



MINUTES

Strategic Board

Thursday 17 July 2008 at Dundee Sheriff Court, West Bell Street, Dundee

Present:

Eleanor Emberson
Eric McQueen
Alastair Sim
Gordon Wales
The Rt Hon Lord Philip
Sheriff Principal Edward Bowen QC
Sheriff Robert Dickson
Johan Findlay
Valerie Macniven
Dugald Mackie

Chief Executive
Director of Field Service
Director of Policy and Strategy
Director of Operational Support
Non-Executive Director
Non-Executive Director
Non-Executive Director
Non-Executive Director
Non-Executive Director
Non-Executive Director

Also Attended:

Fiona Duncan

Head of Secretariat

Apologies for absence:

Nicola Bennett
Susan Whiteford

Director of Finance
Head of Corporate Communications

The Chair opened the meeting by welcoming the Board members to Dundee Sheriff Court.

Minutes of last meeting

The minutes of the meeting of 24 April were approved by the board, subject to the inclusion of GW's name in the list of those attending.

Matters not arising elsewhere

The action points from the previous meeting were cleared and are captured within today's agenda.

1.0 Audit Committee Report 2007/08 (SB/Jul08/09)

- 1.1 The Board were invited to, and noted, the position in relation to the last Scottish Court Service (SCS) Audit Committee.
- 1.2 There were no material issues arising from the either Internal or External Audit; a number of SCS reports received the highest level of assurance.
- 1.3 The Board agreed that inclusion of "declarations of interest" should be a standing item on the agenda.

Action: Current Register of Interests to be circulated to Board Members

2.0 SCS Budget 2008/09 (SB/Jul08/09)

- 2.1 The Board were invited to, and noted, the 2007/08 outturn. The budget was to forecast which returned an underspend of £0.12m for the year, or 99.88% expenditure against budget.
- 2.2 The Board previously approved the first six months of the 2008/09 budget as the impact of changes in relation to the acceleration of the timetable for the unification of the administration of Sheriff and District Courts and the Fees Order work were uncertain at that stage. This has now been finalised and a more complete budget proposal is contained in the paper before the Board today.
- 2.3 The Board noted and discussed the level of funding currently forecast for 2008/09 and the risks associated with the forecast. An additional risk of inflation was identified; the Board agreed that a contingency reserve be established.
- 2.4 The Board were advised that receipts of Court of Session fees to date were below the forecast level. Analysis of the difference from forecast was underway.

Action: The Board will be updated on the income and expenditure position at the next meeting.

- 2.5 Discussions took place on the final budget allocation. The Board approved the 2008/09 budget, subject to a final paper being issued on the distribution of a small unallocated sum.

Action: Budget paper to be issued to the Board, by correspondence, setting out the Executive Board's recommended use of the small unallocated sum.

3.0 Judiciary and Courts (Scotland) Bill (SB/Jul08/10)

- 3.1 A paper was presented to the Strategic Board (SB) providing an update on the parliamentary progress and the Project Board's implementation planning.
- 3.2 SB members were thanked for their willingness to engage with Douglas Osler in the preparation of his independent review of the administrative demands which the Bill would make on the judiciary's time, ahead of the Justice Committee's stage 2 consideration of the Bill.
- 3.3 The Board discussed the composition of the SCS governing body under the new governance arrangements and the mechanisms for recruitment of members of the governing body in a way which would be demonstrably fair and transparent.
- 3.4 The Board discussed the plans for bringing the new governance arrangements into being and the 'vesting day' on which the new statutory SCS would take up its full functions. The Board agreed that it would be sensible for the full membership of the new governing body to be appointed some months before vesting day, to give the new governing body a 'shadow' period during which it could start to engage with the issues and personalities with which it would have to deal. Further discussions would be undertaken at the Programme Board and with the Lord President and Ministers.
- 3.5 The Board agreed that the membership of the Programme Board should be widened to include all of the SB members who were willing to participate.

Action: Future SB and Implementation Programme Board meeting dates to be circulated and further meeting dates identified

4.0 Working with the Private Sector (SB/Jul08/13)

- 4.1 *Part of the record of the discussion under this agenda item is considered exempt from publication at this time and has been redacted*

5.0 Performance Report to the Strategic Board (SB/Jul08/16) & (SB/Jul08/15)

- 5.1 SB/Jul08/16 - A paper updating the Board on the position with Court Unification Implementation/SJR Achievements was presented to the Board and the position was noted.

Action: A further report is to be made to the SB at the October meeting

- 5.2 SB/Jul08/15 - A paper updating the Board on the position on reducing Supreme Courts Appeal days was presented. The Board noted the significance of the position and the work of the High Court Programming Board to redress the situation.

6.0 HQ Relocation Business Case (SB/Jul08/11)

- 6.1 *Part of the record of the discussion under this agenda item is considered exempt from publication at this time and has been redacted*

7.0 AOB

- 7.1 **Corporate Plan 2008-2011 & Business Plan 2008-2009** - The Board approved the final version of both documents.
- 7.2 **Pay Remit** - *Part of the record of the discussion under this agenda item is considered exempt from publication at this time and has been redacted*
- 7.3 **Criminal Procedure Branch** – The Board received an update on the Scottish Prisons Commission Report recommendations. The proposition to hold Progress Courts was discussed briefly. SCS officials will be involved in discussions with others in the justice system on the recommendations, with a view to informing Ministers' response. The Board will be updated in due course.
- 7.4 *Part of the record of the discussion under this agenda item is considered exempt from publication at this time and has been redacted*

Next Meeting

The next meeting will be held on 9 October within Edinburgh Sheriff Court.

Action: (1) Secretariat to contact Edinburgh Sheriff Court to arrange a tour ahead of the meeting; (2) The time of the next meeting is to be circulated to Board members.

Signed:

Chair

Date: