

# MINUTES

## SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD MEETING: MONDAY 9 MAY 2016, PARLIAMENT HOUSE, EDINBURGH

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

### 1. Minutes of the SCTS Board Meeting of 21 March 2016

- 1.1 The Minutes of the last meeting were approved.

### 2. Matters Arising

- 2.1 There were no outstanding actions.

#### ***Inverness Justice Centre***

- 2.2 *The record of this discussion is considered confidential and exempt from publication.*

### 3. Finance Report (SCTS/May16/19)

#### ***Financial Results and Outturn 2015-16***

- 3.1 The Board received a report of the provisional year-end outturn which indicated an underspend of £0.7m against total operating costs of £116.3m. This was due to the £1.5m funding allocated by the Scottish Government for the purchase of land for the Inverness Justice Centre. Towards the end of the financial year it became clear that the purchase would take place in the 2016-17 financial year. With Scottish Government agreement, £0.8m of the £1.5m held had been redirected towards backlog maintenance and additional investment in court room technology.

### 4. SCTS Pay Remit 2016-17 (SCTS/May16/20)

- 4.1 *The record of this discussion is considered confidential and exempt from publication.*

## **5. Arrangements for SCTS Annual Report and Accounts 2015-16 (SCTS/May16/21)**

5.1 The Executive reported on the process to produce the Annual Report and Accounts for 2015-16. An initial audit of financial controls had already taken place and these were found to be sound. The detail of the Report was under development. A draft of the Performance Report section would be shared with Board members around the end of May.

5.2 The Accounts would be audited in June and July. The final Annual Report and Accounts would be presented to the August meetings of the Audit and Risk Committee and Board for approval. In common with the approach taken in 2014-15, an online version of the Annual Report would be published on the SCTS website, once finalised.

## **6. Annual Review of SCTS Standing Orders (SCTS/May16/22)**

6.1 The Board is required to review its Standing Orders annually in order to ensure that they are up to date. Some minor amendments had been proposed to the existing version. These were **approved**. The revised Standing Orders would take effect from 1 June and would be published on the SCTS website.

## **7. Service Standards for Victims and Witnesses: Report on First Year of Operation**

7.1 An update on the first year of operation of shared standards of service for victims and witnesses was received. Board members reviewed a report that had been produced jointly by SCTS, the Crown Office, Police Scotland, the Scottish Prison Service and the Parole Board for Scotland. The report set out how each of these agencies had met the standards set. It also explained what further steps they would take over the coming 12 months.

7.2 The Board welcomed the report and noted that similar reports would be produced annually.

## **8. Update from SCTS Committees**

### ***Audit & Risk Committee***

8.1 The Board received an update from the Committee Chair, who advised that a recent recruitment exercise to identify an external member for the Committee had been unsuccessful. A further exercise would take place in the coming months to identify a new member ahead of the next Committee meeting in August.

8.2 The Chair noted that the Committee would consider the SCTS Corporate Risk Register as a standing item on its main agenda. The Committee already received the Corporate Risk Register as a paper at each of its meetings. The decision to include it on the main agenda would ensure scrutiny of any significant additions, changes or trends.

## **9. Arrangements for June and October Visits (SCTS/Mar16/20)**

9.1 Board members were updated on plans for the next Board meeting, which would be held in Inverness. Board members would have the opportunity to visit courts in Inverness and Tain ahead of the meeting. Similar visits to courts at Dumfries, Ayr and Kilmarnock were being planned for the October Board meeting.

## **10. Any Other Business**

10.1 There was no other business raised.

## **11. Papers for Scrutiny/Exception Reporting Only**

- 11.1 The following papers had been circulated for scrutiny:
- Court Programming Update
  - ICT programme Milestones and High Level Risks
  - the SCTS Decision Tracker

No matters were raised by exception.

## **12. Date of the Next Meeting**

- 12.1 Monday 27 June 2016 in Inverness.

## **Workshop Session – Transfer of Reserved Tribunals**

13.1 Stephen Humphreys, Executive Director, Judicial Office for Scotland, and Martin McKenna, Director Tribunals Operations gave a short presentation to the Board. The presentation provided an update on the merger between SCS and STS one year on. It also gave an overview of activity underway to prepare for the devolution of the administration of reserved tribunals, made possible by the Scotland Act 2016.

13.2 Board members noted the complexities around the transfer of reserved tribunals, which would require legislation coupled with careful management of the transfer of business. The timing and phasing of changes would need to be planned effectively to ensure a smooth transition. A programme board had been established to take forward this work. Its first major task was the development of a feasibility study to determine the most effective way in which the transfers could be achieved.

13.3 Board members observed that an important element of the feasibility work would be to establish an effective operating model for the future. This would set out how tribunal business should be structured, organised and administered. Developing clear options and building a consensus between the parties involved would allow the programme to progress effectively. The Board would consider the detailed feasibility report in the autumn.

Scottish Courts and Tribunals Service