

Issued on behalf of the Scottish Court Service

Media Release

26 January 2009

Further Appointment to the Scottish Court Service Board

The appointment is announced today of Mark Higgins as solicitor member of the new, statutory, Scottish Court Service.

Mark Higgins is a practising solicitor and a member (partner) of the multinational firm Irwin Mitchell LLP. He is a graduate of the University of Glasgow (LLB (Hons) and Dip LP) and is the author of the book *Scottish Repossessions* (W Green, 2002).

Other Board appointments were announced by The Rt Hon Lord Hamilton, Lord President of the Court of Session on 18 December 2009.

Ends

Notes for Editors

From 1 April 2010 the services needed to run the courts of Scotland – the Court of Session, High Court of Justiciary, Sheriff Courts and Justice of the Peace Courts – and support the judiciary will be provided by a new, statutory Scottish Court Service, independent of Scottish Ministers. The new Board will be chaired by the Lord President and will have a majority of judicial members as well as members with a wide range of other experience, both inside and outside the justice system. The Board's first meeting in a shadow capacity is on 28 January 2010 to prepare for taking up its full responsibilities in April.

The Lord President, Lord Justice Clerk and Chief Executive of the Scottish Court Service are all members of the Board due to the offices they hold. The other 10 members of the Board are appointed by the Lord President.

Board of the Scottish Court Service

Judicial Members

The Rt Hon Lord Reed
Sheriff Principal R Alastair Dunlop QC
Sheriff Derek Pyle
Sheriff Iona McDonald
Mrs Johan Findlay JP

Advocate Member

Mr Robert Milligan QC

Solicitor Member

Mr Mark Higgins

Members from Outside the Justice System

Mrs Deborah Crosbie

Mr Anthony McGrath

Mrs Elizabeth Carmichael CBE

Details of the new SCS Board Members are attached.

More information on the [The Judiciary and Courts \(Scotland\) Act 2008](#)

Contact: 0131 444 3305

The Scottish Court Service Board

Members of the Scottish Court Service Board due to the offices they hold

The Rt Hon Lord Hamilton, Lord President and Lord Justice General (Arthur Campbell Hamilton). Chair of the Scottish Court Service Board

Lord Hamilton was appointed Lord President in December 2005. He was appointed a Judge of the Court of Session in 1995. He is a graduate of the Universities of Oxford (BA, Worcester College) and Edinburgh (LLB). He was admitted to the Faculty of Advocates in 1968.

The Rt Hon Lord Gill, Lord Justice Clerk (Brian Gill)

Lord Gill was appointed Lord Justice Clerk in November 2001. He was appointed a Judge of the Court of Session in 1994. He is a graduate of the Universities of Glasgow (MA, LLB) and Edinburgh (PhD). He was admitted to the Faculty of Advocates in 1967, appointed Queen's Counsel in 1981 and is a member of the English Bar.

Chief Executive of the Scottish Court Service

The Board will appoint a chief executive in due course, who will also be a member of the Board.

Members of the Board appointed by the Lord President

The Rt Hon Lord Reed (Robert John Reed)

Lord Reed has been a judge of the Court of Session since 1998. He was appointed to the Inner House in 2008, having previously been the principal judge of the Commercial Court. He was admitted to the Faculty of Advocates in 1983.

Sheriff Principal Alastair Dunlop QC

Alastair Dunlop QC has been Sheriff Principal of Tayside, Central and Fife since 2000. He was educated at Trinity College, Glenalmond and the University of Dundee (LLB). He was admitted as a solicitor in 1976 and called to the Faculty of Advocates in 1978. He was appointed Queen's Counsel in 1990. He is currently a member of the Judicial Studies Committee and chairman of the three local criminal justice boards in his sheriffdom.

Sheriff Derek Pyle

Sheriff Pyle has been a sheriff for ten years. He is based at Dundee and was, prior to that, a sheriff in Inverness. He was formerly a solicitor in private practice in Edinburgh, specialising in commercial litigation. He has a particular interest in the reform of civil law and procedure in commercial disputes and was instrumental in founding the Highland Commercial Court.

