

Annual Report & Accounts

2020 – 21

2m



Click below to find out about Virtual Hearings

[Virtual Hearings](#)

Scottish Courts and Tribunals Service



Supporting Justice

Scottish Courts and Tribunals Service

Annual Report & Accounts

2020-21

Laid before the Scottish Parliament by the Scottish Courts and Tribunals Service in pursuance of section 67 of the Judiciary and Courts (Scotland) Act 2008 and section 22(5) of the Public Finance and Accountability (Scotland) Act 2000.

August 2021



Contents –

Lord President's Foreword	4
1. Performance Report	5-28
1.1 Overview	5-13
1.1.1 Chief Executive's Statement	5
1.1.2 Purpose and Activities of the SCTS	6
1.1.3 Performance Summary	7-10
1.1.4 Key Issues, Risks and Future Trends	11-13
1.2 Performance Analysis	14-28
1.2.1 Performance Measures - Business Plan Outcomes & KPIs	14-17
1.2.2 Development and Performance 2019-20	18-28
• COVID-19	18-19
• A Well Supported Judiciary	20
• Satisfied Service Users	21
• Skilled and Motivated People	22
• Sustainable Buildings & Business	23
• Digital Services	24
• Efficiency & Best Value	25
• Purposeful Collaboration	26
• Supplementary Statutory reporting	27-28
2. Accountability Report	29-50
2.1 Corporate Governance Report	29-38
2.1.1 Directors' Report	29-34
2.1.2 Statement of Accountable Officer's Responsibilities	35
2.1.3 Governance Statement	36-38
2.2 Remuneration and Staff Report	39-46
2.3 Parliamentary Accountability Report	47
2.4 Independent Auditor's Report	48-50
3. Financial Statements	51-71
Annexes	72-81
Annex 1 – Business Levels 2020-21	72-78
Annex 2 – Map of SCTS Locations	79
Annex 3 – Accounts Direction	80

Lord President's Foreword



The 2020-21 financial year was dominated by COVID-19. The pandemic has had a major impact across all sectors, including the justice system. Scotland's courts and tribunals have traditionally relied on, to a significant extent, face-to-face interactions and paper based processes, which were not compatible with the exceptional public health measures required. The need for continued confidence in justice and the rule of law has remained constant. Over the past 12 months we have worked to ensure that people can continue to assert or defend their rights and that allegations of serious crime are fairly and openly prosecuted.

It is in this context that I am pleased to present the Annual Report and Accounts of the Scottish Courts and Tribunals Service for 2020-21. The purpose of the SCTS is supporting justice. We continue to pursue that purpose by improving our services, to create a more resilient, efficient and flexible system. Although the past year has been overshadowed by COVID-19, the SCTS has made significant progress. Key objectives, which were set in our annual business plan, have been achieved. Our 3-year corporate plan, which was published at the onset of the pandemic, set out our vision to develop an increasingly digital service. This focussed on the idea that in-person hearings should be held primarily only where this is the most suitable way.

The SCTS has innovated in response to the pandemic. It has done so at pace, to ensure that the justice system continues to serve the people which it is designed to protect. We have restored full capacity in solemn criminal proceedings by using remote juries. We continue to develop processes which allow civil and tribunal business to be dealt with via electronic documents and the use of telephone or video link hearings. Those hearings achieve fair and efficient justice and have allowed business to operate at close to pre-pandemic levels.

A successful pilot of holding custody cases remotely has been completed and is now being rolled-out nationally. The innovative use of summary trial surgeries, inspired by the need to reduce both physical contact and case backlogs, has shown that an earlier resolution of a greater proportion of cases may be achievable. These measures, amongst others, have allowed us to maintain essential services during the pandemic, while building a stronger service for the future. We have taken great strides. We will continue to do so.

I record my thanks to the staff of the SCTS. Their dedication, knowledge and expertise is a daily experience of all those using the justice system. Their ingenuity and professionalism have been essential as we continue to develop a modern, sustainable and accessible service.

The role of chairman of the SCTS Board continues to be made easier as a result of the insight and expertise of my fellow Board members. Their commitment, guidance and support have been essential as we continue to manage an ambitious agenda, which balances innovation, recovery and service to the public.

Rt. Hon. Lord Carloway

Lord President, Chairman of the SCTS Board

1. Performance Report

1.1 Overview

1.1.1 Chief Executive's Statement

Eric McQueen, Chief Executive, Scottish Courts and Tribunals Service



The purpose of this performance report is to provide an overview of the Scottish Courts and Tribunals Service (SCTS) and its performance during 2020-21. This section of the Annual Report and Accounts sets out the purpose, structures, activities and functions of the SCTS; provides a summary of our operational and financial performance for the year and describes the key issues, risks and trends which influence our work.

The SCTS occupies a unique position in Scotland's justice system – providing the administrative support to Scotland's judiciary as they carry out their independent role. We are accountable to a judicially-led Board and, as a public service, are trusted to spend public funds – for which we are accountable to the Scottish Parliament. We operate as part of Scotland's justice system, which consists of a range of independent bodies, working together to promote justice, fairness and the rule of law. Our work involves people from all sections of Scottish society – including victims and witnesses, who often find themselves involved through no fault or action of their own.

Our purpose is **supporting justice**. Over the past year we have seen unprecedented change and uncertainty caused by the COVID-19 pandemic. This has highlighted the importance of being able to maintain our essential services in the face of any challenge. Throughout the pandemic our priorities have been to support the public health response, protecting our service users and staff – whilst ensuring that essential business continued, so that public trust and confidence in the justice system was maintained.

We have had to innovate and develop new digital solutions to maintain essential business – protecting public safety, ensuring that individuals can assert their rights and preserving support to the vulnerable. The level of innovation that has taken place over the past year has been remarkable. Jury trials are now running at pre-COVID levels, with every juror safely and remotely viewing proceedings from cinema complexes. Civil and tribunal business is operating at normal levels, using remote hearings and the electronic transfer of case papers. Whilst a number of these changes were made of necessity they have, in a number of areas, proved concepts for future ways of working that we will look to build upon.

As rollout of the vaccine programme continues we are well placed to increase our capacity once it is safe to do so – with a recovery programme planned that will start to address some of the considerable backlogs that have arisen.

Whilst the majority of our efforts have been focused on responding to and recovering from the pandemic, we have also sought to keep other reform initiatives on track. The major programme of reform to Scotland's devolved tribunals has continued with the Parking & Bus Lane Appeal tribunal transferring into to the First-tier Tribunal for Scotland General Regulatory Chamber and further expansion in the Social Security Chamber. The Inverness Justice Centre, our flagship building, won Gold at the *National Site Awards*, for "Most Considerate Site", recognising the level of community, environmental and workforce engagement, alongside a range of measures taken to offset the site's carbon footprint.

I am extraordinarily proud of what we have been able to achieve over the past 12 months. Our staff have been truly inspirational in managing the response to the pandemic. We have maintained the most essential business safely, developed new approaches that will improve the justice system and are ready to support Scotland's recovery as soon as it is safe to do so.

1.1.2 Purpose and Activities of the SCTS

Business Model and Environment

The Scottish Courts and Tribunals Service (SCTS) was established on 1 April 2015, following the merger of the Scottish Court Service (a Non-Ministerial Department established on 1 April 2010 by the Judiciary and Courts (Scotland) Act 2008) with the Scottish Tribunals Service (previously a delivery arm of the Scottish Government)¹.

The function of the SCTS is to provide or ensure the provision of the resources to support:

- the Scottish courts, devolved tribunals and their judiciary;
- the Lord President or his delegates in respect of his functions as Head of the Judiciary;
- the sheriffs principal in respect of their functions under the relevant provisions of the Courts Reform (Scotland) Act 2014;
- the Office of the Public Guardian and Accountant of Court; and
- the Scottish Sentencing Council, Scottish Civil Justice Council and the Criminal Courts Rules Council².

A three-year **Corporate Plan** for the SCTS was published in April 2020³. For each year of that Corporate Plan an annual business plan is produced, detailing the specific activities that the organisation plans to undertake. This is the first year in the current corporate planning

period. Publication of the SCTS **Business Plan for 2020-21**⁴ was deferred until autumn 2020 due to COVID-19, ensuring that our business outcomes reflected our response to the public health emergency.

This Annual Report details how the SCTS carried out its functions in 2020-21, as required by section 67 of the Judiciary and Courts (Scotland) Act 2008 and section 22(5) of the Public Finance and Accountability (Scotland) Act 2000.

Purpose & Values

The purpose of the SCTS is **supporting justice**. The SCTS fulfils this purpose by providing the people, buildings and services needed to support the work of Scotland's courts and devolved tribunals, of the judiciary and the Office of the Public Guardian and Accountant of Court.

In delivering its purpose, the SCTS must take account of the needs of the judiciary, of the people involved in proceedings and the wider public.⁵

Our work focuses on improving access to justice, reducing delay and cost within the justice system and maximising the use of technology to improve our services. Due to the impact of COVID-19, our work this year has balanced those priorities with supporting the public health response to the outbreak – protecting the life and safety of

all staff, court and tribunal users; while maintaining all essential business so far as possible – and; minimising the accumulation of case backlogs so far as possible – to facilitate the most effective recovery.

The core values we observe as an organisation and seek to promote in others are:

Respect, Service & Excellence

Structure of the SCTS

The SCTS is led by its Board, which has a judicial majority and oversees the administrative arrangements that support the judiciary in the delivery of justice. The SCTS Board meets at least six times per year⁶. Day to day management of the organisation rests with the Chief Executive and the Executive Team. Further information on the SCTS Board and Executive Team is in the Directors' Report, on pages 29-34.

Our purpose and strategic priorities are illustrated in our strategy map overleaf. It sets out how the priorities are aligned to the delivery of our purpose.

¹ Section 130 of the Courts Reform (S) Act 2014 facilitated the merger by extending the functions of the Scottish Court Service established under the Judiciary and Courts (Scotland) Act 2008 to include the administration of devolved tribunals. As such the 2008 Act remains the founding legislation for the SCTS.

² Sections 61 & 62 of the Judiciary and Courts (Scotland) Act 2008.

³ <https://www.scotcourts.gov.uk/docs/default-source/aboutscs/reports-and-data/publications/corp-plan-2020-23.pdf?sfvrsn=4>

⁴ <https://www.scotcourts.gov.uk/docs/default-source/aboutscs/reports-and-data/publications/scts-business-plan-2020-21-revised-autumn-version--final-published-16-december-2020.pdf?sfvrsn=4>

⁵ Section 61(2) of the Judiciary and Courts (Scotland) Act 2008.

⁶ Further information on the SCTS Board and its committees, including membership, standing orders, framework document and minutes of meetings can be accessed at <http://www.scotcourts.gov.uk/about-the-scottish-court-service/the-scottish-court-service-board>

SCTS Strategy Map 2020-23



1.1.3 Performance Summary

Over the course of 2020-21 the SCTS has played a critical role in Scotland's justice system, ensuring the courts, tribunals and the Office of the Public Guardian continued to provide key services in the midst of a pandemic, ensuring we fulfilled our purpose: Supporting Justice.

Under the leadership of the SCTS Board our [Corporate Plan](#) was published in April 2020 – setting out our strategic priorities and objectives to the end of this planning period in 2023. Detailed outcomes for 2020-21 were set in our annual Business Plan, structured under our **seven strategic priorities**:

- **A well supported judiciary;**
- **Satisfied service users;**
- **Skilled & motivated people;**
- **Sustainable buildings & business**
- **Digital services;**
- **Efficiency & best value;**
- **Purposeful collaboration.**

The past year has been dominated by COVID-19. However, in responding to the challenges the pandemic has presented, we have taken great strides in meeting the vision outlined in our corporate plan. The Plan set our vision to develop an increasingly digital service – ensuring that in-person hearings are held only where this is the most suitable way to do business. We could not have anticipated the speed

with which we would need to realise aspects of that vision.

Judicial involvement has been key to the many changes we have introduced. The Court of Session quickly adapted as the courts had to close for public health reasons, with the introduction of WebEx videoconferencing, enabling the court to conduct hearings online and operate at business-as-usual levels.

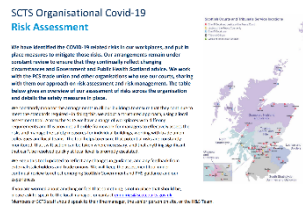
High Court jury trials re-started in July 2020. Two methods for running trials were tested, with one using technology to enable the jury to view the trial from a second court room. The success of this model paved the way for the creation of *SCTS Jury Centres*

for both High Court and Sheriff Court solemn business. Throughout the process of re-starting jury trials, the project was informed by a broad range of views from a cross-justice working group, led by the Lord Justice Clerk.

The majority of High Court business relates to sexual offences. Over the course of this year SCTS has supported the work of a wide ranging cross-justice review into the prosecution of sexual offences. The final report: *Improving the Management of Sexual Offence Cases*, was published in March 2021 recommending a number of changes in the management of cases and the taking of evidence. Work to implement these will commence in 2021-22.

The Vulnerable Witnesses (Criminal Evidence) (Scotland) Act allows evidence to be recorded in advance of trial to reduce the risk of re-traumatisation. Custom-built evidence recording facilities in Glasgow were successfully reconfigured in-year for physical distancing, allowing this essential process to continue. Further evidence suites were set up within the court estate in Glasgow and Edinburgh, increasing our capacity to support evidence-taking for High Court trials.

We have continued to maintain strong results in the annual *UK Civil Service People Survey*, with an overall engagement score of 64%, putting us above average when viewed with comparator justice organisations in Scotland.



