

MINUTES

SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD MEETING: MONDAY 17 October 2016, New Cumnock

- Present:** Rt Hon Lord Carloway, Lord President (Chair)
Dr Joe Morrow QC
Sheriff Principal Duncan Murray
Sheriff Iona McDonald
Sheriff Grant McCulloch
Johan Findlay OBE JP
Dr Kirsty Hood QC
Professor Hugh MacDougall
Colonel David McIlroy
Eric McQueen
- Attended:** Noel Rehfisch, Corporate Secretary, SCTS
Karen Lawrie, Secretariat Business Manager, SCTS, (Minutes)
- Apologies:** Rt Hon Lady Dorrian, Lord Justice Clerk
Lady Smith
Joe Al-Gharabally
Simon Catto

1. Minutes of the SCTS Board Meeting of 29 August 2016

- 1.1 The Minutes of the last meeting were approved.

2. Matters Arising

- 2.1 There were no outstanding actions from the last meeting.

Video Conferencing

2.2 Following a discussion at the last meeting on usage levels of video conferencing between courts and prisons the Executive provided an update. Although the figures indicated relatively modest levels of uptake to date, recent progress had been made in the roll-out and use of video conferencing technology between prisons and courts for a range of procedural hearings, with figures on the increase.

2.3 The technology was working effectively. Greater uptake would be achieved by making changes to rules, systems and processes so that video conferencing was seen as the default option for a range of hearings – and was the most convenient and efficient option for all parties. A multi-agency working group had been established to progress this work. The Board agreed that concerted action should be taken to maximise the use of video conferencing where appropriate, whilst exploring other innovative options for the most efficient disposal of business where these had the potential to be effective.

3. Observations from Visits to Courts

3.1 Ahead of the Board meeting, members had visited courts at Ayr, Dumfries and Kilmarnock, engaging with staff, judiciary and partners to hear about local developments and issues. Board members reported back on their experiences from each of the three locations. They were impressed with the professionalism of the staff they had met and the positive working relationships in place with local services.

4. Finance Report (SCTS/Oct16/49)

4.1 The Board considered the financial position based on the expenditure to the end of August 2016. The current forecast remained that the total budget of £109m would be fully utilised over the course of the year. An additional £2m capital funding had been secured from the Scottish Government, which would be used to address backlog maintenance across the court and tribunal estate.

4.2 The Board agreed that the revenue reserve should be used to support the Office of the Public Guardian in managing increasing levels of Power of Attorney applications. Available resources should be directed to work under way to improve mobile technology access for judiciary and staff and to invest in the facilities available to support digital presentation of evidence in courts.

5. Spending Review (SCTS/Oct16/50)

5.1 Board members reviewed the timings of the Scottish Government's spending review process, which would set the budget for SCTS and other Scottish public sector bodies for 2017-18. It was anticipated that the draft Scottish budget would be published in mid-December 2016. The Board considered the arrangements that had been established in order to plan for the outcome of the process and noted the timescales on which budgets would be agreed.

6. The Scotland Act – Devolution of Reserved Tribunals (SCTS/Oct16/51)

6.1 The Board were advised that work to finalise a feasibility study setting out proposals for the transfer of administration of reserved tribunals to Scotland would continue over the coming weeks. Agreement was yet to be reached between the UK and Scottish Governments on the most effective way in which to manage the transfer process. A full report would be presented to the Board for consideration as soon as the necessary agreements had been reached, allowing the Tribunals Programme Board to complete its detailed analysis and make recommendations.

7. ICMS Update – Readiness for 'go live' (SCTS/Oct16/52)

7.1 Board members considered a report outlining the state of readiness of the new Integrated Case Management System (ICMS) for civil court business. The ICMS Project Board had conducted a structured evaluation process and concluded that, whilst implementation carried a range of risks, these were well-managed with appropriate mitigation and contingencies in place. Implementation of the new system was scheduled to take place on 31 October.

7.2 Implementation of the new system in the Court of Session was scheduled for early 2017, allowing focus to be maintained on the go-live for sheriff courts and for detailed workflows and training specific to the Court of Session to be finalised and tested. The go-live of the new Simple Procedure rules remained on track for 28 November.

8. Court Custody Conditions (SCTS/Oct16/53)

8.1 Board Members welcomed the work that had been carried out to improve the conditions in Glasgow Sheriff Court's custody cells. This followed recommendations

made following an inspection by HM Inspector of Prisons in March. The Inspector had re-inspected the facilities in September and had been impressed by the improvements that had been made. SCTS and HMIP had jointly developed a set of draft standards for court custody facilities. These standards provided a clearer framework for responsibilities which would allow SCTS to take steps to improve facilities where this was advised.

9. Corporate Plan Development Update (SCTS/Oct16/54)

9.1 The current SCTS Corporate Plan ran from April 2014 to March 2017. A new 3-year Corporate Plan setting out the purpose, values, priorities and high-level objectives of the organisation would be developed for 2017-20 and published by April 2017. Board members considered, and were assured by, the preparatory work already under way to develop the plan and agreed to establish a Board working group which would direct production of the plan. Development would now commence in detail, drawing on input from SCTS management, staff and key external stakeholders.

10. SCTS Committees – Update from recent meetings (Oral)

People Committee

10.1 The Committee Chair gave a summary of the last meeting in August. The Committee had focused on the development of the SCTS People Strategy and the development of the Well-Being Initiative. This initiative included an ambitious programme of activities including the creation of the Well-Being Hub and the establishment of a Well-Being Project Team of 19 representatives from across the SCTS.

Estates Committee

10.2 Sheriff McDonald, Chair of the Estates Committee, reported on the matters discussed at their last meeting in September. The Committee had considered the interim Business Case for the Inverness Justice Centre and the annual report from the Health, Safety, Security and Works Group.

10.3 The Board were also advised that a non-executive Member of the Estates Committee would be invited to join the Inverness Justice Centre Project Board. This would ensure that the experience of a non-executive member of the Committee was directly available to the project board and allow that member to provide informed reports on the status of the project to the Committee.

11. Any Other Business

11.1 There was no other business raised.

12. Papers for Scrutiny/Exception Reporting Only

12.1 The following papers had been circulated for scrutiny:

- SCTS Board Appraisal
- Court Programming Update
- Mobile Judiciary Update
- ICT programme Milestones and High Level Risks
- the SCTS Decision Tracker
- Draft minutes of the SCTS Committees held since August

No matters were raised by exception.

13. Date of the Next Meeting

13.1 Monday 5 December 2016 in Parliament House, Edinburgh.

Discussion Session – Phil Gormley, Chief Constable Police Scotland

14.1 Chief Constable Phil Gormley QPM and Deputy Chief Constable Johnny Gwynne from Police Scotland joined the meeting for a discussion session.

14.2 The Chief Constable reflected on his first 9 months in the role. He outlined the major challenges and opportunities faced by Police Scotland in the coming years which would be detailed in the Police Scotland 2026 Strategy, due to be published next year.

14.3 The Board noted with interest the similarity of the challenges faced by SCTS and Police Scotland with regard to resourcing, planning and prioritising change to ensure the greatest benefit.

14.4 The Deputy Chief Constable provided an overview of the work being carried out by Police Scotland to identify, disrupt and bring to justice individuals engaged in illegal online activity – particularly that relating to sexual offending and child sexual exploitation.

14.5 The Chair thanked the Chief Constable and Deputy Chief Constable for their input and for the openness of with which they were willing to discuss shared opportunities and challenges.

Scottish Courts and Tribunals Service