtually.

Supporting all parties as evidence is increasingly presented digitally - by ensuring the court or tribunal has high-quality presentation systems in place

- **5.2** Improve access to justice by expanding and enhancing the range of digital services we provide across the civil justice system in courts, tribunals and the Office of the Public Guardian
- **5.2** Encouraging the uptake of established digital systems by monitoring utilisation, reviewing trends and taking action to maximise usage.

Maintaining strong oversight of the development and implementation on new case management systems - involving the SCTS Board, Audit & Risk Committee and dedicated project teams

- **5.3** Ensure that our digital infrastructure and systems remain fit for purpose by investing in their ongoing maintenance, security and usability
- **5.3** Monitoring system resilience / uptime through the SCTS Board scorecard metrics

Achieving and retaining PSN and Cyber Essentials
Plus accreditation



SP6: EFFICIENCY & BEST VALUE

We have financial stability that enables us to improve our services in an effective, economical and sustainable manner "We are committed to improving our services and making them easily accessible to all service users, including Deaf or Deafblind users of BSL"

SCTS Equality & Diversity Manager

We will:

We will know we are making progress by:

- **6.1** Develop and introduce a new digital HR system (including an e-recruitment system) that reduces manual input, supports real-time updates and informs the organisation with high quality people data and analytics
- **6.1** Delivering the key elements of the new system as modules, in order of priority with the first new modules going live in 2021. Tracking development and delivery through good governance with oversight provided by the SCTS People Committee

- **6.2** Improve our ability to interact digitally with as broad a range of users as possible—investing in our web presence to enhance the information we provide and rolling-out a new system to automate expense payments and reimbursement
- **6.2** The creation of specific projects during the period of this plan, which will be overseen by the SCTS Change Board—with progress reviewed periodically by the SCTS Board

- **6.3** Develop the range of information we make available, publishing data to improve transparency. As new case management systems are introduced we will explore the potential to improve services and generate greater insights for the justice system through the use of artificial intelligence
- **6.3** Publishing key operational data quarterly and ensuring it is shared with the right people and partners to support the development of further insights and efficiencies



SP7: PURPOSEFUL COLLABORATION

We work with justice bodies to deliver significant change and improvement to Scotland's justice system—through collaboration, communication and reform

"I am very grateful to all of those who have worked so hard to deliver this fabulous building. The Glasgow Tribunal Centre is not only a significant exercise in cooperation and joint working between our jurisdictions, it is in my view the finest tribunals building in the UK"

> Sir Ernest Ryder, Senior President of Tribunals, England & Wales

We will:

- 7.1 Propose reforms with the potential to radically improve the management of criminal business by co-ordinating and evaluating a range of pilot approaches to summary criminal case management and by taking forward the recommendations of the Lord Justice Clerk's Review
- **7.1** Conducting and evaluating detailed reviews of the 18-month pilots and implementing the recommendations of the Lord Justice Clerk's review to support potentially significant process and policy change

We will know we are

making progress by:

- **7.2** As members of Scotland's Justice Board and its 6 local criminal justice boards, work in partnership with justice organisations, professional bodies and the third sector to maintain and improve system performance, share insights and support policy development leading to practical improvements
- **7.2** Maintaining an active role in our partnerships leading key reform projects that can improve court and tribunal business. Using these networks to share, discuss and resolve issues relating to system capacity, performance and reform

- **7.3** Provide the staffing, systems and resources required to support the work of the Scottish Civil Justice Council as it develops rules to improve the operation of the civil justice system and the Scottish Sentencing Council as it develops sentencing guidelines to promote consistency in and public understanding of sentencing
- **7.3** Providing high-quality official support. Reviewing and, where appropriate, supporting the development of the work of the SCJC and SSC (which are independent bodies but staffed and resourced by SCTS)

Monitoring Progress & Performance

This plan sets out our strategic priorities and objectives over the three-year period from 2020-23. It will be supported by corporate strategies setting out our longer-term direction on Estates, Finance, People and Digital development.

Overall responsibility for the delivery of this Plan rests with the SCTS Board, which meets at least six times per year. Support is provided by formal Board Committees, including the People Committee, Audit and Risk Committee and the Estates, Health & Safety, Fire and Security Committee.