SCTS COVID-19 Risk Assessment Framework

Ensuring the safety of all staff and service users, whilst continuing to support essential business has been our top priority this year. Overseen by our Strategic Incident Management Team, all SCTS buildings have been fully *risk* assessed for COVID-safe operation. Installing new signage, markings, facilities and cleaning regimes – and even adjusting some buildings for safe operation – has been a major task. We transitioned over 600 staff to home working, issuing over 1,100 laptops and home-office furniture. We ensured staff were regularly updated with HR guidance and COVID-19 updates using our Intranet and external staff only internet site.

In July, we launched a Technical Training Zone on our learning platform Delta, providing learning packs, access to trainers online and a discussion forum for staff to share their views and experiences as they were trained on the new approaches to managing online business. We also introduced a new cloud-based People Information system, iTrent, in November. Phase 1 supports salary payments and expense claims. This lays the foundations for modernising our People systems. Phase 2, which will provide a new recruitment module, is underway.

With the rapidly changing nature and impact of the pandemic on criminal business we now publish monthly *management information* setting out the level of cases being processed and the projected case backlogs. In March 2020, when we first entered lockdown, there were 390 scheduled High Court trials, approximately 500 Sheriff Court solemn trials and almost 14,000 sheriff summary criminal cases in the system. The system generally has a scheduled “backlog” around these levels, the bulk of which represents a caseload that will be managed through the system within timescales considered suitable. By March 2021, the forecast backlog had risen to over 770 High Court trials, over 2,700 Sheriff Court solemn cases and over 35,000 sheriff summary cases. Additional funding has been agreed and plans are now in place to start addressing the *backlog of criminal cases from September 2021*.

A substantially increased use of telephone and online hearings meant that the **devolved Scottish Tribunals** maintained a high level of performance throughout the year. In addition, the reform agenda progressed as the Parking & Bus Lane Appeal tribunal transferred into to the First-tier Tribunal for Scotland General Regulatory Chamber, and there was further expansion of the Social Security Chamber.

Business levels in the **Office of the Public Guardian** were over 40% lower this past year. The impact of the pandemic reduced both the volume of business received and our processing capability. We

expect that the business will recover, reflecting the growing recognition of the importance of registering a Power of Attorney.

The SCTS has a presence in communities across the length and breadth of Scotland⁷ ensuring that justice can be administered locally. One of our surplus buildings, Arbroath Sheriff Court, was transferred to the Arbroath Community Courthouse Trust for a nominal fee of £1 under the Community Empowerment Act. Future proposals for the building include providing life-long learning and increased participation in creative activities to bring wider community benefits.

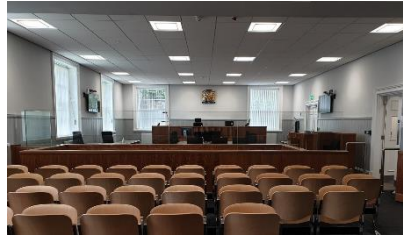
The Inverness Justice Centre, our flagship building project, won Gold at the National Site Awards, taking the prestigious "Most Considerate Site" category. The award recognised high performance against the Scheme's 'Code of Considerate Practice'.



Inside Inverness Justice Centre

The digital innovations we have introduced over the past year have necessitated sensitive building alterations, often requiring building consent, such as installation of state-of-the-art video equipment to support remote jury trials. Despite the limitations on construction work, our new court Annexe at Kirkcaldy Sheriff Court opened. The two new spacious criminal courts and

custody suites have provided welcome flexibility in managing physically distanced and virtual business, including remote jury trials.



New courtroom in Kirkcaldy

Balancing investment in both our built and digital infrastructure is a challenging but essential task. It has been brought into sharp focus over the past year as we had to deliver increased digital services at pace in response to the pandemic. In doing so we have had one eye always on the future. The first phase of our Integrated Case Management System (ICMS) went live in the Supreme Courts. Supporting new personal injury actions, the system allows for the electronic submission of case papers, and is the first step towards full digitisation of case management in the Court of Session.

A new Application Programming Interface (API) for Civil Online was released in September, enabling legal firms to transfer simple procedure applications from their own digital case management systems directly to Civil Online, with the option to register bulk submissions. Court rules were introduced in December making electronic submission of simple procedure cases mandatory for professional court users.

A key development in summary criminal cases was a cross-justice pilot in South

Strathclyde, Dumfries & Galloway. This saw the introduction of weekly trial surgeries to facilitate candid discussions between the defence and the prosecution. The aim is to identify what can be resolved or otherwise agreed in advance of trial, thus shortening the length of any trial. During the pilot around 80% of cases resolved early, with many fewer proceeding to trial, limiting the need for personal appearances. This paved the way for a national introduction of "pre-intermediate diet meetings" in December.

In a busy and extremely challenging year we have delivered the vast majority of our outcomes and accelerated progress towards our vision of an increasingly digital service. Criminal case backlogs have inevitably increased: but, through careful and innovative approaches, many thousands of cases have been able to proceed (as the statistics at annex a set out). Our response to the pandemic has demonstrated our commitment to ensuring that the justice system continues to deliver for the people it is designed to protect.

⁷ A map of our locations across Scotland can be found at Annex 2

Financial Performance 2020-21

Gross DEL⁸ expenditure for the year was £182.8m. When offset by income of £37.2m, the net DEL outturn was £145.6m. This represents an increase of £12.3m on the preceding year's outturn and was primarily driven by £9.7m of spend on the jury restart project together with a £8.3m decline in civil fees and retained fines income due to the impact of COVID-19. These increases were partially offset by a significant drop in business and operational costs due to COVID-19 coupled with reduced capital spend reflecting the completion of the Inverness Justice Centre in 2019-20. The total non-current asset figure at the year-end is broadly in line with last year at £522m. A notional charge of £95k is recognised for external audit services.

The AME outturn position is mainly due to provision movements. The dilapidation charge element is based on data provided by Avison Young.

During the year, the SCTS purchased non-audit services from its appointed external auditor totalling £25k. At the request of SCTS, Azets (formerly Scott Moncrieff) assisted in drafting and updating business cases.

Financial Performance Summary

	2020-21		2019-20
	Budget £'000	Outturn £'000	Outturn £'000
Capital – DEL*	16,365	19,914	23,022
Revenue – DEL*	137,719	125,654	110,325
Net outturn	154,084	145,568	133,347
Auditors remuneration	-	95	96
	154,084	145,663	133,443
Capital - AME	-	6	6,916
Revenue – AME	306	150	745
Total	154,390	145,819	141,104

⁸ DEL stands for "Departmental Expenditure Limit" and is the budget made available to SCTS for planned expenditure over the course of the financial year – split into revenue and capital funding.

1.1.4 Key Issues, Risks & Future Trends

Ensuring that court and tribunal business is managed effectively is our core function. It relies on a number of independent agencies working together to ensure that people can assert their rights and settle disputes. It supports society by addressing offending and helping those who have suffered from it. Our work is significant in volume, increasingly complex in nature and subject to a high degree of political, public and media scrutiny.

For these reasons, the SCTS places a strong emphasis on planning; identifying and managing risk; and making improvements through sound performance and change management. Predicting future change is important so we can manage and make the most of it.

The SCTS Board, supported by its Audit & Risk Committee and the Executive Team, consider the **key risk areas that must be managed** to support the business; deliver our priorities; and maintain sound controls – based on recognised standards of good governance.

Corporate risks are reviewed approximately every six weeks by the SCTS Executive Team, and at least quarterly by the SCTS Audit and Risk Committee. The SCTS Board sets the overall approach to risk and holds an annual workshop involving members of all its Committees and the Executive Team – at which the strategic risk categories and major risks facing the organisation are reviewed.

This year's workshop took place in February 2021. The corporate risk register was updated throughout the year to ensure it remained current. A summary of strategic risks is provided at page 13.

By its nature much of our work is demand-led. Predicting **business volumes** helps us match capacity to demand, and adapt to shifting trends.⁹ With the rapidly changing nature and impact of the pandemic on criminal business we now publish monthly [management information](#) setting out the level of cases being processed and the projected case backlogs. Projections are carried out as part of our annual business planning process – although the COVID-19 pandemic has required us to continually revisit projections during 2020-21.

Operational performance is monitored at both the local management level and through **organisational KPIs**, reviewed by the SCTS Board. In the past year performance on many key targets was affected by the pandemic. However, we have plans in place to start tackling case backlogs as soon as public health advice deems it safe to do so. We anticipate we will be able to increase trial court capacity in both solemn and summary criminal business from September 2021.

In their ongoing planning, oversight and assessment of future demand, the SCTS Board has identified a number of key issues and

trends that may impact on future performance.

1. COVID-19

When awareness of the outbreak was raised in early 2020 the SCTS reviewed its contingency plans to ensure these were up to date. The March "lockdown" demanded a focus on the most essential business. In response we moved to a restricted operating model in order to maintain essential business, implemented rule and practice changes, increased our capacity for remote hearings across both courts and tribunals and transitioned over 600 staff to working from home. Our priorities in response to the outbreak were to: support the public health response (protecting the life and safety of all users); maintain all essential business to the greatest extent possible; and minimise the accumulation of case backlogs – to facilitate the most effective recovery.

The impact of the pandemic and physical distancing measures continues to pose significant challenges for SCTS, as well as opportunities. Case backlogs have grown considerably but we have plans to address these. Our [modelling reports](#) predict that planned additional capacity should clear solemn case backlogs by around 2025, and summary trial backlogs by around 2024.

Full details of how we responded to the challenges and are building on the opportunities presented by COVID-19 can be found on pages 18 and 19.

⁹ Detailed data on business volumes is available at Annex 1 of this report.

2. Resourcing

Managing within limited resources is a perennial challenge for SCTS. In previous years, we have noted that financial restraint made it more challenging to deal with unplanned events such as COVID-19. While the past year presented unique challenges, we have responded through the delivery of digital solutions that have enabled civil and tribunal business to operate at close to pre-pandemic levels. Further, we have restored full capacity in solemn criminal proceedings. Some of the innovations have been world-leading – and we acknowledge the additional financial support provided by the Scottish Government to support the response in the short term.

Our report, [COVID-19 Respond, Recover and Renew – Supporting Justice through the pandemic and beyond](#), summarised our approach to recovery and how the justice system can draw on this experience to build a more just, resilient and efficient system. The SCTS Board is of the view that sustained investment will be required both to support the recovery of [criminal case backlogs](#) but, perhaps even more importantly, to capitalise on some of the changes in operation that have seen a “proof of concept” carried out due to the need to respond to the pandemic. If resourcing only allowed us to get back to where we were before COVID-19 that would present a missed opportunity in developing a more flexible, user-focused and ultimately more efficient service.

3. Managing change and reform

The Coronavirus (Scotland) Act 2020 provided the statutory basis for the SCTS to introduce a range of reforms at pace that helped manage the consequences of the pandemic. A number of these changes will be core to the longer term reform that will create a fairer and more efficient justice system: reducing the need to travel, minimising paper usage and embedding a more agile system that is accessible, fairer, more resilient and future ready.

The digital and virtual case management systems we now have in place are in line with the vision set out in our Corporate Plan. As we move forward, new legislation will be required to ensure the legal framework which has supported that reform in the short term can provide a better, fairer and more resilient service for the long term. We will work with our partner justice organisations to provide evidence in support of any new legislation that the Scottish Government may bring forward.

4. Data and cyber security

The past year has challenged us like no other time in recent history. It has brought into sharp focus how critical digital technologies are to our lives, and to the effective and efficient functioning of the justice system. We have made real advances in a short period of time. This has required continuous infrastructure development and business application innovations. Whilst digital has been part of the solution during the current crisis, we must be aware that it could

be part of the challenge in the future. As we rely more on digital systems, our need to focus on cyber security and contingency planning will grow.

We have a dedicated team of cyber security specialists in place and a continuous improvement plan, linked to the [National Scottish Cyber Resilience Framework](#). This will ensure the digital systems we have in place and the services we develop are safe, secure and resilient as we continue to adapt to the demands of operating online.

5. Supporting our workforce

Like so many organisations we owe our staff a debt of gratitude for their exceptional service this year. Whilst we have sought to train and support them through this very challenging period, both the SCTS Board and Executive Team recognise the importance of our people being able to recover and reflect on the past year whilst being supported and equipped to manage the changing way in which we now carry out our business. Ensuring that we continue to engage, support, train, recognise and collaborate with all our colleagues will be a key area of focus for the coming year.

Strategic Risk Categories – Identified & mapped by the SCTS Board (at February 2021)

Strategic Risk Category	Principal Corporate Risk monitored by SCTS Board and Audit & Risk Committee	Untreated Risk Score Aug 2021	Treated Risk Score Aug 2021	Target Risk Score
1. Workforce Wellbeing & Skills	Failure to maintain a skilled, motivated and adaptable workforce to meet current and future needs	16	12	6
2. Health, Safety & Security	Significant health & safety or security breach	16	9	6
3. Service Resilience & Continuity	Essential business & services compromised due to critical incident(s)	20	9	6
4. Data & Cyber Security	Significant data/system loss caused by failure in information management controls or cyber-attack	20	9	9
5. Change Management	Failure to deliver planned key reforms in the SCTS Corporate Plan and broader Justice Strategy	16	9	6
6. Financial Pressures	Financial shortfall impacts ability to resource and maintain core business or deliver reform programmes	20	12	9
7. Brexit & Constitutional Change	Wider policy/constitutional change impacts on the SCTS' ability to deliver core business or reform	16	6	4
8. Climate Change	Failure to progress towards a sustainable carbon neutral position by 2045 as set by government	20	9	6

Risk Impact Descriptors ("I")

Rating	Indicators
5 Catastrophic	<ul style="list-style-type: none"> Disastrous impact on business continuity or ability to meet Objectives Permanent damage to Agency's reputation and/or Cost implications which would require Ministerial Intervention High danger to staff and public
4 Major	<ul style="list-style-type: none"> Severe impact upon business continuity or ability to meet Objectives Significant damage to Agency's reputation and/or Cost implications which would require major restructuring of Agency Budgets Medium danger to staff and public
3 Moderate	<ul style="list-style-type: none"> Significant impact on business continuity or ability to meet Objectives Some damage to Agency's reputation and/or Sizeable cost implications Breach of Health & Safety Legislation obligations resulting in low danger to staff and public
2 Minor	<ul style="list-style-type: none"> Slight impact upon business continuity or ability to meet Objectives Limited impact on Agency's reputation and/or Minor cost implications Minor breach of Health & Safety Legislation
1 Insignificant	<ul style="list-style-type: none"> Minimal impact upon business continuity or ability to meet Objectives Few, if any, reputational or Cost implications

SCTS Risk Heatmap

	Rare	Unlikely	Possible	Likely	Almost Certain
Catastrophic	5	10	15	20	25
Major	4	8	12	16	20
Moderate	3	6	9	12	15
Minor	2	4	6	8	10
Insignificant	1	2	3	4	5

Risk scores are determined by multiplying risk impact (I) and likelihood (L), together

Risk Likelihood Descriptors (L)

Rating	1	2	3	4	5
	Rare	Unlikely	Possible	Likely	Almost Certain
Indicator	<5%	5-25%	25-50%	50-75%	>75%

1.2 Performance Analysis

1.2.1 Performance Measures – Business Plan Outcomes & KPIs

Throughout the year the SCTS Board monitored ongoing delivery of its 2020-21 Business Plan Outcomes. 28 outcomes were set in the plan, of which 23 were fully completed. Five were partially delivered, with full delivery scheduled for 2021-22. A more detailed year-end report on all 28 outcomes is available on the SCTS website¹⁰. Commentary on a range of the outcomes delivered during the year is available from page 18 in the *Development & Performance* section of this report.

In addition to reviewing our performance against these outcomes, the SCTS Board also appraises the organisation's broader performance on a quarterly basis through its **key performance indicators (KPIs)** scorecard. A summary of the KPI measures is on page 16. The full-year scorecard for 2020-21 has also been published on our website¹¹.

Our KPIs are aligned to our **strategic priorities**, allowing the SCTS Board to maintain oversight of core service delivery, key operational and corporate processes and wider performance.



The SCTS's strategic priorities

The KPIs are subject to review to ensure they remain relevant and stretching. Due to the considerable uncertainty caused by the COVID-19 pandemic during 2020-21, the SCTS Board decided not to change any of its KPIs. Whilst it quickly became apparent that the pandemic would have a detrimental impact on a number of them, the Board took the view that it was important to report that impact using the well-recognised and understood targets set in the scorecard. The measures will be reviewed during 2021-22 to ensure that they are up to date and will drive activity to support both an organisation and system-level recovery.

In addition to providing an exception-based report on performance, the KPIs provide the SCTS Board with a means of assuring that the organisation is carrying out activities intended to mitigate **key risks** and **manage uncertainty** so far as possible.

Key corporate risks in relation to areas such as staff engagement, financial constraint and sustainability are subject to measurement through specific KPIs in the scorecard. These relate to employee engagement measures, training data, expenditure and income profile and carbon footprint measures – in addition to an assessment of the delivery status of the organisation's change portfolio. Measuring

these areas cannot eliminate risk entirely, but it does provide visibility of the current position and helps manage uncertainty by providing evidence-based insights on changes as they occur.

Due to the challenges of COVID-19, Seven of the 18 Board KPI scorecard indicators were in exception for all or the majority the year. These related to:

1. Indicator 2(b): Disposal of summary criminal cases within 26 weeks. This measure covers the period from Police caution and charge, through prosecution of an accused until the verdict at trial. In order to support the public health response to the pandemic, SCTS moved to a 10 "hub" sheriff court operating model during the early phase of the pandemic to maintain the most essential business, but this did significantly reduce capacity. We were one of the first public sector bodies to reopen premises in June 2020, but even as courts re-opened they had to operate at reduced business levels. Further restrictions on summary court business were introduced from January to April 2021, in response to the winter surge in cases.

Whilst our contingency planning, combined with an increased use of remote and virtual hearings allowed the most essential business to be maintained, this system-wide target was not achieved over the past 12 months.

¹⁰ The SCTS Business Plan Delivery Report, which provides a summary of progress against all 2020-21 Business Plan outcomes is available on the SCTS Board page of the SCTS website:

<http://www.scotcourts.gov.uk/about-the-scottish-court-service/the-scottish-court-service-board>

¹¹ The KPI scorecard is also available on the SCTS Board page of the SCTS website – see link in note 10, above

2. & 3. Indicators 6(a) and 6(b), which measure the time between a summary case first calling in the Sheriff and JP court (respectively) and the date of the trial diet, reported either amber or red throughout the year. The target of under 17 weeks was not achieved, for the same reasons as indicator 2b. Waiting periods were between 17.7 and 21 weeks. The SCTS has secured additional funding in 2021-22 to run 10 additional summary trial courts, from September 2021, to deal with the increased criminal case backlog, although modelling suggests it may take a period of several years for case backlogs to recover to the levels considered optimal.

4. Indicator 6(c): the proportion of summary trials at which no evidence was led, and were subsequently adjourned to a further diet. This indicator was red throughout the year due to the requirement to postpone a large proportion of summary trials during the peaks of the pandemic. The need to maintain physical distancing measures has also reduced trial capacity as courts re-opened. Performance in relation to this KPI should improve from April 2021 as summary trials resume – and will improve further from September 2021 as up to an additional 10 summary courts are introduced. Any increase in business to address backlogs will only commence if the public health advice deems it safe to do so.

5. Indicator 6(d): Court business waiting times (non-summary). This indicator was amber in Q1 and red for the remainder of the year, due to

delays in the High Court. However, in response to the pandemic, the SCTS took an innovative approach to enable 15 person jury trials to resume with the establishment of remote jury centres throughout Scotland. By February 2021, pre-COVID solemn trial court capacity in both the High Court and Sheriff Court had been restored. In March 2021, 51 High Court evidence led trials, and 100 sheriff solemn trials commenced – some 23% and 6% higher, respectively, than the same period pre-COVID. The SCTS has also secured funding to increase solemn trial court capacity, in both the High Court (four additional courts) and Sheriff Court (two additional courts) from September 2021, to start tackling the backlog of cases.

6. Indicator 6e – Effective Tribunal Operations. Whilst this indicator returned to green by the end of the year, it had reported amber across Q1-3, due to restrictions on case processing levels and times caused by the pandemic. The return to green has been facilitated by extensive use of virtual hearings via video or tele conference facilities.

7. Indicator 8(b): Fines and fee income. This indicator was green in Q1 and red for the remainder of the year. As a result of COVID-19, civil fees and retained fines income dropped significantly in 2020-21 due to a reduction in civil court actions and reduced fines enforcement. A total of £30.2m was recovered, 22% below forecast.

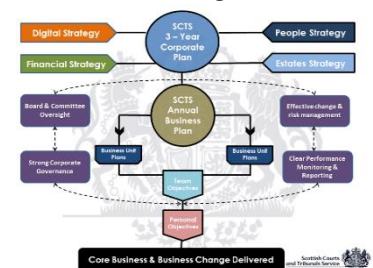
Two other measures were in exception for one quarter of the year – these related to:

1. Indicator 4(a): Annual Expenditure on Backlog Estate Maintenance. This indicator reported red for quarter 1 but green for the remainder of the reporting period. The target spend on backlog maintenance the SCTS set was £5.07m – which we were not able to budget for in full at the beginning of the year. However, during 2020-21 we invested £6.862m. This was possible due to additional funding that became available during the year.

2. Indicator 8a – Expenditure profile. Budget reporting for quarter 1 indicated the potential for an overspend on the annual budget. Action was taken to ensure this returned to green and end-year expenditure remained within budget.

Longer-term objectives and strategies

The annual performance reporting provided by our Business Plan Delivery Report and Board KPI Scorecard sits within a broader framework of the 21 strategic objectives set out in our Corporate Plan 2020-23. In addition to our annual work programme the delivery of these longer-term elements is informed by our four corporate strategies – these set out both the context and our medium term agenda across the key enabling areas of people, estates, digital & finance, as set out in the diagram below.



Summary of SCTS Key Performance Indicators (at March 2020)

Performance against the KPI measures is monitored quarterly by the SCTS Board using its Performance Scorecard. These assess a range of measures relating to delivery of the SCTS strategic priorities, summarised below:

1. A Well Supported Judiciary
1a. Judicial satisfaction levels (assessment of most recent judicial attitudes survey plus qualitative assessment by SCTS Executive Team)
2. Satisfied Service Users
2a. User satisfaction levels (based on SCTS Court Users Survey Data and rating provided in Independent Customer Service Excellence analysis)
2b. Percentage of summary criminal cases disposed of within twenty-six weeks (based on official justice system statistics)
3. Skilled & Motivated People
3a. Employee engagement levels (indicator based around staff turnover, absence levels and survey data)
3b. Delivery of staff development (indicator based around proportion of staff who have completed certain key areas of training and development)
4. Sustainable Buildings & Business
4a. Estate investment (assessment of investment levels to ensure that backlog maintenance is being managed effectively)
4b. Sustainability and carbon reduction (assessment of whether the organisation is meeting carbon reduction targets set)
5. Digital Services
5a. Proportion of application transactions carried out online (measures to assess and drive greater use of online systems, such as online fines payment)
5b. IT system resilience (measure to report on the resilience of core SCTS systems – ensuring these are available for use when required)
6. Efficiency & Best Value
6a. Sheriff summary criminal waiting periods (assessment of the length of time between pleading and trial diets, based on court system data)
6b. JP summary criminal waiting periods (assessment of the length of time between pleading and trial diets, based on court system data)
6c. Summary trial adjourned with no evidence led (proportion of trials called where the substantive business cannot proceed, based on court system data)
6d. Court business waiting times (non-summary). An analysis of twelve key waiting indicators across a broad range of court business, assessing whether waiting times in relation to that business remain within optimal levels
6e. Effective Tribunals Operations – an assessment of 14 key administrative targets monitored by Tribunals Operations Directorate, to ensure that tribunals are effectively administered
6f. Delivering on our change programme – a summary of the delivery status on progress the SCTS is making towards meeting its outcomes
7. Purposeful Collaboration
7a. Assessment of collaboration with other justice bodies and through the Justice Board for Scotland
8. Financial Indicators
8a. Managing expenditure (comparison of actual expenditure with profiled expenditure to the year end, to ensure robust budgeting)
8b. Managing income (comparison of actual fines and fees income received with profiled income to the year end to ensure robust profiling)

The Board Scorecard can be accessed from the SCTS Board page of the SCTS website:
<http://www.scotcourts.gov.uk/about-the-scottish-court-service/the-scottish-court-service-board>

Performance against Business Outcomes 2020-21

Strategic Priorities	Business Outcomes 2020-21				Complete
	<i>Click on the table for a more detailed performance report</i>				Part-complete
A well supported judiciary		We will fulfil our purpose of supporting justice by managing an effective response and recovery from the COVID-19 pandemic, delivering the effective and efficient administration of Scotland's courts, devolved tribunals and Office of the Public Guardian to a consistently high standard using the SCTS Board Scorecard metrics to monitor performance	We will support the judiciary through the significant change to remote and virtual delivery of court and tribunal business necessitated by COVID-19, providing the systems, processes and resources required to manage business in new ways	We will respond to the changing nature of business faced by the criminal courts by supporting the development and implementation of recommendations arising from the Lord Justice Clerk's review of the management of sexual offence cases	We will support the operation and evaluation of pilots in Dundee, Hamilton and Paisley which will assess the benefits of new approaches to dealing with summary criminal business – involving stronger judicial case management and earlier engagement with the parties
Satisfied service users		We will maintain high service standards across the organisation using the Customer Service Excellence assessment programme to verify those standards and ensure that we build on best practice	We will continue to focus on the service we provide to victims and witnesses by supporting the work of the Victims' Taskforce and by reviewing and developing our published service standards, to ensure they are being met and to make further improvements where possible	We will improve the ability of our staff to support vulnerable users by conducting an audit of current trauma awareness levels, developing resources and training on trauma awareness and support	We will develop and pilot a new digital expense payment system, providing a faster, more secure and efficient approach to pay expenses to a range of court and tribunal users
Skilled & motivated people		We will design and implement the first phase of our new People Information System, replacing legacy HR and payroll systems with a flexible, cloud-based solution	We will provide staff with the resources, advice and support to maximise home-working for all appropriate roles — reducing the need for staff to travel or attend the workplace where work can be carried out effectively on a remote basis	We will update our technical and professional learning programmes so that they can be fully delivered on-line — allowing training to take place at the right time, with the right people an during COVID-19 restrictions	We will develop and introduce a range of remotely accessible training tools, resources and support to ensure that staff have the skills and confidence to deliver court and tribunal hearings digitally
Sustainable buildings & business		We will retain our position as a leading public sector organisation in sustainability by retaining Carbon Trust Triple standard accreditation and meeting our demanding carbon reduction targets	We will develop proposals for future investment in the courts and tribunals estate to support the Scottish Government's planned capital spending review	We will continue to invest in our estate to address backlog maintenance ensuring that our historic buildings provide a safe, secure and suitable environment in which to deliver business	We will explore the potential to rationalise the court and tribunal estate in Edinburgh to improve efficiency, sustainability and collaboration – developing a proposal to inform future investment
Digital services		We will introduce a new case management system in the Court of Session, commencing with personal injury cases, replacing end of life systems and providing improved analytics and resilience	We will design new case management systems for areas of the business, such as the Office of the Public Guardian and devolved tribunals, as funding allows, to support online submission and end-to-end digital case management	We will maintain investment in our core digital infrastructure – realising the benefits from the introduction of Windows 10, adding video conferencing to our unified communications system and maintaining our ability to share information securely – benchmarking against the "Cyber Essentials Plus" accreditation	We will work in partnership with the Crown, legal profession and the 3rd sector to extend the use of virtual hearings in appropriate cases — ensuring that the technology is in place to support high quality hearings, maintaining capacity whilst reducing the number of people required to appear in person
Efficiency & best value		We will develop a website strategy, setting out our approach to consolidating the existing multi-supplier SCTS web-presence	We will develop and implement a new Procurement Strategy – delivering £250k of efficiency savings through further improvements in practice	We will recommence solemn criminal trials, scaling up capacity through the establishment of remote jury centres that support physical distancing requirements and piloting remote jury balloting to reduce the need for large numbers of potential jurors to attend court	We will continue to manage criminal business levels effectively – using the resources available to achieve the target optimum period between first calling and trial diet of 16 weeks in summary business and 8- 10 weeks in domestic abuse cases wherever possible
Purposeful collaboration		We will support the work of the Justice Board for Scotland and Scotland's six local criminal justice boards, working collaboratively to manage the response and recovery from COVID-19	We will, at the appropriate time, conduct a full debrief and lessons learned exercise from the COVID-19 pandemic, sharing this with our partners across the justice system	We will provide administrative support to the Scottish Civil Justice Council and Scottish Sentencing Council so that they can deliver their distinct work programmes to a high standard	We will continue to work with the Scottish Government and other justice partners to oversee transitional arrangements to manage the impact of Brexit, ensuring rules of court are amended where necessary and that any operational impacts on the justice system are minimised

