



**SCOTTISH COURT SERVICE BOARD**

**MEETING: Monday 14 June 2010 in Stirling Sheriff and Justice of the Peace Court**

**Present:**

Rt Hon Lord Hamilton, Lord President, (Chair)  
Elizabeth Carmichael CBE  
Mark Higgins  
Debbie Crosbie  
Tony McGrath  
Robert Milligan QC  
Johan Findlay JP  
Sheriff Iona McDonald  
Sheriff Principal Alastair Dunlop QC  
Sheriff Derek Pyle

**Also Attended:**

Neil Rennick, Executive Director Policy & Strategy, SCS  
Stephen Coulter, Director Planning & Performance Management, (SCS)  
Margaret Peattie, Secretariat Business Manager, SCS, (Minutes)

**Apologies:**

Rt Hon Lord Gill  
Rt Hon Lord Reed  
Eleanor Emberson

The Chair welcomed Stephen Coulter to the meeting.

**1. Minutes of the Meeting of 12 April 2010**

1.1 The Minutes were approved.

**2. Matters Arising**

2.1 All action points were cleared.

***SCS Business Plan 2010/11 (SCS/Jun10/24)***

2.2 The Business Plan had been revised in light of the Board's comments to include more specific objectives and milestones. The revised Plan was agreed subject to the objectives being more clearly linked to the high level themes within the revised Performance Framework.

***Scheme of Delegation (SCS/Jun10/25)***

2.3 The revised Scheme of Delegation was presented to the Board and approved. As discussed at the last meeting, a template had been developed to notify the Board of any significant consultations or major policy developments that arose between meetings. A sample was provided with the Scheme of Delegation and the format and level of detail provided was considered appropriate. The Board noted the relevant legislative and other policy developments identified on the template.

### **3. Performance Framework (SCS/Jun10/18)**

3.1 Stephen Coulter presented the revised Performance Framework for 2010/11, which had been recast in a strategic scorecard format, linking the SCS's agreed targets and indicators for 2010/11 under four key themes – customers, people, business systems and finance. The small number of targets and indicators had been revised to better reflect and measure business priorities. This included a new indicator for the processing of summary business within Justice of the Peace courts, a revised target for the Office of the Public Guardian and an updated indicator for High Court appeal waiting times. The Board agreed the revised targets and indicators and that the strategic scorecard provided a clearer presentation of the Performance Framework for 2010/11.

3.2 The Board agreed that further development work was necessary to produce a more strategic framework which would link into the Corporate Plan and Business (Operational) Plan objectives for 2011/12 onwards.

3.3 It was agreed that a short life working group should be set up to drive this forward. It was stressed that it was important that the difference between measuring SCS strategic and operational performance and the wider performance of the justice system was clearly understood. The working group would be discussed again later in the meeting (Agenda Item 9 - SCS Board Committees).

### **4. Finance Report (SCS/Jun10/19)**

4.1 The Board received a report on the financial results of the SCS Agency for the year 2009/10. The figures had not yet been fully audited but Audit Scotland was in the final stages of that process. No significant changes were anticipated.

4.2 It was noted that, overall, the Agency had under-spent by 1% against its budget which reflected a high standard of budget management. Increased expenditure requirement for some items, in particular, operational expenditure for jurors' expenses and interpreters, had been offset with savings or increased income in other areas. The Board noted that specific action was being taken to ensure effective management of the budget for part-time shrieval resources.

### **5. Changing Relationships (SCS/Jun10/21)**

5.1 Following the conclusion of the Changing Relationships Programme, the Lord President, SCS Chief Executive and the Director of Justice in the Scottish Government had agreed to continue the tripartite meetings of the sponsorship group to ensure that the new arrangements continued to work well.

5.2 In the final report submitted by Socia, it had been recommended that a follow up to the February 2010 conference be held later in the year. The Board considered a paper suggesting that this could be expanded to include key stakeholders, such as the Crown Office & Procurator Fiscal Service and the Scottish Legal Aid Board, as part of the SCS's corporate planning process for 2011/12 onwards. It was noted that many of the strategic decisions that the SCS Board would take on its budget and strategic priorities could have implications for the wider justice system.

5.3 After discussion it was agreed that further consideration be given to the focus and purpose of the Board's strategic communications at the August meeting. A decision as to whether to take forward the recommendation of a follow-up conference would be taken then.