Performance Management

Delivery of specific actions and detailed monitoring of performance are the responsibility of the SCTS Chief Executive, supported by the SCTS Executive Team. Collaborative justice—wide initiatives will be managed, and progress will be monitored, through the Scottish Government's Justice Board.

More detailed performance outcomes for each financial year will be set out in the SCTS annual Business Plan, published at the beginning of each business year. A full report on the performance and expenditure of the organisation for each financial year is published in the form of the SCTS Annual Report and Accounts.

In addition the SCTS Board also publishes a performance scorecard and business plan delivery report annually – providing an overview of key aspects of operational performance and the delivery of the outcomes set out in our annual business plan respectively.

These documents complement this Corporate Plan, providing more information on activities and performance on an annual basis. They can be found (alongside other key corporate information) on the Reports and Data section of the SCTS website.

Risk Management

SCTS maintains a formal Risk Management Framework and the high level corporate risks are subject to regular review by the Executive Team, the Audit and Risk Committee and the SCTS Board. The responsibility for management of the individual risks is delegated to specific risk owners.









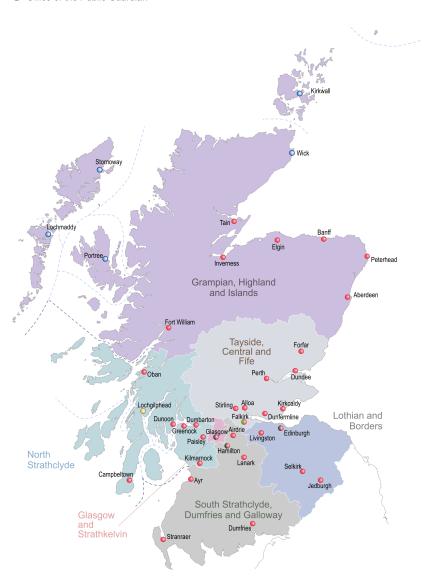
We publish a detailed report on performance and budgets every year

Annex 1 - SCTS

Locations Map

Scottish Courts and Tribunals Service locations

- Sheriff Court and Justice of the Peace Court
- Sheriff Court only
- Justice of the Peace Court only
- Tribunal Offices
- Office of the Public Guardian

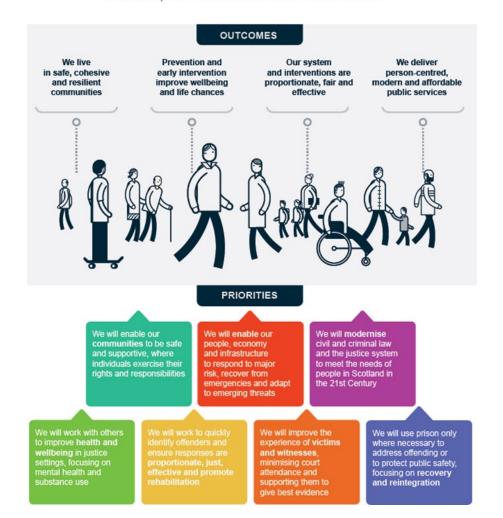


Annex 2 – Justice in Scotland: Vision & Priorities

JUSTICE IN SCOTLAND: VISION AND PRIORITIES

VISION

A JUST, SAFE & RESILIENT SCOTLAND



SCTS website

http://www.scotcourtstribunals.gov.uk/

SCTS Reports and Data

www.scotcourts.gov.uk/about-the-scottish-court-service/reports-data

SCTS Board

www.scotcourts.gov.uk/about-the-scottish-court-service/the-scottish-court-service-board

Office of the Public Guardian

www.publicguardian-scotland.gov.uk

Other Courts & Tribunals

http://www.scotcourts.gov.uk/the-courts/the-tribunals/other-courts-and-tribunals

Judicial Office for Scotland

http://www.scotland-judiciary.org.uk/1/0/Home

Scottish Government

http://www.gov.scot/

Scottish Civil Justice Council

www.scottishciviljusticecouncil.gov.uk

Scottish Sentencing Council

https://www.scottishsentencingcouncil.org.uk/

Justice Strategy for Scotland

http://www.gov.scot/Topics/Justice/justicestrategy

A digital version of this is plan at: http://www.scotcourts.gov.uk/about-the-scottish-court-service/reports-data

If you require production of this document in another language or format, including plain text, please contact us at: enquiries@scotcourtstribunals.gov.uk





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