1.2.2 Development & Performance 2020-21

COVID-19		One of our main priorities this year has been to respond, recover and renew as a result of the COVID-19 pandemic	
Maintain public trust & confidence in the justice system, prioritising action to preserve safety & order	Support the public health response – protecting the life and safety of all justice system users and staff	Maintain the operation of the those parts of the system regarded as essential	Maintain core operations so far as possible – to support the most effective recovery

Our annual business plan sets out the key activities and outcomes we focused on in 2020-21. This is the first year of our **Corporate Plan 2020-23**.

Over the course of an unprecedented year of change and uncertainty, the importance of maintaining and delivering justice cannot be underestimated. Across the justice system the police, Crown, courts and tribunals staff, legal profession and a range of voluntary agencies have worked together to manage the response to COVID-19 and to develop approaches that will allow the justice system to recover and flourish in the future.

Through these efforts the most essential business has been maintained and we have also been able to demonstrate that new and different ways of operating are possible – using electronic communications and remote hearings – speeding us towards a number of the objectives set out in our [Corporate Plan](#).

Public Health Response

Throughout the pandemic we have followed Health Protection Scotland's (HPS) [COVID-19 – guidance for non-healthcare settings](#) and the [Scottish Government's COVID-19 Strategic Framework](#), to ensure that our operations were COVID-19 safe, minimising the risk of virus transmission. Prior to re-opening buildings in line with the Scottish Government framework, we developed an

overarching risk framework and risk assessed all premises. We undertook estate-wide space planning to ensure we could maintain 2m physical distancing across our entire estate, underpinned by maximum safe occupancy levels, clear signage and floor markings. When re-opening commenced in June 2020, all our buildings adopted enhanced daily cleaning regimes, meeting the British Institute of Cleaning Science standards for “environmental decontamination” set out in HPS' guidance.

Sanitising wipes and gel, face-coverings and gloves have been made available to all staff and service users as required. Across the estate, all air-conditioning systems were set to 100% fresh air in line with Government and industry guidelines. We published clear guidance on our website explaining what those coming to our buildings could expect and, in turn, what we needed them to do to keep everyone safe. We have kept our internal and external guidance updated as government guidance has developed. To support NHS Test and Protect, in October, we introduced the GDPR-compliant SAFE2GO contact-tracing app across all our buildings.

In total we have invested more than £750,000 adapting our estate to meet public health standards, and continue to do so in response to the public health need.

Managing Business

Between the end of March and August 2020 we:

- **Re-started High Court jury trials** in Edinburgh and Glasgow;
- Provided **virtual hearing technology for the Court of Session**, enabling all business to be conducted remotely;
- Created a **network of video conferencing links between court and police custody suites** to support remote appearances for those with suspected COVID-19;
- **Piloted virtual criminal hearings across the sheriff courts**, establishing a system allowing solicitors to represent clients remotely;
- **Transitioned over 500 staff and many judicial members to home working**.



Extensive safety measures were introduced estate-wide

In August 2020, we published the report, [COVID-19 Respond, Recover and Renew – Supporting Justice through the pandemic and beyond](#). It set out our approach to response and recovery, including our emerging views on longer term reform. Since then progress has continued, building on the

significant innovations made. These included:

- **Opening a nationwide network of remote jury centres for High and Sheriff court cases**, using state-of-the-art technology, jurors could view criminal court proceedings safely from remote locations. By November 2020 the High Court was operating at pre-COVID trial capacity, matched by the Sheriff Courts in February 2021;
- **Online submission** for personal injury cases and the launch of our **integrated case management system in the Court of Session**, supporting online case submission;
- The use of **WebEx video conferencing** to support fully virtual Court of Session business;
- The introduction of **virtual hearings** across Sheriff Court civil cases, including proofs, debates, and Fatal Accident Inquiries;
- **A successful pilot of virtual summary trials**, paving the way for wider implementation;
- **Tribunals operating at business as usual levels** using a hybrid model similar to the Court of Session;
- **Enhanced technology** allowing remote appearance and representation in criminal custody cases significantly reducing footfall.

By the autumn of 2020 a second COVID-19 wave was emerging. In January 2021, faced with a deteriorating situation, the Lord President [announced](#) that criminal courts would focus on the most serious trials only. The majority of summary trials were adjourned until April, reducing footfall in the Sheriff Court by around 75%

in support of the public health effort.

With the rapidly changing nature and impact of the pandemic on criminal business we now publish monthly [management information](#) setting out the level of criminal cases processed and projected case backlogs. In March 2020 there were 390 scheduled High Court trials, approximately 500 Sheriff Court solemn trials and almost 14,000 sheriff summary criminal cases in the system. The system generally has a scheduled “backlog” around these levels, the bulk of which represents a caseload that will be managed through the system within timescales considered suitable.

By March 2021, the forecast backlog had risen to over 770 High Court trials, over 2,700 Sheriff Court solemn cases and over 35,000 sheriff summary cases. Additional backlogs across civil and tribunals business have largely been avoided using virtual hearings: this was not possible for all criminal business, where the need for personal appearance is greater.



Webex is here when the world needs to connect, communicate and collaborate.

CISCO WebEX – the tool we have used for online hearings

Renewing with Resilience

Concerted efforts will be required over the coming years both to address the case backlogs that have developed and to ensure that we build upon the positive changes and

innovations that have been tried and tested in response to the pandemic. Working with Criminal Justice Board partners, we have developed proposals to reduce criminal case backlogs. The impact of these is set out in [four modelling reports](#) published by SCTS. Investment will be required across the justice system to increase case throughput. The Scottish Government have committed £50m in 2021-22 to support the recovery. SCTS will use its share of this funding to launch 16 additional criminal courts (from September 2021 provided it is safe to do so).

- 4 High Courts
- 2 solemn Sheriff Courts
- Up to 10 summary sheriff courts

Our modelling projects that the additional capacity should address solemn case backlogs by 2025, and summary backlogs by 2024. It may be possible to further accelerate elements of this work – provided all those involved in the criminal case process work together and have the resources to support planned business levels.

Our work in response to the pandemic has accelerated our drive towards a more digital justice system, even as our ability to deliver in more traditional ways recovers. We will continue to renew with resilience, building a system for the future that reduces the need for travel, minimizes the need for case papers, utilises both buildings and systems in a more agile fashion and is more accessible, efficient and flexible than its pre-pandemic self.

A Well Supported Judiciary

Scotland's judiciary are equipped with the right people, systems, technology and processes to ensure they can dispense justice effectively

The SCTS Board is judicially led. We work to support the judiciary so they can carry out their independent role effectively – ensuring they have the right support and resources to fulfil their purpose.

Relationships with the judiciary have been strong over the past year, evidenced by the [Judicial Attitudes](#) survey, published in February 2021, which recorded that a record high level of the Scottish Judiciary feel valued by court staff.

Throughout the past year the SCTS has worked tirelessly in partnership with the judiciary, to implement changes so that court and tribunal business could continue. By working together as new arrangements were developed we have benefitted hugely from judicial experience and insight.

[High Court jury trials re-started in July 2020](#) informed by a broad range of views from a cross-justice working group, led by the Lord Justice Clerk. Two methods for running trials were tested – one using technology to enable the jury to view the trial from a second court room and the second involving the use of remote jury centres. The first remote jury centres became operational in September. By November 2020 the High Court was operating at pre-COVID capacity. By February 2021 Sheriff Court solemn business had also returned to pre-COVID levels.

In the sheriff summary criminal courts, a working group, led by Sheriff Principal Pyle, oversaw a successful pilot of the UK's first ever **virtual summary trial** at

Inverness Justice Centre on 9 June 2020. Over the year, a number of further virtual trials were held, and the [Summary Criminal Virtual Trial Pilot](#) report was published. Work is ongoing to explore the potential for greater use of virtual trials, focusing on domestic abuse cases. This new approach would ensure that only the accused(s) and their solicitor(s) would be required to attend in person.

Since early in the pandemic the Court of Session has been operating entirely as a virtual court using WebEx video conferencing and operating at business-as-usual levels. A hybrid model, using video and teleconferencing supported the ongoing work of the Sheriff Appeal Court and Bail Appeal Court. A mixture of both video and telephone hearings was used to maintain tribunals' operating capacity at around pre-COVID levels. Specially trained staff and expert digital teams have supported the judiciary throughout, ensuring that business has been well-managed in spite of the steep learning curve for all involved.

The majority of solemn trial business dealt with in the High Court relates to allegations of sexual offending. These cases tend to be more complex, leading to longer case times. In 2019 a wide ranging cross-justice review into the prosecution of sexual offences was set up, led by the Lord Justice Clerk. Their final report, [Improving the Management of Sexual Offence Cases](#), recommended a number of key changes such as the creation of a new national specialist Court with trauma

-informed procedures and a much greater use of pre-recorded evidence. The report was submitted to Scottish Ministers following its publication in March 2021. SCTS is considering recommendations that can be implemented in early course.

In August 2020, Lord Woolman became the new President of the Scottish Tribunals. The programme of **Tribunals reform** continued throughout the year, with the transfer of the Parking & Bus Lane Appeal tribunal to the First-tier Tribunal for Scotland General Regulatory Chamber. Further expansion has also taken place in the Social Security Chamber as it prepares for increasing business levels in the coming year. This has included work to develop a new digital expense payment system for the larger number of applicants who will be using the system in future.



Lord Woolman, President, Scottish Tribunals

Ensuring the judiciary have access to high-quality learning has been a crucial focus of the Judicial Institute this year. Through their bespoke online learning platform – the Judicial Hub – “just in time” learning has kept the judiciary informed of legislative changes and case updates. Virtual judicial training has provided judges with essential training on working in the new virtual environment.

Satisfied Service Users

We will consistently deliver high-quality customer service, inspiring confidence in those who use our services, promoting inclusiveness and developing our understanding of customer needs through ongoing feedback and quality assessment

The importance of maintaining trust and confidence in the justice system was brought into sharp focus this year. Where our services traditionally relied on face-to-face interactions and provided opportunities to assist victims, witnesses and other service users with in-person support, the pandemic demanded that we adopt new approaches so that justice could continue in a safe environment.

An effective justice system cannot fulfil its functions unless witnesses come forward. Significant changes have been made in recent years to recognise the interests of vulnerable witnesses. [The Vulnerable Witness \(Criminal Evidence\) \(Scotland\) Act 2019](#) allows for evidence from child witnesses', in the most serious High Court criminal cases, to be pre-recorded, to minimise potential trauma from court appearances. Evidence by Commissioner hearings play a key role in supporting vulnerable witnesses, and build on the work of the [Evidence and Procedure Review](#). Custom-built Evidence by Commissioner facilities in Glasgow could not be used early on in the pandemic.

Two suites were successfully reconfigured in-year for physical distancing, supported by WebEx for remote appearances, allowing these essential hearings to resume. Further evidence suites were set up in Glasgow and Edinburgh increasing our capacity to support evidence taking for High Court trials. Ongoing development of facilities in Inverness and

Aberdeen will increase capacity over the coming year.

The [Standards of Service for Victims and Witnesses](#) report focused on the steps taken by justice organisations to help victims and witnesses feel supported, safe and informed throughout their journey. The SCTS has worked closely with third sector organisations to ensure victims are supported, feel reassured and have confidence in the justice system. Working with the Victim Information and Advice service, we maintained a number of external witness sites to support vulnerable witnesses in giving their evidence at trial – in a COVID-19 secure environment.

The [SCTS Mainstreaming Equality Report 2021](#) was developed during the year and provided a progress update on delivery of [the SCTS Equality Outcomes 2019 – 2023](#). The report records the hard work carried out across the organisation over the past two years to embed equality and diversity, in partnership with other justice organisations.