### **6. Communications – Post SCS Meetings**

6.1 It had been suggested that individual Board members might communicate their impressions gained from visits to courts and some personal insight into what it means to be a member of the new SCS Board. It was agreed that Elizabeth Carmichael would

reflect upon the Board's recent visits to Glasgow, Stirling and Headquarters' Directorates for publication on the Intranet. The SCS communications office would provide any necessary assistance.

**Action: Elizabeth Carmichael to prepare an item for the Intranet reflecting on the Board's visits to Glasgow, Stirling and Headquarters' Directorates.**

## **7. Board Development (SCS/Jun10/22)**

7.1 Consideration was given to what further development activity might assist members, both collectively and individually, to effectively fulfil their responsibilities as members of the SCS Board. Members indicated that they welcomed the opportunity to visit SCS locations and the presentations that had been provided in advance of Board meetings about specific topics, for example, SCS finance, estates strategy, ICT etc. The Board indicated that it would welcome further visits and presentations on a range of issues, including the staff and user satisfaction surveys.

7.2 It was agreed that further consideration would be given to this at the next meeting of the Board.

## **8. Administrative Justice & Tribunals Council (SCS/Jun10/23)**

8.1 It was noted that the Administrative Justice & Tribunals Council would shortly publish a consultation paper on the future of tribunals in Scotland. It was also noted that the previous UK Government had announced the merger of the UK Tribunals Service with HM Court Service in England, which would have implications for the administration of UK tribunals operating in Scotland. The Board was content that the Executive engage with the Council to seek further information about its proposals. The Board would have the opportunity to consider its formal response to the Council's consultation at its meeting in August, ahead of the likely September deadline for responses. The Board was supportive of the Lord President's view that it should be cautious about any suggestion that the SCS should merge with any Scottish Tribunals Service.

**Action: Executive to consider the consultation paper issued by the Administrative Justice & Tribunals Council, engage with its officials and report back to the Board.**

## **9. SCS Board Committees (SCS/Jun10/20)**

9.1 The Board considered proposals for setting up a committee structure to underpin its strategic decision making function in specific areas of activity, whilst ensuring its overall continuing oversight and control.

9.2 The need for a short life working group on development of the Performance Framework had been discussed earlier in the meeting and this was considered again in the context of committee structure. After discussion it was agreed that the following be set up:

- an Estates, Health & Safety, Fire and Security Committee;
- a People Issues Committee; and
- a short life Performance Framework Working Group.

9.3 The Board also considered whether a Finance, Business Change and ICT Committee (or Committees) should be set up but it was agreed that these issues should remain with the Board for now.

9.4 Further consideration would be given to the specific remit for the new working group and committees and the Board appointed:

- Working Group on Performance Framework Review

- Tony McGrath (Chair)
- Elizabeth Carmichael and
- Debbie Crosbie;
- Estates, Health & Safety, Fire and Security Committee
  - Sheriff Pyle (Chair)
  - Robert Milligan and
  - Sheriff McDonald; and
- People Issues Committee
  - Mark Higgins (Chair) and
  - Johan Findlay.

9.5 Further appointments would be made shortly and the Executive would liaise with Chairs about membership of their Committee or Working Group.

***Action: Executive to liaise with Chairs of Committees and Working Group on membership and develop specific remits for each.***

## **10. Any Other Business**

### ***SCS Community Engagement***

10.1 The Board heard that the Scottish Court Service was involved in community engagement activities and that local courts had hosted events such a “Mini Trials”, which is an initiative from Scottish Lawyers to help schools find out more about the Scottish legal system, and visits to courts through the “Doors Open” days.

10.2 Data was collated for community impact performance indicators and it was agreed that this would be circulated to the Board for information.

***Action: Secretariat to circulate information on community impact activities to the Board.***

### ***Framework Document***

10.3 The Framework Document had been shared with the Justice Committee and agreed without comment or amendment. The document would now be signed formally by the Lord President on behalf of the Board and by the Cabinet Secretary for Justice on behalf of Scottish Ministers and published on the SCS website.

### ***Civil Courts Review***

10.4 The Scottish Government’s response to the Gill Review was expected to be published sometime in the next few months. The Board noted that Lord Reed was chairing a forum comprising Scottish Government and SCS officials and members of the judiciary to consider actions arising from the review and the Government’s response.

10.5 In closing, the Board thanked the Sheriff Clerk and her staff for accommodating the meeting at Stirling and for facilitating the tour of the building.

## **11. Date of the Next Meeting**

11.1 Monday 16 August 2010 - venue to be confirmed.