Sheriff Iona McDonald

Sheriff McDonald was appointed a part-time Sheriff in 1995 and a full time Floating Sheriff in 2000. She has been Senior Sheriff at Kilmarnock since 2007. She is a graduate of the University of Glasgow (MA, LLB) 1978 and was a solicitor in private practice for almost 20 years.

Mrs Johan Findlay JP

Johan Findlay has been a Justice of the Peace since 1986 in Dumfries and is immediate past Chairman of the Scottish Justices Association. She was a Member of the Parole Board for Scotland from 2000 to 2006 and is an Honorary Sheriff. She is author of 'All Manner of People, the History of the Justices of the Peace in Scotland'.

Mr Robert Milligan QC

Robert Milligan took silk in 2009. He is a graduate of the universities of Oxford (BA, University College) and Edinburgh (LLB and Dip LP). He was admitted to the Faculty of Advocates in 1995

Mr Mark Higgins

Mark Higgins is a practising solicitor and a member (partner) of the multinational firm Irwin Mitchell LLP. He is a graduate of the University of Glasgow (LLB (Hons) and Dip LP) and is the author of the book Scottish Repossessions (W Green, 2002).

Mrs Deborah Crosbie

Deborah Crosbie graduated from Strathclyde University in 1991 BA (Hon) in Business law and industrial relations. She has had a successful career in the financial services industry and is currently Chief Information Officer for the UK businesses (Clydesdale & Yorkshire Bank) of the National Australia Bank.

Mr Anthony McGrath

Anthony McGrath, graduated from Glasgow University in 1978 BSc (Hon) in Mathematical Statistics. He has had a successful career in marketing and management in the food and drinks industry, including 11 years with Scottish and Newcastle, latterly as a member of its Group and UK management boards. Since 2005 he has been managing director of a chain of public houses.

Mrs Elizabeth Carmichael CBE

Elizabeth Carmichael graduated from Edinburgh University in 1970 MA (hons) History. She has spent most of her working life in the Civil Service, retiring in 2007. From 1999 – 2007 she was Head of the Community Justice Services Division, and since then she has taken on governance roles in the public and voluntary sector, as a Board member of the Scottish Social Services Council and the Deputy Chair of SACRO.

Outline background to creation of the new board

The Scottish Court Service Board is the corporate body set out in the Judiciary and Courts (Scotland) Act 2008, and Board members are the statutory members of the Scottish Court Service (SCS) corporate body. Under the terms of the Act, the SCS is required to provide, or ensure the provision of, the property, services and staff required by the Scottish courts and the judiciary of those courts and by the Lord President in carrying out his functions, including those as Head of the Scottish Judiciary. The current Scottish Court Service, an agency accountable to Scottish Ministers, will cease to exist from 1 April 2010 and all staff and property will transfer to the new body.

Scottish Ministers made regulations detailing the procedure to be followed for the Appointment of Members of the new Scottish Court Service. Those regulations are contained in [Scottish Statutory Instrument 2009 NO. 303](#)

The regulations required a panel to be set up for selection of the sheriff, justice of the peace, advocate and solicitor and non legal members. The panel was made up of Lord Osborne as the most senior judge of the Inner House of the Court of Session, Sheriff Principal Bowen, the Sheriff Principal of Lothian and Borders and Sir Muir Russell, the Chairing member of the Judicial Appointments Board for Scotland.

All judges, sheriffs principal, sheriffs and justices of the peace were directly notified of the opportunity to apply for the positions; members of the Faculty of Advocates and solicitors practicing in Scotland were notified through the Faculty of Advocates and the Law Society of Scotland and through an advert in the Journal of the Law Society of Scotland; and, adverts aimed at persons without legal background were carried in the national press.

The panel selected persons for interview and, following interview, made recommendations to the Lord President on persons considered suitable for appointment.

The judges and sheriffs principal, in terms of the regulations, could nominate either themselves or others to the position.

The Lord President made the final selection from those nominated or recommended to him under these separate procedures.