Effective communication has been key to keeping service users informed. Our website has been a critical communications tool during the pandemic. As the use of virtual hearings increased a range of advice and practice notes was published. We [published more than 20 external guidance](#) documents, giving service users and the media support to operate and observe hearings in new virtual environments. These included

guidance on participating in civil, criminal and tribunal virtual hearings.

Guidance on attending court during the pandemic, attending for jury service and the stringent health and safety measures in place to keep people safe in our buildings was regularly updated.

Our work supports the core of [Scotland's National Performance Framework](#); as it promotes a "society which treats all people with kindness, dignity and compassion, respecting the rule of law and acting in an open and transparent way". The pandemic has highlighted that safeguarding human rights is crucial to our society. Article 6 of the European Convention of Human Rights enshrines the right to a fair hearing before an independent and impartial tribunal, and is as important now as ever.



The work of the SCTS promotes observance of other key rights, including:

- The right to recognition as a person before the law;
- The right to be treated as equal before the law;
- The right to an effective remedy for acts violating a person's human rights; and
- The right to be presumed innocent until proven guilty in a public trial.

Skilled & Motivated People

We will maintain a skilled and motivated workforce supporting the judiciary and providing excellent customer service across the tribunals, courts and Office of the Public Guardian

People are at the heart of our organisation. We employ over 1800 staff, who share a commitment to support justice and deliver a high-quality service. During this most challenging of years, our people have responded with creativity, commitment and resilience, supporting day-to-day business whilst modernising at pace. We introduced a range of training and in-year support for their development and wellbeing.

In spite of the year's challenges, we maintained strong results in the annual [UK Civil Service People Survey](#) with an overall engagement score of 64%. Three themes emerged on which we will focus in partnership with the Public and Commercial Services (PCS) Union over the coming year: safety and wellbeing; communications, and; managing changes to the way we work.

Similar themes were identified at our annual programme of Summer Engagement events led by our CEO, which took place virtually by WebEx. Over eight online discussion sessions, staff took the opportunity to share ideas and concerns, much of which focused on the pace of change and impacts of COVID-19 on the working environment including home working.

Since March 2020, we have transitioned over 600 staff to regular home working, issuing over 1,100 laptops and home-office furniture. We backed this up with a full suite of regularly updated guidance, a monthly newsletter, and regular COVID-19 updates on our intranet and

external staff only site. This package helped ensure staff were fully up-to-date with public health and wellbeing advice, whether at home or in the office.

In July, we launched a Technical Training Zone on our learning platform "Delta", providing learning packs, access to trainers online and a discussion forum for staff to share their views. By the end of the year over 50 training and guidance documents covering virtual business delivery were produced, and weekly "digital clerking" training – operating since June 2020 – had supported over 350 staff with just-in-time training on the new processes and ways of working.

Despite the constraints, we concluded both our *Leadership Now and For the Future* Programme, and *First Line Leaders Programme* in early 2021. Online learning offers great flexibility and our "Espresso Leadership" sessions – providing short leadership lessons based around popular stories – have been particularly well-received.



DELTA – our online learning platform

The annual Learning at Work Week programme, led by our Education & Learning Unit, provided staff with the opportunity to participate in a number of virtual events celebrating the theme of 'Learning Journeys'. Events included a talk on inspirational woman in leadership, WebEx

drop-in familiarisation sessions and various interactive team building events using resources on Delta. A virtual International Women's Day Coffee Morning saw a panel of guest speakers, including two of SCTS' senior women, reflect on career challenges and achievements as part of our Women in Leadership programme.

Our new cloud-based People Information system, iTrent, successfully launched in November with Phase 1 supporting salary payments and expense claims. This was the first step in fully modernising our People systems. Phase 2, which will provide a new recruitment module, is now in development.

Underpinning this work, a new Recruitment and Resourcing Strategy for 2020-2023 was published. Aimed at streamlining recruitment processes and addressing the challenges of meeting future business and demographic challenges, it outlines key activities across four key themes: clarity; efficiency; diversity; and flexibility.

The SCTS did not access the Government's furlough scheme; as most staff were fully employed throughout the pandemic. In recognition of this we provided support to our staff by offering to cover the cost of 'flu vaccinations for staff under 55 who were not otherwise eligible for free support.

The efforts of our staff – and of all those supporting the justice system during the pandemic – have been tremendous. We wish to record our thanks to them all.

Sustainable Buildings & Business

We will develop and maintain our built and digital infrastructure to provide a high-quality, safe, secure and sustainable environment for everyone using our service

Throughout the pandemic key parts of our estate have remained open – and remained, central to providing access to justice for everyone.

The SCTS estate comprises 71 buildings spread across Scotland's communities. We operate from 51 distinct locations across six sheriffdoms, together with 13 remote video witness sites. Tribunals make use of up to 70 further hearing venues. The map at Annex 2 shows our estate locations: 39 sheriff and justice of the peace courts, the Office of the Public Guardian in Falkirk, and Tribunal administrative centres in Glasgow, Edinburgh and Hamilton. We are responsible for 28 listed buildings. The specialist nature of many of our buildings means open market valuation is not appropriate and instead the [Depreciated Replacement Cost](#) method is used. As of 31 March 2021 the total estate holding value was £504 million. Our next valuation is due in 2024.

Only by order of the Scottish Parliament can court locations be created, moved or closed, and so alternative uses are limited. Our [Estates Strategy](#) sets out our approach to developing, maintaining and investing to ensure our assets support the operation of justice.

We take seriously our duty to ensure our buildings are safe, fit for purpose, accessible, secure, sustainable, and future-proofed. The digital innovations we have introduced over the past year have necessitated sensitive building alterations, often requiring building consents, such as installation of state-of-the-art

video equipment to support restarting jury trials.

Despite the construction limitations the past year presented, our new court Annexe at Kirkcaldy Sheriff Court opened. The two new spacious criminal courts and custody suite have provided welcome flexibility in managing physically distanced business, including remote jury trials and teleconferencing.

Tackling backlog maintenance, the primary purpose of which is to ensure our estate remains safe, wind and water tight, is an ongoing priority. This year we invested over £6.5m in estate improvements.

Arbroath Sheriff Court was transferred to the Arbroath Community Courthouse Trust for a nominal fee of £1 under the Community Empowerment Act. Future proposals for the building include providing life-long learning and increased participation in creative activity such as arts events to bring wider community benefits.



Arbroath Sheriff Court – transferred to the local trust for £1

The Inverness Justice Centre, our flagship building, won Gold at the [National Site Awards](#), taking the prestigious category "Most Considerate Site". The award recognised high performance against the Scheme's 'Code of Considerate Practice' in the

context of community, environmental and workforce considerations, including technologies developed to offset the site's carbon footprint.



Inverness Justice Centre by evening light

Sustainable Performance

SCTS has a strong record of sustainability. We submit detailed sustainability reports setting out progress made each year. These reports are published on the [Sustainable Scotland Network website](#).

In 2019 we were awarded the prestigious *Carbon Trust Triple Standard accreditation*. We are proactive about reducing estate carbon emissions: and despite higher gas and electricity usage in 2020-21, due largely to 100% fresh-air ventilation across our buildings required to meet public health guidance, and increased heating costs, we have sustained year-on-year reductions amounting to 11% since 2016-17.

In-year spending on sustainability projects totalled £1.2m and included a range of large-scale energy efficient lighting replacement. We also upgraded our pool car fleet with electric vehicles.

Digital Services

We will place digital innovation at centre of what we do and maximise the opportunities afforded by technology to improve processes, provide easy access to information, minimise physical appearance and support quicker outcomes

Our 3-year Corporate Plan and our [Digital Strategy](#) set our vision to create an increasingly digital service. Digital transformation has been at the heart of our response to COVID-19 and is a core element of our recovery plans. The need to develop solutions both to react to the pandemic and to recover effectively has seen us transition to an agile-responsive change framework, enabling rapid growth and deployment of high-quality solutions across our business areas.

In April 2020, Cisco WebEx enabled the first-ever virtual Court of Session hearing in the Inner house. In May, Inverness Justice Centre hosted the first-ever virtual sheriff court hearing, and in June, the first-ever UK virtual summary trial was piloted in Aberdeen. WebEx provides a secure virtual platform able to host up to 1,000 participants – allowing the public to attend hearings virtually. By late summer, through a combination of WebEx and teleconferencing solutions, the Court of Session was operating entirely virtually at close to business-as-usual levels.

WebEx was also fully supporting sheriff court civil business, including proofs, debates, and Fatal Accident Inquiries. The Sheriff Appeal Court and the All-Scotland Sheriff Personal Injury Court were also operating virtually. Increasingly sheriff court criminal hearings are proceeding virtually – including custody hearings, where a successful pilot in Falkirk is being used to inform a wider roll-out.

For staff working at home the range of tools to support remote working, including WebEx and

our unified communications platform, have enhanced our communications ability, allowing staff to host virtual meetings and training. We now support up to 700 staff working remotely at the same time, alongside the ever-expanding breadth of virtual hearings in operation.

To support these advances in a short period of time continuous infrastructure improvements and business application innovations have been required – our Digital Services teams have gone the extra mile to enable other staff to do likewise.

In September, we set up our first jury centre in Edinburgh, enabling jurors to view trials remotely in a safe and secure environment. Our jury centres have extremely secure IT infrastructure, highly sound-proofed rooms, and secure and stable internet bandwidth. Court proceedings are broadcast to the jury and vice-versa in real time via multi-screens and cameras, with capability for remote witness attendance and evidence viewing, all from the jury centre room.



Cameras capturing juries

This has been a significant undertaking, requiring cross-justice support and funding from the Scottish Government. Feedback has been overwhelmingly positive, and we expect the model to be a core

aspect of the criminal recovery programme, scheduled to commence in September 2021.

In the Supreme Courts, the first phase of our new Integrated Case Management System (ICMS) went live. Supporting new personal injury actions, the system allows the electronic submission of case papers, and is the first step towards full digitisation of case management in the Court of Session.

A new Application Programming Interface (API) for Civil Online was released in September, enabling legal firms to transfer simple procedure applications from their own digital case management systems directly to our system, Civil Online, with the option to register bulk submissions. Court rules were introduced in December making electronic submission of simple procedure cases mandatory for professional court users.

A pilot to automate Walls of Court publications was launched in Airdrie Sheriff Court, as part of our COVID-19 response. Where previously public notices were printed and displayed manually on the Walls of Court, these will now be submitted automatically to a central team who publish them on the SCTS website, improving efficiency and freeing up operational resource.

Information security & Cyber resilience

Expansions in digital services bring with them an increased cyber-security risk profile. We have invested in a specialist team commensurate with our growth, to develop tools and continually assess our resilience to threats.

Efficiency & Best Value

We will keep our processes under review to make sure that we deliver business in an effective, reliable and economical way

The past year has demanded rapid changes to processes and ways of working, in order to keep each other safe. We have focused on protecting lives and ensuring the safety of staff and service users, whilst keeping the most essential business going. Case backlogs have increased, (*statistics are provided at annex 1*) and expenditure was necessary to ensure our buildings were as safe as possible. Faced with these challenges the need to focus on efficiency and best value wherever possible has been more important than ever.

Our Procurement Team was one of five finalists selected for 'Procurement Team of the Year' at the [GO Awards Scotland](#) – Scotland's leading public procurement excellence awards. They were awarded the "Highly Commended" rating. Since 2019, the team has delivered contract savings of more than £1.7m against a target of £500k over two years. Procurement have played a key role in ensuring that contracts awarded during COVID-19 have provided value to the organisation.



The SCTS Procurement celebrate success

Following a pause on fines enforcement during the height of the pandemic, we launched a national helpline and [online form](#) so those with outstanding fines could seek support from Fines Enforcement Officers (FEOs) –

who can provide information and advice to prevent undue financial hardship. Fines collection has remained strong throughout the year, with 80% of the value of Sheriff Court fines imposed between April and September 2020 either fully paid or on track to be paid by instalments.

Whilst jury centres have been key to re-commencing solemn trials, our bespoke remote jury balloting system has limited the number of people needing to attend for jury service much closer to the fifteen members selected – an essential innovation at a time when unnecessary journeys were to be avoided.

Creating the best environment in which jurors would feel safe was a real collaborative effort. Juror citations are issued with a [Jury Information Sheet](#) explaining the process, supplemented with [a pamphlet describing the measures put in place](#) by SCTS to ensure the safety of all involved. In addition, to support jurors, witnesses and practitioners in understanding how trials now operate, we [produced three films](#). All materials are available on the SCTS website juror pages. These videos have been viewed over 16,000 times since they were released in December.

With over 20 million views this year – around 50,000 per day – our [website](#) is a key communications tool. In total, SCTS provides high quality information and services across some 15 different websites.

New safety processes and measures have been essential

this year – SCTS is one of the few non-healthcare services that has kept premises open throughout the pandemic. We have maintained rigorous hygiene controls across the estate. Incident Guidance was developed, underpinned by site risk assessments and a dynamic risk assessment process, to provide a safe, consistent, proportionate and rapid response when a person reported COVID-19 symptoms or tested positive.

Our ongoing Shared Services arrangement with the Crown Office and Procurator Fiscal Service continues to generate efficiencies in the costs of estate support for both organisations. This year we saved £75,000 through a range of collaborative services, in spite of the need to introduce new arrangements in response to the pandemic. A new agreement was put in place in-year, demonstrating commitment by both organisations to joint working.



