



**SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD**  
**MEETING: Monday 6 February 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  
Morna Rae, JP  
Anne Scott  
Sheriff Principal Craig Turnbull  
Lynsey Walker  
Lord Woolman

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

**Apologies:** None

## **1. Minutes of the SCTS Board Meeting on 28 November 2022**

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 and Spending Review Outcomes 2023-24**

3.1 The Board considered a report on financial performance to the end of December 2022. The total 2022-23 budget was now £186.3m. This included the anticipated in-year funding transfers from the Scottish Government. Full year expenditure was currently forecast to be on-track. Careful management of the budget throughout the final quarter would be required.

3.2 An update on the Government's Resource Spending Review was presented. The review set out the financial framework for the devolved public sector from 2023-24 to 2026-27. SCTS had received an above flat-cash settlement for 2023-24 with the total budget standing at £147.6m. The Government had confirmed that funding for the court recovery programme would be maintained during 2023-24.

3.3 While welcoming the stronger than anticipated budget settlement for 2023-24, the Board acknowledged that, due to inflationary pressures, in-year savings would need to be identified to achieve a balanced budget.

3.4 The Board discussed the impact of anticipated flat-cash settlements in future years. These would have significant negative impacts on service delivery, affecting court and tribunal users, partners and staff. The Executive confirmed that assessment of impact would continue to be made, alongside representations to the Government regarding the impact of budget reductions.

#### **4. People Survey Results 2022**

4.1 The results of the 2022 People Survey were reviewed. The SCTS overall engagement score was 62%, a reduction of 2 percentage points on 2021. Participation levels were 65%, a 6% increase on the previous year. The results continued to place the SCTS among the high performers in Scotland for both completion rate and the engagement score.

4.2 The Board discussed the results including the figures for bullying and harassment. It was agreed that further detailed analysis and a review of action plans developed to address key areas from the people survey should be delegated to the People Committee who would report to the Board in due course.

#### **5. Draft SCTS Corporate Plan 2023-26 and Business Planning Update**

5.1 The Board reviewed the draft Corporate Plan 2023-26 and a developing draft of the 2023-24 SCTS Business Plan, which will set out the activities and budget for the coming year in more detail. Final versions of the plans would be presented to the Board for consideration and approval at the meeting on 27 March.

5.2 A number of comments had been received from Board members, which would be incorporated into the final versions.

#### **6. SCTS Committees Update**

##### *Audit and Risk Committee*

6.1 The Committee Chair updated the Board on discussions at the January meeting. The Committee had discussed the progress of the Oracle Fusion Shared Services Programme which had been delayed until April 2024. The Internal Audit Plan was endorsed by the Committee. A review of the timings of the Deep Dive sessions had taken place with the Social Security Appeal Implementation session moved from August to January 2024 and other planned sessions brought forward to earlier meetings.

6.2 The Committee had completed their annual appraisal exercise, reflecting on their personal contribution and the Committee's performance during 2022. Committee members agreed to hold annual meetings with both Internal and External Audit as recommended by the Scottish Government Audit and Assurance Committee Handbook.

#### **7. Any Other Business**

7.1 None

#### **8. Discussion Session – Crown Office Responsibilities, current challenges and strategic ambitions.**

8.1 The Lord Advocate, Dorothy Bain KC, and the interim Crown Agent, John Logue joined the Board to discuss the current challenges facing the Crown Office and Procurator Fiscal Service (COPFS) and their strategic ambitions.

8.2 A number of the pressures discussed were similar to those facing the SCTS; including funding and recruitment. An increase in business levels, specifically those relating to sexual

offences and COVID death investigations, had led to the expansion of COPFS staffing levels in recent years.

8.3 The Crown had developed a number of specific training programmes for their staff at all levels. Consideration would be given to aligning the training offered by COPFS, SCTS and the Judicial Institute, to ensure consistency in approach.

8.4 The Board thanked the Lord Advocate and Crown Agent for joining the meeting to highlight the work of the COPFS and for their honest and open participation in the discussion.

## **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 27 March 2023. This would involve a visit to the Office of the Public Guardian in Falkirk

## **11. Joint Board and Committee Corporate Risk Workshop**

11.1 Following the meeting, the Board held a workshop session with members from its three Committees (People, Estates and Audit & Risk). The workshop allowed Board and Committee members to review the SCTS Corporate Risk Register. Attendees explored the trends, challenges and opportunities facing the SCTS over the next 3 years. Discussions focused on the objectives being set by the organisation across its four key reform areas: Criminal Justice; Civil Justice; Tribunals & OPG; and Corporate.

11.2 Workshop attendees concluded that the risks in the Corporate Risk Register remained valid, while providing additional analysis that would be incorporated into the next version of the register. This would ensure that the challenges and opportunities facing the SCTS, and the extent to which they could be controlled or influenced, were well documented and actioned; increasing the likelihood of success. The Register would continue to be kept under review by the Board, the Audit and Risk Committee and the Executive.

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February 2023