



SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD
MEETING: MONDAY 25 March 2019, PARLIAMENT HOUSE, EDINBURGH

Present: Rt Hon Lord Carloway, Lord President (Chair)
Joe Al-Gharabally
Sheriff Aisha Anwar
Simon Catto
Dr Kirsty Hood QC
Professor Hugh MacDougall
Colonel David McIlroy
Eric McQueen
Morna Rae, JP
Rt Hon Lady Smith

Attended: Noel Rehfisch, Corporate Secretary, SCTS
Karen Lawrie, Secretariat Business Manager (Minutes)

Apologies: Rt Hon Lady Dorrian, Lord Justice Clerk
Sheriff Grant McCulloch
Dr Joe Morrow CBE QC
Sheriff Principal Duncan Murray

1. Minutes of the SCTS Board Meeting on 4 February 2019

1.1 The Minutes of the last meeting were approved.

2. Matters Arising and Declarations of Interest

2.1 There were no outstanding actions from the last meeting.

2.2 There were no declarations of interest.

3. Financial Results (SCTS/Mar19/10)

3.1 The Board considered a report on financial performance to the end of January 2019 and projected expenditure to the end of the financial year. The total budget for the year stood at £128.3m. The SCTS had received budget transfers of £9.1m from the Government following the recent Spring Budget Revision process.

3.2 The Board acknowledged the continued constraints on the SCTS Budget. The shortfall in fines and fees income, which was outwith the control of SCTS, was discussed. The Board was advised that this issue had been raised with Government. They were understood to have tasked officials to develop options to address the uncertainties for the budget caused by fluctuations in fees and fines income.

4. Quarterly Performance Review and SCTS Board Scorecard (SCTS/Mar19/11)

4.1 The Board carried out its quarterly performance review. The current position on the delivery of the outcomes in the 2018-19 Business Plan and the Board Scorecard for Q3 of 2018-19 were reviewed.

4.2 The monthly safer communities and justice brief was noted. Members accepted that the data reported a general reduction in crime rates, but observed that this did not translate to an overall reduction of work in the criminal courts. This was due to increases in the number and complexity of more serious criminal cases in both the High Court and Sheriff Court – including sexual offending and domestic abuse. The Executive confirmed that resources were being allocated to accommodate the change in business distribution, with priority being afforded to the most serious criminal cases.

4.3 The installation of 41 publically accessible defibrillators across the estate was welcomed.

5. SCTS Business Plan and Budget 2019-20 (SCTS/Mar19/12)

5.1 The draft SCTS Business Plan for 2019-20, which set out the key outcomes which SCTS planned to deliver over the coming year was assessed. The Business Plan detailed the organisational budget for the financial year. The Board acknowledged that, while the budget for 2019-20 had been set at £116.6m in the Budget (Scotland) Bill, full delivery of the Business Plan would be reliant on Government agreement on a range of in-year budget transfers estimated at £16.7m.

5.2 The Board approved the 2019-20 SCTS Business Plan and Budget. The plan would now be finalised for publication on the SCTS website.

6. ICMS Progress Report (SCTS/Mar19/13)

6.1 The Board reviewed the development of the Integrated Case Management System (ICMS). Phase 2 of Civil Online, which would provide for the online submission of simple procedure cases, remained on schedule for introduction on 25 April.

6.2 Uptake levels for phase 1, which allowed users to view court documents through an online portal had been encouraging. 54% of claimants and 33% of respondents had opted for online processing, as opposed to receiving documents by post.

6.3 The Board were informed that user research, and analysis work to support the development of ICMS for personal injury cases in the Court of Session, was ongoing. The system would be introduced incrementally, allowing it to be tested and rolled-out effectively.

6.4 The provision of Digital Audio Recording (DAR) facilities in civil courts throughout the organisation was discussed. The current DAR does not provide the modern functionality expected by court users; it was expensive to run and required further investment to ensure that it is supported and compliant with security standards. A full review was to be undertaken of the recording requirements for the whole organisation, including tribunals. This would provide the specification for a more inclusive, robust and modern recording system.