The new look Judiciary of Scotland website

A new [Judiciary of Scotland website](#) was launched in-year, offering an improved and more user-friendly format – including resources on judicial office holders and judicial decisions with sentencing statements and news items. The website has grown in importance as a reference source due to physical distancing restrictions limiting public access to the courts.

Purposeful Collaboration

We will work with justice bodies to deliver significant change and improvement to Scotland's justice system – through collaboration, communication and reform

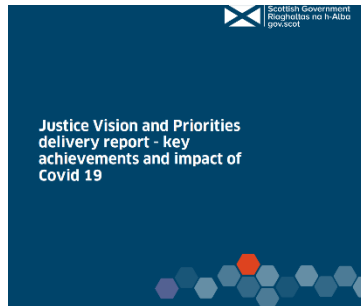
The events of the last year have called for greater collaboration to ensure that essential justice services were maintained. We have shown that we are stronger in response, quicker to renew, and more dynamic in transforming the justice system when we work together.

SCTS' strategic response has been overseen by the SCTS Board and led by the SCTS Strategic Incident Management Team (SIM) which includes the SCTS Executive Team and key operational senior managers. The SIM team has met more than 130 times since its activation in February 2020 in order to react to the rapidly changing situation and direct the SCTS' response.

At the national level, partnership working with other justice agencies and third sector groups has been maintained through the *Justice Board for Scotland*, the *Criminal Justice Board*, and the *Justice Board's COVID-19 Sub-Group*. SCTS has played a key role supporting these groups, which have worked to maintain a shared understanding of organisational activities and their impact, agreed approaches, communications, and ensured alignment with Government guidance and policy on the national response.

As the system moved from immediate response to a more sustained recovery, we have worked with the Criminal Justice Board to support the development of the **Recover, Renew and Transform** programme of work – which includes SCTS, the Crown Office, Police Scotland, the Scottish Legal Aid Board, the Scottish

Prison Service, Community Justice Scotland and the Scottish Government.



Achievements through COVID-19

In March 2021 they published the report [Justice Vision and Priorities delivery report – key achievements and impacts of COVID-19](#) summarising progress and achievements to date under the seven justice priorities in place since 2017.

A key development in summary cases was a cross-justice [pilot](#) in South Strathclyde, Dumfries & Galloway. This saw the introduction of weekly trial surgeries to facilitate candid discussions between the defence and the prosecution. The aim is to identify issues that can be resolved and to agree evidence for those cases which require to proceed to trial, in order to shorten the length of the trial. During the pilot around 80% of cases resolved early, with many fewer proceeding to trial, limiting the need for personal appearances. This paved the way for the national introduction of "pre-intermediate diet meetings" in [December](#).



Sh. Principal Anwar presents on PIDMs

Early data shows good progress, and we will continue working with partners to refine the approach.

SCTS provides the staff and resources to support the work of the [Scottish Civil Justice Council \(SCJC\)](#) who are responsible for preparing draft rules of procedure for the Court of Session and civil proceedings in the sheriff court. SCTS also supports the [Scottish Sentencing Council \(SSC\)](#) which is an independent advisory body responsible for preparing sentencing guidelines for the courts, publishing guideline judgments and information on sentences imposed. They also carry out research into sentencing and provide general advice and guidance on sentencing matters.

The scope of both Councils' work has been limited this year due to the pandemic. The SCJC approved rule changes to simple procedure, which now mandate that claims are submitted online via Civil Online. They have been monitoring use, launching a survey in February 2021, with a review due in June.

The SSC [published two new related research reports](#) on the sentencing of rape and offences involving sexual assaults in Scotland – as well as looking at other jurisdictions. Both reviews explore the significance of the Sexual Offences (Scotland) Act 2009, which altered the law of sexual offences extensively, creating a new statutory framework.

Supplementary Statutory Reporting

The SCTS is committed to open and transparent reporting of its statutory duties. Where not already covered updates are provided in this section

Bribery Act 2010 – Dealing with bribery or corruption

SCTS has proportionate and effective systems and processes in place to prevent, control and, if necessary, deal with allegations or incidences of bribery and corruption.

The structures established within the Scottish justice system are designed to minimise the potential for acts of bribery or corruption. Parties to a case are separate, and seek legal advice and representation independently. Court administrators are independent of parties. The judiciary are independent of both the parties and the SCTS.

Bribery or corruption identified in the justice process is taken very seriously. There are clear and robust legal processes in place to investigate any allegations with significant penalties available to the judiciary should it be established. Such cases are very rare. There is at least one example in recent years of a juror who, having accepted a bribe, was sentenced to imprisonment.

As an organisation, SCTS has a well-developed control environment in place that aims to prevent and minimise the impact of any incidences of bribery or corruption, which includes:

A register of staff interests – ensuring that any connections between staff (or their immediate family members) and companies, charities or other bodies that may have an actual or potential interest

in, or connection with, SCTS are declared and appropriately managed.

Procurement policies ensuring that those staff involved in the procurement of goods or services do so with honesty, fairness and impartiality when dealing with potential suppliers; that suitable due diligence is carried out in respect of those with whom we contract; and that relationships with suppliers are managed professionally with regard to ethics and propriety.

A well-established second jobs policy – ensuring that individuals do not take on roles that could lead to actual or perceived conflicts with their SCTS role.

A rigorous gift registration policy which ensures that external parties cannot seek to gain privilege or differential treatment through offering members of staff incentives outwith the formal system.

An Anti-Fraud policy which emphasises our zero tolerance approach to fraud and corruption. This follows a review of our approach to Anti-Fraud and Corruption with advice from Police Scotland. Our Conduct and Discipline Policy states that all instances of fraud and bribery will be treated as gross misconduct.

A whistleblowing policy that explains clearly how concerns can be raised and provides direct reporting lines to both an identified SCTS Director and Board member. The policy and any instances of whistleblowing are reviewed

annually by the Audit and Risk Committee.

Clear separation of roles, responsibilities, system and software privileges and approval levels – designed to minimise the potential for misuse of finances.

Finally, our policies and procedures are backed up by comprehensive peer-review assessment processes, where good practice and regularity in each court is cross-checked by staff independent of that court on an annual basis.

Equalities Act 2010 – The Fairer Scotland Duty

The duty came into force in Scotland in April 2018, contained in part 1 of the 2010 Act. It is one of several duties placed on the public sector to tackle socioeconomic disadvantage – which can be defined as living in less favourable social and economic circumstances than others in the same society. The duty requires that public authorities ensure their strategic decision making takes into account those who may experience such disadvantage; to ensure that, where possible, the actions of public authorities minimise both the incidence and impact of such disadvantage.

As a public body with a significant presence in communities across Scotland, the SCTS adopts a progressive stance, seeking to tackle inequality both for its people and its surrounding communities where possible, within the statutory duties

placed upon it as an independent non-ministerial department by the Judiciary and Courts (Scotland) Act 2008. Our founding legislation limits our functions to the provision of the property, services, officers and other staff necessary for the administration of justice in Scotland's courts and devolved tribunals; the judiciary of those courts and tribunals, and the Office of the Public Guardian.

Our services are for all those who seek redress before the law. We have no control over those who use or access our services. The Crown determines the participants in criminal cases based on reports submitted to them. Civil and tribunal business is commenced by the parties.

The scope for SCTS to interact with defined socio-economic groupings is, therefore, limited: compared to organisations with universal service delivery duties. For the majority of our activity it is not possible to give precedence to the Fairer Scotland Duty, as our focus must be on the provision of a fair and impartial environment for court and tribunal business. In delivering that, we ensure that Scotland demonstrates compliance with certain key ECHR rights – such as the Article 6 right to a fair trial.

Over the course of the year the SCTS has actively considered its duty in strategic decision making processes where it can. We have maintained Living Wage Employer accreditation from the Poverty Alliance, which ensures both SCTS staff and those with whom we contract receive the Scottish Living Wage. Throughout the pandemic we maintained full

pay for all our staff – including a proportion of staff on lower grades whom, as a consequence of the duties they carried out on-site, were more likely to be unable to work from home during periods of lockdown. Where we engage in major procurement activity we ensure it engages positively with local communities – this was recognised in the award-winning Inverness Justice Centre Project (see p. 23)

Community Empowerment Act 2015

During the year we completed the transfer of Arbroath Sheriff Court to Arbroath Community Court House Trust for the nominal sum of £1. The Trust was formed to acquire the building and deliver services as a multifaceted community asset. At the end of the financial year there were no surplus buildings.

Island Communities Act 2018

Under s.7 the SCTS is obliged to have regard to island communities in the delivery of its functions. The SCTS is present in five island locations across Scotland, part of a long heritage of supporting justice in the Scottish Islands, providing local people with access to justice without having to travel to the mainland. Investments made in improved technology extend to all our Island locations – ensuring these communities benefit from remote access, video links and remote hearing technology - reducing the need to travel to give evidence.

Over the past 12 months there have been no policy, strategic or service developments pursued by the SCTS, the

effect of which would be significantly different for island communities, and which would have required the SCTS to prepare an island communities impact assessment.

The Civil Litigation (Expenses and Group Proceedings) (Scotland) Act 2018

Part 3 of this Act came in to force on 30 January 2019. SCTS has responsibility for appointment of new staff to the offices of the Auditor of the Court of Session, Auditor of the Sheriff Appeal Court, and Auditors of the Sheriff Courts. On 4 March 2021 the temporary Auditor to the Court of Session, All Scotland Personal Injury Court and Sheriff Appeal Court was re-appointed for a further 12 months. The Report on taxation and the fees charged by the auditors SCTS employs can be found in the business volumes section of this report (Annex 1).



Eric McQueen
Chief Executive
16 August 2021

2. Accountability Report

2.1 Corporate Governance Report

2.1.1 Directors' Report

Membership of the SCTS Board

The Lord President of the Court of Session, the Rt. Hon. Lord Carloway, is Chairman of the SCTS Board. The Board includes 13 other members – seven members selected from the judiciary and six non-judicial members.

Members of the SCTS Board 2020-21

Judicial Members

- The Rt. Hon. Lord Carloway
Lord President
- The Rt. Hon. Lady Dorrian
- The Rt. Hon. Lord Woolman
(appointed August 2020 to replace the Rt. Hon Lady Smith)
- Sheriff Principal Craig Turnbull
- Sheriff Jillian Martin-Brown
- Sheriff Olga Paspornnikov
(appointed September 2020 to replace Sheriff Grant McCulloch)
- Mrs Morna Rae, JP
- Mrs Anne Scott

Non-judicial members

SCTS Chief Executive

Mr Eric McQueen

Advocate Member

Dr Kirsty J Hood QC

Solicitor Member

Mr Simon Catto

Members external to the justice system

Mr Joe Al-Gharabally
Col. David McIlroy
Dr Sophie Flemig

At the end of 2020-21 all 14 SCTS Board positions were filled. The gender split of the Board is seven women and seven men.

Board Meetings & Operations

The SCTS has made Standing Orders¹² under which it conducts its business and has established Standing Committees to provide specific assurance and scrutiny of performance and advice to the SCTS Board. Over the course of 2020-21 these committees were:

- **People Committee**
- **Estates, Health & Safety, Fire and Security Committee**
- **Audit and Risk Committee**
- **Remuneration Committee**

The SCTS Board met on six occasions in 2020-21, with each meeting taking place virtually due to the COVID-19 pandemic. Committees met quarterly, with the exception of the Remuneration Committee which met once to review the remuneration of SCTS members who are not salaried public servants. The first meeting of the Estates and People Committees in 2020-21 did not take place as scheduled due to the onset of the pandemic. Virtual meetings were established to ensure the work of the committees could resume thereafter. Copies of the minutes of Board and Committee meetings can be found at:

www.scotcourts.gov.uk

¹² SCTS Standing Orders available at: <http://www.scotcourts.gov.uk/about-the-scottish-court-service/the-scottish-court-service-board>

The SCTS Board at 1 October 2020



Top row (left to right) – Joe Al-Gharabally Sheriff Jillian Martin-Brown, Eric McQueen, Rt. Hon. Lady Dorrian, Dr. Sophie Flemig, Col. David McIlroy, Sheriff Olga Paspornikov

Bottom row (left to right) – Rt. Hon. Lord Woolman, Sheriff Principal Craig Turnbull, Anne Scott, Rt. Hon. Lord Carloway (Chair), Dr. Kirsty J Hood QC, Simon J D Catto, Morna Rae JP

SCTS Board Members' Register of Interests

The following offices and interests were registered by members who served on the SCTS Board in 2020-21.

