



**SCOTTISH COURT SERVICE BOARD**

**MEETING: Monday 18 October 2010**

**Edinburgh Sheriff Court & Justice of the Peace Court**

**Present:**

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

**Also Attended:**

Neil Rennick, Executive Director Policy & Strategy, SCS  
Eric McQueen, Executive Director Field Services, SCS  
Gordon Wales, Executive Director Corporate Services, SCS  
Steve Humphreys, Executive Director Judicial Office for Scotland, SCS  
Bridget Campbell, Director Justice, Scottish Government (Item 5 only)  
Margaret Peattie, Secretariat Business Manager, SCS, (Minutes)

**Apologies:** Rt Hon Lord Reed

**1. Minutes of the Meeting of 16 August 2010**

1.1 The minutes were approved.

**2. Matters Arising**

2.1 Action points from the last meeting were cleared. The Agenda item on strategic planning would include proposals on the allocation of the reserve and any forecast underspend.

***Communications***

2.2 The Lord President had written to the judiciary in September setting out the scale of challenge and strategic change and a message from the Chief Executive to staff had been published on the intranet.

***TUS Representation on People Committee***

2.3 Following discussions, it had been agreed that the PCS should have observer status at meetings of the People Committee.

**3. Strategic Planning**

3.1 Eleanor Emberson led a presentation on proposals for immediate and longer-term strategic plans in anticipation of the outcome of the Spending Review.

- 3.2 The Board noted that, although the UK Spending Review outcome would be announced later in the week, it would be mid November before the SCS would learn what budget had been allocated to it by the Scottish Government.
- 3.3 A series of staff engagement days had been arranged for November and December when the Executive Team would set out the impact of the budget settlement and the strategic changes which would follow as a consequence. Liaison meetings with representative groups of the judiciary had already taken place and more were arranged for the period following the outcome of the Spending Review.
- 3.4 The Board heard that cross justice collaboration was taking place with the SCS's Executive Team and senior management officials from the Crown Office and Procurator Fiscal Service and the Scottish Legal Aid Board meeting to discuss and develop a joint approach to improving services in the face of budget constraints.
- 3.5 Following discussion of the proposed options for 2011/12, the Board asked the Executive to develop these further in anticipation of the final outcome of the Spending Review being announced by the Scottish Government.
- 3.6 The Board agreed, in principle, the direction of travel for SCS over the next 3-5 years and the development of the long term vision for the organisation. Key themes were:
- improving collaboration and joint planning with other justice bodies;
  - maintaining the skills and contribution of SCS staff;
  - ensuring efficient court and administrative processes;
  - maximising the use of the court estate; and
  - making better use of technology and innovation in how SCS delivers its services.

Specific projects had been identified to take forward this medium to long term strategy, which the Executive would now develop further.

#### **4. Tribunal Reform**

- 4.1 A debate in the Scottish Parliament had taken place on 30 September on proposals for new administrative arrangements for tribunals. Scottish Ministers had announced that a new Scottish Tribunals Service would be set up to oversee the administrative arrangements for devolved tribunals. It would initially have responsibility for 5 Tribunals but with responsibility for other Tribunals being added over time.
- 4.2 The Ministry of Justice in England & Wales was proceeding with a merger of the UK Tribunal Service with Her Majesty's Court Service in England and Wales. The UK Government and Scottish Ministers were discussing options to devolve administrative responsibility for reserved tribunals operating in Scotland. The Lord Chancellor had also announced plans to establish a unified tribunal and courts judiciary in England and Wales under the leadership of the Lord Chief Justice. The Lord President, who was particularly concerned that any structural changes should not adversely affect the quality of decision-making by senior tribunals in Scotland, had agreed to consider similar arrangements in Scotland. The Executive Team was not aware of any early plans to establish a unified courts and tribunal service in Scotland. Any such proposal would be subject to future consultation with the Board and the Lord President.

## **5. Update on Scottish Government Matters**

- 5.1 Bridget Campbell joined the meeting to provide an update on plans and policy priorities across the justice system. She gave an overview of the responsibilities which came under the ambit of her Directorate and the Scottish Government national outcomes to which it contributed most.
- 5.2 The Board heard about the cross-justice programmes of work being carried out and in particular:
- Reducing Re-offending; and
  - Making Justice Work.
- The SCS Chief Executive was a member of both project Boards.
- 5.3 The Justice Directorate also had responsibility for tribunals and this was discussed in the context of the issues raised under Agenda item 4.
- 5.4 Other current significant issues included implementation of the Civil Courts Review and the Justice Outcomes Group, which was the overarching programme of cross justice work under which the Reducing Re-offending and Making Justice Work programmes sat. Different parts of Justice were working together to ensure all were clear about what they were trying to achieve and that there was a common understanding how the different programmes of work came together.
- 5.5 The Chair thanked Bridget Campbell for her interesting presentation.

## **6. SCS Audit Committee (SCS/Oct10/38)**

- 6.1 The Board agreed the proposed remit and membership of the Committee and that the two additional external members to be recruited, should have an appropriate professional qualification.
- 6.2 Approval was also given to the proposals for carrying out the recruitment of external members and that their remuneration should be at the same level as that for members of the Board.

## **7. Performance Management Working Group**

- 7.1 The work of the Group was underway with input from both the Group members and the Executive Team. It was agreed that the Group's remit and work plan would be circulated to Board members and options for the new performance scorecard and indicators would be presented to the Board at the meeting in December.

***Action: Executive to circulate the Performance Management Working Group remit and work plan.***

## **8. Auditors of Court (SCS/Oct10/40)**

- 8.1 *The record of the discussion under this agenda item is considered confidential and exempt from publication.*

## **9. Any Other Business**

### ***People Committee***

- 9.1 The first meeting of the People Committee would take place later this month in Dumfries. Membership would be confirmed at the meeting and the Board would receive an update at the next meeting.

### ***Estates Committee***

- 9.2 This committee had met earlier in the month when it agreed to meet on a quarterly basis and provide an update to the Board following their meetings. It had been agreed that the Chair of the SCS Health, Safety & Security Group would be able to draw attention of the committee to any particular issue and attend the meeting for discussion of that item.
- 9.3 In closing the meeting, the Chair thanked David Shand and his staff for hosting the meeting in Edinburgh Sheriff Court and Justice of the Peace Court.

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

- 10.1 Monday 13 December 2010 at Falkirk Sheriff Court and Justice of the Peace Court.