



**SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD
MEETING: MONDAY 20 AUGUST 2018, PARLIAMENT HOUSE, EDINBURGH**

Present: Rt Hon Lord Carloway, Lord President (Chair)
Joe Al-Gharabally
Sheriff Aisha Anwar
Dr Kirsty Hood QC
Sheriff Grant McCulloch
Colonel David McIlroy
Eric McQueen
Sheriff Principal Duncan Murray
Morna Rae, JP
Rt Hon Lady Smith

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

Apologies: Simon Catto
Rt Hon Lady Dorrian, Lord Justice Clerk
Professor Hugh MacDougall
Dr Joe Morrow CBE QC

1. Minutes of the SCTS Board Meeting of 25 June 2018

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/Aug18/37)

3.1 The Board considered a report on the financial performance to the end of June 2018. The total budget for 2018-19 stood at £125.9m. This included £2m funding from the Scottish Government to support investment in technology and in recognition of the increasing number of serious sexual offence indictments registered in the High Court. Discussions were ongoing with the Scottish Government aimed at securing capital funding to support priority maintenance works at Dumbarton, Glasgow and Peterhead Sheriff Courts.

3.2 The Board acknowledged that budgets remained tight across the organisation. Expenditure for the year was forecast to be £1.1m over budget. Confirmation had been received that the Scottish Government would underwrite an overspend of this level in recognition of the reduction in retained fines income.

4. Spending Review (SCTS/Aug18/38)

4.1 The Board discussed the current position in relation to the Scottish Government's spending review process, which will set the budget for SCTS and other Scottish public sector bodies for 2019-20. The process was at an early stage but, as in previous years, SCTS had been asked to illustrate how it would cope with potential budget reductions.

4.2 The Board reiterated their view that the organisation had already managed a period of significant financial restraint. Further reductions would have a detrimental impact on the service delivered across courts, tribunals and the OPG. Discussions with government would continue over the coming months – with final budget allocations likely to be published towards the end of the year.

5. SCTS Audit and Risk Committee Annual Report to the SCTS Board (SCTS/Aug18/39)

5.1 The Chair of the SCTS Audit and Risk Committee provided a summary of the matters discussed at its last meeting. The Committee's Annual report was presented. This reflected on the work of the Committee during 2017-18 and laid out its priorities for the coming year. These included monitoring the delivery of the SCTS Financial Strategy through ongoing scrutiny of preparations to meet any funding gaps; and continued oversight of the governance and delivery of the Integrated Case Management System project.

5.2 Based on its scrutiny and the assurances provided by the Executive, Audit Scotland and Internal Audit, the Committee recommended approval of the SCTS Annual Report and Accounts for 2017-18. A draft of the Strategic Report section of the Annual Report had been circulated to the Board for comment in May. The finalised version of the Report and Audited Accounts was presented for approval. The Interim Measures Working Group established during 2017-18 as part of the work of the Evidence and Procedure Review, referred to in the report, was no longer in existence.

5.3 Having considered the Committee's Report and its recommendation, **the Board approved the Scottish Courts and Tribunals Service Annual Report and Accounts for 2017-18**. 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 Audit Scotland.

6. Business Plan Delivery Report and SCTS Board Scorecard (SCTS/Aug18/40)

6.1 The Board received the quarterly report on SCTS performance, including the Business Plan delivery report and the SCTS Scorecard for quarter 1 of 2018-19. The scorecard had been updated to reflect the recommendations of the 2017-18 internal audit of performance management.

6.2 The Board was supportive of the recent recruitment of six new Modern Apprentices in June. They would participate in an 18-month training programme with the opportunity to continue in a permanent post at the end of the programme.

6.3 In its first year as a member of the Employers Network for Equality and Inclusion (ENEI) the SCTS had achieved a silver award for Talent Inclusion and Diversity Evaluation, ranking in the top 20 organisations evaluated. The Board congratulated the Executive on the achievement.

6.4 Following a consultation regarding the relocation of Coatbridge Justice of the Peace Court to Airdrie, the Board agreed that the consultation outcome should be submitted to the Scottish Government in order that arrangements for drafting the necessary Parliamentary order could proceed. The Board would consider the draft order for approval as soon as it became available.

7. ICMS Progress Report (SCTS/Aug18/41)

7.1 The current position on the development of the Integrated Case Management System (ICMS) was reported. Focus remained on the development of phase 2, which would provide for the online submission of simple procedure cases. During the development period, additional operational requirements had been identified and assessed before being included in the development. The development period is rescheduled for completion in September 2018, with an anticipated launch date early in the first quarter of 2019-20.

7.2 The Court of Session discovery phase had taken place. It had identified the requirements and delivery approach required. Members of staff and judiciary had worked together to identify the criteria for the types of business to be prioritised for submission through the Civil Online Portal.

7.3 Board members stressed the importance of engaging with those who would use the new system ahead of its introduction. The Board would review the longer term plan for the roll-out of ICMS at a future meeting.

8. Devolution of Reserved Tribunals (SCTS/Aug18/42)

8.1 The Board reviewed plans for the transfer of the administration of reserved tribunals from HMCTS to SCTS. Progress had been made in relation to the development of the draft order in council that would be required to facilitate the transfer. Despite this, work remained largely on hold, pending further progress between the Scottish and UK Governments.

8.2 The progress to establish the new chamber structure for devolved tribunals, overseen by the Tribunals Reform Programme, was welcomed.

9. SCTS Committee Update (Oral)

People Committee

9.1 The Committee Chair reported on the matters discussed at the last meeting. The Committee had received a presentation outlining a set of core principles that had been developed with senior operational managers around themes including People, culture & leadership and customer experience.

9.2 During discussion of their Annual Appraisal feedback, the Committee had agreed that, in the coming year, a focus on supporting delivery of the People Strategy would be a priority. The Committee agreed that the structure of their meetings would be amended slightly to ensure that the main business of each meeting focused around a substantive and strategic discussion of progress made towards delivery of one of the key themes set out in the People Strategy.

10. Any Other Business

10.1 The Chair of the Estates Committee advised that confirmation had been received that the Clutha Fatal Accident Inquiry hearing would be at Hampden Park, Glasgow

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 8 October 2018, with a visit to the High Court in Glasgow.

13. Workshop Session – Community Justice Scotland

13.1 Following the formal meeting, Board members held a discussion session with the Chair, Chief Executive and Head of Improvement from Community Justice Scotland (CJS).

13.2 CJS is a non-departmental public body launched in 2017 by the Community Justice (Scotland) Act 2016. Its aim is to create a more robust and effective community justice system based on local planning and delivery by a range of partners. CJS is responsible for promoting high standards of community justice by providing advice to Ministers, local government and third sector partners. Through research and planning, they work to promote the introduction of new programmes aimed at reducing offending and reoffending and to improve joint working between agencies.

13.3 The discussion allowed Board members to hear more about the work of CJS, including the challenges around communicating the effectiveness of community justice as an alternative to prison. The importance of early intervention and support to prevent young people from offending in the first place was discussed, as was the approach taken in a number of other jurisdictions which CJS had reviewed as part of their research remit.

13.4 The Chair thanked the representatives from CJS for leading an informative discussion on issues that were a priority for both organisations.

Scottish Courts and Tribunals Service
August 2018