Name	Directorship	Appointments <i>ex officio</i>	Trusteeships	Other Appointments & Interests
Lord President – The Right Hon. Lord Carloway	None	Trustee, Faculty of Advocates Abbotsford Collection Trust President, The Royal Society for Home Relief to Incurables	None	None
Lord Justice Clerk – The Right Hon. Lady Dorrian	Glenside Court Ltd. Franco – British Lawyers Society Ltd	Commissioner of the Honours of Scotland Senior Commissioner, Queen Victoria School, Dunblane	Faculty of Advocates 1985 Trust	None
Rt Hon. Lord Woolman	None	None	Manager, The New Club, Edinburgh	None
The Right Hon. Lady Smith	None	None	None	Chair, Scottish Child Abuse Inquiry Honorary Bencher, Gray's Inn

Name	Directorship	Appointments <i>ex officio</i>	Trusteeships	Other Appointments & Interests
Sheriff Principal Craig Turnbull	None	None	Friends of Plockton Music School	None
Sheriff Jillian Martin-Brown	None	None	None	<p>Ordinary Member, Council for Tayside, Central and Fife – Sheriffs' Association</p> <p>Vice Chair, Monikie Primary Parent Teacher Partnership</p> <p>Member, Scottish Civil Justice Council</p>
Sheriff Olga Paspornikov	None	None	None	None
Sheriff A Grant McCulloch	None	None	None	<p>Chair, Relationship Scotland – Couple Counselling, Fife</p> <p>Committee Member, Cammo Residents Association</p> <p>Chair, Discipline Committee ICAS</p> <p>Chair, East and West Fire Education Trusts</p>
Morna Rae JP	None	None	None	<p>Employee, North Ayrshire Council</p> <p>Session Clerk, Church of Scotland</p> <p>Elder, Church of Scotland</p>
Anne Scott	None	None	Roland Sutton Academic Radiology Trust	<p>President, First-tier Tribunal for Scotland, Tax Chamber</p> <p>Temporary President, First-tier Tribunal for Scotland, Social Security Chamber</p> <p>Legally Qualified Member, Mental Health Tribunal for Scotland</p>

Name	Directorship	Appointments ex officio	Trusteeships	Other Appointments & Interests
				<p>Legally Qualified Member, Council Tax Reduction Review Panel</p> <p>Judge, United Kingdom First-tier Tribunal Tax Chamber</p> <p>Judge, United Kingdom First-tier Tribunal Social Entitlement Chamber</p>
Eric McQueen	None	Member, Scottish Civil Justice Council	None	None
Dr Kirsty J Hood QC	Scottish Universities Law Institute Ltd.		Trustee, Clark Foundation for Legal Education	<p>Self-employed Advocate</p> <p>Regular <i>ad hoc</i> employment with University of Glasgow</p> <p>Member, Scottish Committee of Franco-British Lawyers Society</p> <p>Guernsey Financial Services Commission's Panel of Senior Decision Makers</p> <p>Contributor to "Scottish Family Law Service" (LexisNexis Publishers)</p> <p>Periodic content provider for LexisPSL Dispute Resolution (online services – LexisNexis)</p> <p>Contributor to "Greens Litigation Styles" 9W Green/Thomson Reuters, Publishers)</p>
Simon J D Catto	None	None	None	<p>Member, Cornerstone Exchange LLP</p> <p>Member, XT Property LLP</p> <p>Member, Addleshaw Goddard LLP (Head of Litigation, Scotland)</p>

Name	Directorship	Appointments <i>ex officio</i>	Trusteeships	Other Appointments & Interests
Joe Al-Gharabally	Ernst & Young	None	None	None
Dr Sophie Flemig	None	None	Trustee, General Nursing Council for Scotland (Education) Fund 1983 (SCO 15662)	CEO Cattanach SCIO Member, Accounts Commission
Col. David McIlroy	None	None	Trustee, Fort Matilda Playing Fields Union	President, Greenock Wanderers RFC

The SCTS Executive Team

The SCTS Board has responsibility for directing and controlling the major activities of the SCTS. Business delivery in accordance with agreed plans is delegated to the Chief Executive and the SCTS Executive Team which, as at 1 March 2021, had the following membership:

- **Chief Executive** – Eric McQueen
- **Executive Director, Court Operations** – David Fraser
- **Executive Director, Judicial Office** – Kay McCorquodale¹³
- **Executive Director, Tribunals and OPG Operations** – Tim Barraclough
- **Chief Finance Officer** – Richard Maconachie
- **(Interim) Deputy Chief Executive** – Noel Rehfisch
- **Executive Director, Change and Digital Innovation** – Mike Milligan

Executive Team at 1 March 2021



¹³ The Judicial Office for Scotland was established to support the Lord President in fulfilling his responsibilities under Part 2 of the Judiciary and Courts (Scotland) Act 2008, as formal head of the Scottish judiciary. For more information see <http://www.scotland-judiciary.org.uk/23/0/Judicial-Office-for-Scotland>

Information Security

The proper management of information remains a key area of focus for the SCTS. The loss of personal or sensitive data is a key corporate risk managed and overseen by the SCTS Board, the Audit and Risk Committee and the Executive Team. All courts, tribunals and business units maintain Information Asset Registers that are reviewed regularly, and assurance is sought annually from Directors on the effectiveness of relevant controls.

The risks associated with information management are mitigated proportionately through appropriate certification of key systems and regular reviews of current and emerging issues. The SCTS Executive Team receives regular updates on information management risks and potential breaches are reported to them quickly.

The SCTS remains committed to enforcing robust information management standards, ensuring compliance with data protection and related provisions. The law on data protection changed on 25 May 2018 with the introduction of the General Data Protection Regulation and the Data Protection Act 2018. New data protection e-learning for all staff has been developed and was launched in February 2021. We continue to expand guidance for staff including more in-depth guidance on how to manage requests – this will continue into 2021-22. Significant work has been undertaken to embed Data Protection Impact Assessment (DPIA) into business processes and a number of robust DPIA's have been undertaken in relation changes to the processing of personal data in response to COVID-19. Data sharing agreements continue to be progressed and several agreements have been completed including agreements with third sector advocacy groups, the Scottish Social Services Council and Criminal Justice Social Work Departments.

Update on Data Breaches

Date	Data Incident	Information	Outcome
July 2020 ICO self-referral	Disclosure of a judgment in an adoption case, which included the adoptive name of a child and surnames of adoptive parents that were subject to a non-disclosure order.	Personal data	ICO concluded no formal enforcement action was required; satisfied it was a result of human error; recommendations made in relation to reviewing redaction procedures and ensuring staff have appropriate training.
July 2020 ICO self-referral	Response letter to complaint about solicitor's handling of adult's affairs sent to the adult rather than the complainant. Complaint seen by solicitor.	Personal data and special category data	Due to limited information available, potential risks and involvement of vulnerable adult, the incident was reported to the ICO. After further information was provided the risk level was re-assessed, and a follow up report was sent to the ICO advising that the incident no longer met the threshold for reporting. The ICO accepted the position and closed the incident.

2.1.2 Statement of Accountable Officer's Responsibilities

Statement of the Disclosure of Information to Auditors –

So far as the Accountable Officer is aware:

- there is no relevant audit information of which the SCTS's auditors are unaware.
- the Accountable Officer has taken all steps that he ought to have taken to make himself aware of any relevant audit information, and to establish that the entity's auditors are aware of this information.

Statement of Corporate Body's and Chief Executive's Responsibilities

Under section 19(4) of the Public Finance & Accountability (Scotland) Act 2000, the Scottish Ministers have directed the SCTS to prepare a statement of accounts for each financial year in the form and on the basis set out in the direction on page 79 at the end of these accounts.

The accounts are prepared on an accruals basis and must give a true and fair view of the SCTS's state of affairs at the year-end and of its income and expenditure, recognised gains and losses and cash flows for the financial year.

In preparing accounts the Accountable Officer is required to comply with the requirements of the Government Financial Reporting Manual and the Scottish Public Finance Manual and in particular to:

- observe the accounts direction issued by the Scottish Ministers, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis.
- make judgements and estimates on a reasonable basis.
- state whether applicable accounting standards as set out in the Government Financial Reporting Manual have been followed and

disclose and explain any material departures in the financial statements.

- prepare the financial statements on a going concern basis.

The Principal Accountable Officer of the Scottish Administration has designated the Chief Executive of the SCTS as the Accountable Officer for the SCTS. The relevant responsibilities as Accountable Officer, including responsibility for the propriety and regularity of the public finances, for the keeping of proper records and safeguarding the SCTS's assets, are set out in the Accountable Officers' Memorandum issued by the Principal Accountable Officer of the Scottish Administration.

2.1.3 Governance Statement

Scope of Responsibility –

As Accountable Officer, I have responsibility for maintaining a sound system of governance that supports the achievement of SCTS policies, aims and objectives, whilst safeguarding the public funds and assets for which I am personally responsible, in accordance with the responsibilities assigned to me.

The corporate body is referred to less formally as the Board of the SCTS and is chaired by the Lord President, who is also Head of the Scottish Judiciary. The SCTS is established as a part of the Scottish Administration but outside of Scottish Government.

A Framework Agreement exists between the SCTS and the Scottish Ministers. This makes clear the requirement that the SCTS is to follow the principles contained in the Scottish Public Finance Manual.

As Accountable Officer, I can confirm that the frameworks and controls identified in this statement have been in place across the SCTS for the full year ending 31 March 2021 and up to the date of approval of the statement of accounts.

Governance Framework

The governance framework comprises the systems and processes, culture and values by which the SCTS is directed and controlled. It enables the SCTS to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost-effective services.

The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an on-going process designed to identify and prioritise the risks to the achievement of the SCTS's policies, aims and objectives to evaluate the likelihood of those risks being realised, the impact should they be realised, and to control and manage them efficiently, effectively and economically.

Details of the overarching Governance arrangements are in the Director's Report, pages 29-34. These structures are supported by the Risk Management Framework in place across the organisation.

The governing board of the SCTS is the SCTS Board. Further information on the operation, meetings and membership of the SCTS Board during 2020-21 can be found in the Directors' Report, pages 29-34.

Risk Framework

The Executive Team reviews corporate risks at each of their formal meetings. The Audit and Risk Committee independently reviews the latest Corporate Risk Register at least quarterly, including the appropriateness of the risk control arrangements, and reports to the SCTS Board at least annually. The SCTS Board and the Audit and Risk Committee jointly review and assess corporate risks and controls

annually at a workshop session (the most recent session took place in February 2021).

Further detail on key issues and risks including a summary and mapping of the corporate risk profile is at section 1.1.4 of the Performance Report, pages 11-13.

Risk management is embedded in our operational activities as follows:

Risk owners identify risks relating to their functions/business plan objectives and manage their risks through the use of the corporate risk management framework. Risk registers are reviewed regularly through agreed corporate processes to ensure that assessments and mitigations are current and appropriate. Part of this regular review entails identifying risks that should be escalated to corporate level. All Business Unit risks are provided to the Planning, Governance and Risk team quarterly, and are collectively reviewed in parallel with the Corporate Risk Register.

Change Management and Risk Framework

SCTS revised the governance arrangements for programmes and projects during 2020-21. The SCTS now has a professional and dedicated change resource housed within the Change and Digital Innovation (CDi) Business Unit. All change initiatives are now delivered by one of four dedicated change LABs (Criminal, Tribunals & OPG (Office of the Public Guardian), Civil and Corporate)) using Agile project management methodology - these LABs

have replaced SCTS' previous four reform programme boards.

The Executive Change Board (ECB) is the overarching 'change authority' for the SCTS'. The ECB is chaired by the Chief Executive and includes each of the Executive Directors/EAB owners. The ECB provides strategic direction and approves the priority change initiatives to be delivered by the four Change labs.

All risks associated with change initiatives are managed within the LABs responsible for the delivery of change initiatives. For all change initiatives, the LABS manage risks using RAID analysis. This is a project planning technique to identifying key Risks (R), Assumptions (A), Issues (i) and Dependencies (D). RAID logs are reviewed by the relevant EABs and where necessary risks or issues are escalated to Corporate level for consideration by the ECB.

Assurance Framework

As Accountable Officer, I have responsibility for reviewing the effectiveness of the governance system. My review is informed by:

- **Executive Directors**, who have responsibility for the development and maintenance of the governance system. They provide me with a certificate of assurance covering risk management and control, business planning, financial management, procurement, people management, security and health and safety. Executive Directors have provided me with

assurance that controls were operating effectively.

- **Corporate Systems**, which are in place relating to financial management, risk management, performance management and people management. These systems provide ongoing assurance of risk management and internal controls.
- **The Audit & Risk Committee**, which provides an annual report to the Accountable Officer and the SCTS Board summarising its evaluation of the SCTS's risk management, governance and internal control arrangements. The Committee has submitted its annual report based on the work it conducted during 2020-21 and is of the opinion that SCTS has effective risk management, governance and internal control arrangements in place that are sufficient to give me, as the Accountable Officer, the necessary assurance in relation to the preparation of this governance statement.
- **Internal Audit**, who attend all SCTS Audit and Risk Committee meetings. They provide regular reports including the Head of Internal Audit's independent and objective opinion on the adequacy and effectiveness of the organisation's systems of internal control together with recommendations for improvement. On the basis of the work completed and the related management responses, they provided reasonable assurance in overall terms.

- **External Audit** who report to the Audit and Risk Committee on significant matters relating to risk and internal control as part of their work.

The above review provides assurance of the effectiveness of the SCTS's system of governance and internal control arrangements and compliance with generally accepted best practice principles and relevant guidance. That guidance includes the Scottish Public Finance Manual and the Scottish Government 'On Board' guidance for Board Members of Public Bodies in Scotland – which is provided to all Board and Committee members as part of their induction and is used by the organisation to ensure that the principles of good governance are observed.

Whistleblowing Arrangements

SCTS has arrangements in place that set out the way in which employees can raise any concerns they have about fraud, misconduct or wrongdoing by employees and/or management of the SCTS – and how those concerns will be dealt with. SCTS maintains an annually reviewed whistleblowing policy which is accessible to all staff.

No instances of whistleblowing were reported in the financial year 2020-21.

Information Security Framework

SCTS has effective governance arrangements in place for the security of information. The Executive Team has overall responsibility for the SCTS's response to legislation and for

oversight of SCTS policies, staff awareness and training. SCTS has an agreed Information Security Framework and keeps its policies under review to ensure they comply with the General Data Protection Regulations.

Data breaches reported to the Information Commissioner's Office during the year to March 2021 are detailed in the table on page 34.

Significant issues

Like all organisation's SCTS' response to and recovery from COVID-19 continued through 2020-21, requiring a range of health and safety measures, and business adaptations and innovations to continue providing its services effectively and safely.

