



SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD MEETING: Monday 15 August 2022, Edinburgh

- Present:** Lord Carloway, Lord President (Chair)
Maggie Craig
Steven Dickson
Lady Dorrian, Lord Justice Clerk
Dr Sophie Flemig
Ruth Innes, QC
Eric McQueen
Sheriff Jillian Martin-Brown
Sheriff Olga Pasportnikov
Anne Scott
Sheriff Principal Craig Turnbull
Lynsey Walker
Lord Woolman
- Attended:** Noel Rehfisch, Interim Deputy Chief Executive, SCTS
Karen Lawrie, Head of Secretariat, SCTS
- Apologies:** Morna Rae, JP

1. Minutes of the SCTS Board Meeting on 13 June 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

3.1 The Board considered a report on financial performance to the end of June 2022. The total 2022-23 budget was now £183.7m, including anticipated in-year funding transfers from the Scottish Government. Additional funding had been secured to cover the cost of jury centres remaining open for the first part of 2022-23 and for the first phase of the Edinburgh Justice Campus project. Full year expenditure was currently forecast at £183.4m. Fee income levels had continued to recover, but were still forecast to be lower than before the pandemic.

3.2 The Board acknowledged the significant financial challenge facing the organisation in the coming years. The scale of the challenge was outlined and highlighted that the majority of the SCTS budget is allocated to fixed costs associated with SCTS buildings and pay. Alternative ways of working were being explored by the Executive Team.

4. SCTS Audit and Risk Committee Update

4.1 The Chair of the Audit and Risk Committee provided a summary of the matters discussed at its last meeting. An update on staffing levels and ongoing recruitment within the Finance and Procurement Team had been positively received. The Internal Audit of Information Governance had been completed. A reasonable assurance had been received. The Committee welcomed the comfort which this provided. The recommendations were not significant. External Audit had commended the Finance team on the high quality of annual accounts and working papers. It had provided an unqualified view of the Annual Report and Accounts.

4.2 The Chair of the SCTS Audit and Risk Committee presented the Committee's Annual report. This reflected the work of the Committee during the 2021-22 audit year. It set out the priorities for the coming year. These included: providing direction and oversight of internal audit reviews; detailed consideration of corporate risks (including an annual workshop session with the Board and other committees); and a programme of deep dive sessions, which would allow the Committee to explore areas of particular interest in more detail with the Executive.

4.3 Based on its scrutiny and the assurances provided by the Executive, External Audit (Azets) and Internal Audit, the Committee recommended approval of the SCTS Annual Report and Accounts for 2021-22. The final version of the Report and Audited Accounts was presented for approval.

4.4 Having considered the Committee's Report and its recommendation, **the Board approved the Scottish Courts and Tribunals Service Annual Report and Accounts for 2021-22**. The SCTS Accountable Officer would now sign the Governance Statement. Arrangements would be put in place for the Annual Report and Accounts to be published and laid before the Scottish Parliament, following clearance from External Audit and Audit Scotland.

5. Quarterly Performance Review and Scorecard Q1

5.1 The Board carried out its quarterly performance review. The current position on the delivery of the outcomes in the 2022-23 Business Plan and the Board Scorecard were scrutinised. Work had commenced in all areas of delivery in the Plan.

6. SCTS Committee Update

Remuneration Committee

6.1 The Remuneration Committee had met prior to the Board meeting. In accordance with the Scottish Government's Public Sector Pay Policy for 2022-23, the Committee agreed to recommend a £1.92 (0.57%) increase in the daily fees for those members of the SCTS Board and its Committees who were not already in receipt of remuneration from public funds. This was approved. The Chair of the Committee acknowledged the value and broad experience provided by the non-Executive members who were an essential part of the Board's operation.

Estates Committee

6.3 The Committee chair updated the Board on discussions at its meeting in August. A briefing had been received from the Health and Safety Committee. A sustainability report was scrutinised. The Committee considered this to be a challenging area due to the nature of the estate and welcomed the collaborative working with organisations that had similar estates. The Committee had recently completed their annual appraisal exercise. The Board were content with the Committee's work in this area.

7. Any Other Business

7.1 None

8. Papers for Scrutiny/Exception Reporting Only

8.1 The following papers had been circulated for scrutiny:

- the SCTS Decision Tracker.
- Draft Audit and Risk Committee Minutes – 1 August

No matters were raised by exception.

9. Date of the Next Meeting

9.1 The next meeting would be held on Monday 10 October 2022.

10. SCTS Corporate Plan 2023-26 – Criminal Justice Reform

10.1 Janette Purbrick, Head of Management Information and Analysis; David Fraser, Executive Director Court Operations and Lord Beckett, first instance crime Administrative Judge, joined the meeting.

10.2 Every three years, the SCTS must produce a Corporate Plan setting out its high-level direction and outcomes for the following 3 year period. The next plan will cover 2023-26. The Board held the first in a series of detailed sessions on the key reform areas, focusing on criminal justice reform.

10.3 Janette Purbrick provided an overview of the Criminal Recovery Programme case modelling. The delays caused by the COVID pandemic had led to increased scrutiny on the level of cases in the criminal justice system and a desire to understand what steps could be taken to address any backlogs. Statistical models had been developed in order to understand and describe the level of cases currently in the system and the impact that different interventions were likely to have on tackling backlogs. Whilst the models were developed to assist with pandemic management and recovery, they had the potential to assist in the longer term planning of business, increasing transparency and data gathering on system performance. Detailed reports based on the models were published monthly on the SCTS website.

10.4 Lord Beckett and David Fraser updated the Board on a number of innovations either under way or planned in relation to criminal justice reform. These included:

- an increase in the use of virtual custody hearings;
- a further pilot of virtual summary domestic abuse courts;
- the recommencement of Evidence and Procedure Review pilots to reduce the level of “churn” in summary cases;
- digital evidence sharing;
- the High Court pilot of evidence from police and professional witnesses being given remotely
- an increase in the use of evidence by commission; and
- the main proposals in the [Lord Justice Clerk’s review](#) of sexual offences cases.

10.5 The Board welcomed the update and supported the proposed reforms. These would be developed into objectives for the corporate plan. The Board acknowledged that suitable levels of funding would be required to make progress with these reforms. Draft outcomes for this area of the corporate plan were reviewed.

Scottish Courts and Tribunals Service
August 2022