



SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD MEETING: Monday 12 June 2023, Parliament House, Edinburgh

Present: Lord Carloway, Lord President (Chair)
Maggie Craig
Steven Dickson
Lady Dorrian, Lord Justice Clerk
Dr Sophie Flemig
Ruth Innes, KC
Eric McQueen
Sheriff Jillian Martin-Brown
Sheriff Olga Pasportnikov
Anne Scott
Lynsey Walker
Lady Wise

Attended: Noel Rehfisch, Deputy Chief Executive, SCTS
Karen Lawrie, Head of Secretariat, SCTS

Apologies: Sheriff Principal Anwar

1. Minutes of the SCTS Board Meeting on 27 March 2023

1.1 The Minutes of the last meeting were approved.

2. Declarations of Interest and Matters Arising

2.1 There were no declarations of interest.

3. Finance Report

3.1 The Board considered the provisional year-end outturn for the 2022-23 financial year. The provisional outturn projected a £0.7m (0.4%) underspend against total net expenditure. Underspends in several cost categories had been offset through additional investment in the SCTS estate and digital services. Improved civil court fee levels in the final quarter had led to slightly higher than anticipated income for the year.

3.2 The Board discussed the costs associated with court interpreters and the difficulties in obtaining them for specific languages. The Executive outlined how these challenges were being managed and would provide an analysis at a future meeting.

3.3 The Board welcomed the re-prioritisation of funding to estates and digital services. The challenging recruitment market was acknowledged as a major factor in the profiling of the pay budget.

4. Quarterly Performance Review and SCTS Board Scorecard

4.1 The Board carried out its quarterly performance review. The current position on the delivery of the outcomes in the 2023-24 Business Plan and the Board Scorecard for the final quarter of 2022-23 were scrutinised.

4.2 The Board acknowledged the impressive SCTS Gender Pay Gap report that was published in March. The results showed that the SCTS continued to have no median gender pay gap.

4.3 The Board reviewed the Business Plan Delivery Report. The Board shared concerns regarding development by the Scottish Government of a new Public Sector finance system for SCTS (Oracle Fusion) as a successor to the current SEAS system. Delivery timescales for the initiative were under pressure. The Board were assured that the Audit and Risk Committee had oversight of the project and were receiving progress updates at their meetings. Commitments had been given by the Scottish Government to maintain operation of the SEAS system until such time as the new system was ready to go live.

4.4 The Board were updated on ongoing resource challenges being experienced by GEOAmev. These were severely impacting on court business and had led to a pause in work to develop virtual custody courts. The Executive were in regular dialogue with the Scottish Prison Service, who manage the prisoner escort contract.

5. Pay Remit 2023-24

5.1 The Board received an update on the outcome of the 2022-23 pay negotiations. A supplementary payment would be made to eligible staff at the end of June. A Wellbeing Hour pilot would commence on 1 July. This would enhance the SCTS commitment towards supporting a work-life balance and the mental and physical wellbeing of staff.

5.2 The Scottish Government Public Sector Pay Strategy for 2023-24 had been published. The strategy set the parameters within which negotiations on pay between public bodies and recognised trade unions would take place. The SCTS management and PCS Union would commence discussions for the 2023-24 pay round in June.

5.3 The Board and People Committee would be kept informed of progress in the 2023-24 pay negotiations.

6. Annual Review of Standing Orders

6.1 The Board conducted its annual review of the SCTS Standing Orders and the powers and responsibilities that were delegated from the Board to its Committees and the wider organisation.

6.2 The revised SCTS Standing Orders were approved for publication in July, superseding the current version.

7. SCTS Committees Update

Audit and Risk Committee

7.1 The Deputy Chair of the Audit and Risk Committee updated the Board on discussions at the Committee's last meeting. The Scottish Government's Oracle Fusion finance system had been the main focus of discussions. SCTS Officials continued to engage with the Scottish Government on the development of the system and individual portals.

7.2 Following the Board visit to the Office of the Public Guardian in March, the Chair of the Committee had visited the Accountant of Court to understand the OPG's statutory responsibility to

make financial or property decisions on behalf of incapable adults or children. The Committee would be updated at their next meeting.

People Committee

7.3 The Chair of the People Committee reported on the matters discussed at the Committee's last meeting. Members had discussed the Human Resources Unit and Education and Learning Unit's Business Plans. The Committee had acknowledged ambitious and extensive plans for the coming year. Progress updates would be provided throughout the year.

7.4 The Committee had welcomed the publication of the SCTS Mainstreaming Equality Report. The report and equality outcomes were designed to drive the SCTS equality, diversity and inclusion agenda for 2023-27.

SCTS Estates Committee

7.5 The Chair of the Estates Committee reported on the discussions at the Committee's last meeting. An update on the Edinburgh Justice Campus and other major Capital Projects had been presented. The Committee had received a progress update on the journey towards the ambitious, net zero target of 2045 which had been set by the Government.

8. Any Other Business

8.1 The Chair advised that Morna Rae had stepped down from the Board. A recruitment exercise to appoint a new Justice of the Peace member to the Board was underway.

8.2 The Board visited the new facilities developed in Parliament House as part of Phase 1 of the Edinburgh Justice Campus programme. The Board commended the high standard and design of the area which would be used by the Scottish Law Commission.

9. Papers for Scrutiny/Exception Reporting Only

9.1 The following papers had been circulated for scrutiny:

- the SCTS Decision Tracker.

No matters were raised by exception.

10. Date of the Next Meeting

10.1 The next meeting would be held on Monday 14 August 2023.

11. Deep Dive Session – Audit Scotland Report on Criminal Court Backlogs

11.1 The Board welcomed Mark Taylor and Lynsey Davies from Audit Scotland who presented an overview of their recently published Criminal Backlog Audit. The report commended: the considerable work led by SCTS to reduce the summary trials backlog; the innovative approaches taken by the SCTS during the pandemic; and the effective use of data and modelling to develop plans and make the case for funding.

11.2 The Board considered the audit findings, welcoming the significant progress made with the recovery programme. The longer-term challenge of the continued growth in solemn business was discussed. Concern was noted regarding the additional pressure on the organisation through increasing numbers of prosecutions compared to the situation before the pandemic.

11.3 The Board thanked Audit Scotland for their informative presentation and report. They commended the work of all SCTS staff who had supported the recovery programme including the

management information team for developing modelling that allowed effective decisions to be made.

Scottish Courts and Tribunals Service
June 2023