6.5 As an interim measure, a policy allowing civil cases to be recorded using existing DAR equipped court rooms, subject to local court programming and staff resources, was being discussed with Sheriffs Principal. This already happened in some courts across the county. 84% of all courtrooms currently have DAR installed.

7. 2019-20 Pay Remit (SCTS/Mar19/14)

7.1 The Board considered the draft pay remit developed by the Executive. The proposals sought to make the best use of the limited flexibility available, whilst still complying with the Scottish Public Sector Pay Policy.

7.2 The Board approved the remit. Discussions were ongoing with the Government to finalise timescales in advance of negotiations with the PCS Union. A formal submission to the Government would be made on the conclusion of the negotiations.

8. Review of Staff Survey Follow-up (SCTS/Mar19/15)

8.1 The Chair of the People Committee informed the Board of the scrutiny of the 2018 Staff Survey Results which had been undertaken at their last meeting. The Committee had welcomed the increased engagement rating and improved results in the majority of areas. The significant work underway at a local level, to scrutinise results and response rates, provided assurance that SCTS was committed to addressing the issues raised. The partnership approach to that work with the PCS Union was commended.

9. SCTS Committee Update

People Committee

9.1 The Chair of the People Committee reported on the matters discussed at their last meeting. In addition to scrutinising the results of the Staff Survey 2018, the Committee had considered an overview of the equality activities and workstreams ongoing within SCTS. This activity ensured that legislative obligations were being met as well as building on the organisation's commitment to attract, recruit and retain diverse employees.

Estates Committee

9.2 An update was provided from the Deputy Chair of the Estates Committee on the discussions at their last meeting. Discussion focused on the level of backlog maintenance across the estate and the most appropriate way to ensure that future investment was based on a clear strategic vision. Board members agreed to discuss that issue in more detail at the next meeting.

10. Any Other Business

10.1 The Chair reported that a recruitment process to appoint the Sheriff Principal and Tribunal President members of the Board had concluded. Sheriff Principal Craig Turnbull, from the Sheriffdom of Glasgow and Strathkelvin and Anne Scott, President of the First-tier Tribunal for Scotland Tax Chamber and the Social Security Chamber, had been appointed.

10.2 The Lord President thanked Sheriff Principal Murray and Dr Joe Morrow CBE QC, for their contribution to the Board and its Committees over the last 4 years as their tenure was due to end before the next Board meeting.

11. Papers for Scrutiny/Exception Reporting Only

11.1 The following papers had been circulated for scrutiny:

- Court Programming;
- ICT High Level Risks;
- the SCTS Decision Tracker.

No matters were raised by exception.

12. Date of the Next Meeting

12.1 The next meeting would be held on Monday 24 June 2019 and would include visits to Airdrie, Dumbarton and Paisley Sheriff Courts.

13. Discussion Session – Colin McConnell, Scottish Prison Service

13.1 Following the Board meeting members, were joined by the Chief Executive of the Scottish Prison Service (SPS), Colin McConnell. An overview of the priorities and pressures facing SPS and how these linked into the work of SCTS was presented.

13.2 Board members discussed the issues raised in the presentation. SPS was facing significant financial pressures over the coming year, which were exacerbated by continuing increases in the prison population.

13.3 The changing distribution of criminal court business was identified as a shared issue for both organisations, as the number of serious sexual offence and domestic abuse cases continued to rise, with impacts on both court and prison resources. Ensuring that the justice system as a whole was adequately resourced and that it made best use of those resources to meet priorities would continue to be crucial in delivering the best possible service.

13.4 The Chair thanked Mr McConnell for providing the Board with an insight into the priorities and pressures facing the Scottish Prison Service and their links to the work of the SCTS.

Scottish Courts and Tribunals Service
March 2019