Throughout, the organisation's strategic priorities have remained the protection of the health and safety of all staff, judiciary and service users, and maintaining essential services. Extensive building risk assessments were conducted, based on our [COVID-19 Risk](#)

[Framework](#) with all premises modified for physical distancing to ensure the administration of justice and the safe delivery of cases requiring in-person hearings. A range of digital innovations has facilitated resumption of services maintaining business delivery, through Cisco Web-Ex video and hybrid conferencing, tele-conferencing and online case management. State-of-the-art real-time conferencing solutions have enabled jury trials to resume physically distanced.

The majority of our buildings have been open since June 2020 with footfall limited to those necessary to proceedings. We have leased additional premises to meet service demands, where necessary – subject to COVID-19 Risk Framework assessments. The rapid investment and enhancements in digital services has been critical to success, and the inherent increased risk exposure from greater reliance on digital solutions; offset by improved cyber-security controls is recognised,

managed and controlled (and captured in our Risk Register).

As we navigate out of the pandemic towards new mixed business delivery models; we remain alert to the increased risk of fraud, data integrity, compromise and internal controls inadequate which may arise with the introduction of new working practices.

Over future years these digital developments, controls and mitigations will continue to develop, as we more clearly understand those service innovations that will stay, evolve, or cease (with a return to more traditional methods). The need to achieve carbon neutrality will lend increasing impetus to our digitalisation journey. We will therefore continue the identification of areas where we can improve our governance and internal control frameworks.

There have been no significant control issues identified during the year in relation to the overall governance framework.

2.2 Remuneration and Staff Report

Remuneration Report

Remuneration Policy

The remuneration of senior civil servants is set in accordance with the Civil Service Management Code (available at www.civilservice.gov.uk) and with independent advice from the Senior Salaries Review Body (SSRB)¹⁴.

In reaching its recommendations, the Review Body has regard to the following considerations:

- the need to recruit, retain and motivate suitably able and qualified people to exercise their different responsibilities;
- regional and local variations in labour markets and their effects on the recruitment and retention of staff;
- government policies for improving the public services, including the requirement on departments to meet the output targets for the delivery of departmental services;
- the funds available to departments as set out in the Government's departmental expenditure limits, and the Government's inflation target.

The Review Body takes account of the evidence it receives about wider economic considerations and the affordability of its recommendations¹⁵.

The remuneration of staff below senior civil service level is determined by the SCTS. In determining policy, account is taken of the need for pay to be set at a level which will ensure the recruitment, retention and motivation of staff. Also taken into account are the Government's policies on the Civil Service and public sector pay and the need to observe public spending controls.

Performance is managed through the Individual Performance Review (IPR) process. The process is designed to ensure an individual's objectives and behaviours are linked to those of the SCTS as a whole. Progression within the SCTS pay framework is dependent on successfully meeting the requirements of the IPR process.

Policy on the remuneration of Non-Executive Directors is set by the Scottish Ministers, taking into account their roles and responsibilities and remuneration levels for comparable public appointments. Final decisions on the remuneration of Non-Executive members of the SCTS, including those SCTS Board members and Committee members who are not otherwise salaried public servants, are taken

by the SCTS Remuneration Sub-Committee.

Service Contracts

The Constitutional Reform and Governance Act 2010 requires Civil Service appointments to be made on merit on the basis of fair and open competition. The recruitment principles published by the Civil Service Commission specify the circumstances when appointments may be made otherwise.

Unless otherwise stated below, the officials covered by this report hold appointments which are open-ended. Early termination, other than for misconduct, would result in the individual receiving compensation as set out in the Civil Service Compensation Scheme.

Further information about the work of the Civil Service Commission can be found at <https://civilservicecommission.independent.gov.uk/>

Appointments to the SCTS Board and Sub-Committees, other than for the ex officio members (the Lord President, Lord Justice Clerk, President of the Scottish Tribunals and SCTS Chief Executive) are for a time limited period, as set out within each individual's appointment letter.

¹⁴

<https://www.gov.uk/government/organisations/review-body-on-senior-salaries>

¹⁵ Further information on Senior Civil Service pay and performance

can be found at <http://www.civilservice.gov.uk/recruitment/working/pay-and-reward/scs-pay>

Remuneration (Salary and Pension Benefits)

Board Members	Salary		Pension Benefits ¹⁶		Total	
	2020-21	2019-20	2020-21	2019-20	2020-21	2019-20
	£'000	£'000	£'000	£'000	£'000	£'000
Mr Eric McQueen	100-105	100-105	75	41	175-180	140 - 145
Dr Kirsty J Hood	0 - 5	0 - 5	-	-	0 - 5	0 - 5
Mr Simon J D Catto	0 - 5	0 - 5	-	-	0 - 5	0 - 5
Mr Joe Al-Gharabally	0 - 5	0 - 5	-	-	0 - 5	0 - 5
Col. David McIlroy	0 - 5	0 - 5	-	-	0 - 5	0 - 5
Dr Sophie Flemig (from 1 st May 2020) ¹⁷	0 - 5	-	-	-	0 - 5	-
Mrs Morna Rae JP	0 - 5	0 - 5	-	-	0 - 5	0 - 5
Mrs Anne Scott	0 - 5	0 - 5	-	-	0 - 5	0 - 5
Professor Hugh MacDougall (until 31 December 2019) ¹⁸	-	0.5	-	-	-	0 - 5

Executive Directors	Salary		Pension Benefits		Total	
	2020-21	2019-20	2020-21	2019-20	2020-21	2019-20
	£'000	£'000	£'000	£'000	£'000	£'000
Mr Richard Maconachie	80 - 85	80 - 85	33	30	115 - 120	110 - 115
Mr David Fraser	80 - 85	80 - 85	87	51	165 - 170	130 - 135
Mr Tim Barraclough	80 - 85	80 - 85	69	44	150 - 155	120 - 125
Mrs Kay McCorquodale	80 - 85	75 - 80	41	29	120 - 125	105 - 110
Mr Noel Rehfish (from 11 January 2021)	15 - 20 (75 - 80 full year equivalent)	-	9	-	25 - 30	-
Mr Mike Milligan (from 11 January 2021)	15 - 20 (75 - 80 full year equivalent)	-	7	-	25 - 30	-

Salary

Salaries in the above tables relate to SCTS employment only and do not include any other earnings from positions elsewhere in the Civil Service.

Salary includes gross salary and any allowances. There were five members of Committees out with the Board who each received remuneration of £1,328 in 2020-21 (£1,296 in 2019-20)

and one who received remuneration of £1,328. (2019-20: £1,620). The judicial Board members are remunerated by Scottish Government.

¹⁶ The value of pension benefits accrued during the year is calculated as (the real increase in pension multiplied by 20) plus (the real increase in any lump sum) less (the contributions made by the individual). The real increases exclude increases due to inflation or any increase or decreases due to a transfer of pension rights.

¹⁷ [Full year equivalent](#)

¹⁸ [Full year equivalent](#)

Bonus Payments and Benefits in Kind

No bonus payments or benefits in kind were paid during the year.

	Accrued pension at pension age as at 31/03/21 & related lump sum	Real increase in pension & related lump sum at pension age
	£'000	£'000
Mr Eric McQueen	55 - 60 plus a lump sum of 135 - 140	2.5 - 5 plus a lump sum of 2.5 - 5
Mr Richard Maconachie	10 - 15	0 - 2.5
Mr David Fraser	40 - 45 plus a lump sum of 110 - 115	2.5 - 5 plus a lump sum of 5 - 7.5
Mr Tim Barraclough	30 - 35 plus a lump sum of 70 - 75	2.5 - 5 plus a lump sum of 2.5 - 5
Mrs Kay McCorquodale	20 - 25 plus a lump sum of 5 - 10	0 - 2.5 plus a lump sum of 0 - 2.5
Mr Noel Rehfisch (from 11 January 2021)	25 - 30 plus a lump sum of 45 - 50	0 - 2.5 plus a lump sum of 0 - 2.5
Mr Mike Milligan (from 11 January 2021)	0 - 5	0 - 2.5

	CETV at 31/03/21	Restated CETV at 31/03/20	Real increase in CETV
	£'000	£'000	£'000
Mr Eric McQueen	1,154	1,057	59
Mr Richard Maconachie	232	195	24
Mr David Fraser	918	813	75
Mr Tim Barraclough	663	584	55
Mrs Kay McCorquodale	461	413	29
Mr Noel Rehfisch (from 11 January 2021)	383	377	5
Mr Mike Milligan (from 11 January 2021)	30	23	5

The Civil Service Pension Scheme

Pension benefits are provided through the Civil Service pension arrangements. From 1 April 2015 a new pension scheme for civil servants was introduced – the Civil Servants and Others Pension Scheme (CSOPS) or alpha, which provides benefits on a career average basis with a normal pension age equal to the member's State Pension Age (or 65 if higher). From that date all newly appointed civil servants and the majority of those already in service joined alpha. Prior to that date, civil servants

participated in the Principal Civil Service Pension Scheme (PCSPS). The PCSPS has four sections: three providing benefits on a final salary basis (classic, premium or classic plus) with a normal pension age of 60; and one providing benefits on a whole career basis (nuvos) with a normal pension age of 65. These statutory arrangements are unfunded with the cost of benefits met by monies voted by Parliament each year. Pensions payable under classic, premium, classic plus, nuvos and alpha are increased annually in line with Pensions Increase legislation. Existing members of the PCSPS who

were within 10 years of their normal pension age on 1 April 2012 remained in the PCSPS after 1 April 2015. Those who were between 10 years and 13 years and 5 months from their normal pension age on 1 April 2012 will switch into alpha sometime between 1 June 2015 and 1 February 2022. All members who switch to alpha have their PCSPS benefits 'banked', with those with earlier benefits in one of the final salary sections of the PCSPS having those benefits based on their final salary when they leave alpha. (The pension figures quoted for officials show pension earned in PCSPS or alpha – as appropriate.)

Where the official has benefits in both the PCSPS and alpha the figure quoted is the combined value of their benefits in the two schemes.) Members joining from October 2002 may opt for either the appropriate defined benefit arrangement or a 'money purchase' stakeholder pension with an employer contribution (partnership pension account).

Employee contributions are salary-related and range between 4.6% and 8.05% of pensionable earnings for members. Benefits in classic accrue at the rate of 1/80th of final pensionable earnings for each year of service. In addition, a lump sum equivalent to three years initial pension is payable on retirement. For premium, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike classic, there is no automatic lump sum. Classic plus is essentially a hybrid with benefits for service before 1 October 2002 calculated broadly as per classic and benefits for service from October 2002 worked out as in premium.

In nuvos a member builds up a pension based on his pensionable earnings during their period of scheme membership. At the end of the scheme year (31 March) the member's earned pension account is credited with 2.3% of their pensionable earnings in that scheme year and the accrued pension is uprated in line with Pensions Increase legislation.

Benefits in alpha build up in a similar way to nuvos, except that the accrual rate is 2.32%. In all cases members may opt to give up (commute) pension

for a lump sum up to the limits set by the Finance Act 2004. The partnership pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 8% and 14.75% (depending on the age of the member) into a stakeholder pension product chosen by the employee from a panel of providers.

The employee does not have to contribute, but where they do make contributions, the employer will match these up to a limit of 3% of pensionable salary (in addition to the employer's basic contribution). Employers also contribute a further 0.5% of pensionable salary from 1 October 2015 to cover the cost of centrally-provided risk benefit cover (death in service and ill health retirement).

The accrued pension quoted is the pension the member is entitled to receive when they reach pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over pension age. Pension age is 60 for members of classic, premium and classic plus, 65 for members of nuvos, and the higher of 65 or State Pension Age for members of alpha. (The pension figures quoted for officials show pension earned in PCSPS or alpha – as appropriate. Where the official has benefits in both the PCSPS and alpha the figure quoted is the combined value of their benefits in the two schemes, but note that part of that pension may be payable from different ages.) Further details about the Civil Service pension arrangements can be found at the website www.civilservicepensionscheme.org.uk

The PCSPS and CSOPS are unfunded multi-employer defined benefit schemes but Scottish Courts and Tribunals Service is unable to identify its share of the underlying assets and liabilities. The scheme actuary valued the scheme as at 31 March 2016. Details can be found in the resource accounts of the Cabinet Office: Civil Superannuation here: <http://www.civilservicepensionscheme.org.uk/about-us/resource-accounts/>

For 2020-21, employers' contributions of £12,161k were payable to the PCSPS (2019-20 £11,752k) at one of four rates in the range 26.6% to 30.3% of pensionable earnings, based on salary bands. The Scheme Actuary reviews employer contributions, usually every four years, following a full scheme valuation. The contribution rates are set to meet the cost of the benefits accruing during 2020-21 to be paid when the member retires and not the benefits paid during this period to existing pensioners. Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. Employers' contributions of £86k (2019-20 £71k) were paid to one or more of the panel of three appointed stakeholder pension providers. Employer contributions are age-related and range from 8% to 14.75% of pensionable earnings. Employers also match employee contributions up to 3% of pensionable earnings. In addition, employer contributions of 0.5% of pensionable pay, £2k (2019-20 £2k) were payable to PCSPS to cover the cost of the future provision of lump sum benefits on death in service or ill health retirement of these employees.

Cash Equivalent Transfer Values

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies.

The figures include the value of any pension benefit in another scheme or arrangement which the member has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their buying additional pension benefits at

their own cost. CETVs are worked out in accordance with The Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2008 and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are taken.

Real increase in CETV

This reflects the increase in CETV that is funded by the employer. It does not include the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

Fair Pay Disclosure (subject to audit)

Public sector bodies are required to disclose the relationship between the remuneration of the highest paid director in their organisation and the median remuneration of the organisation's workforce.

Total remuneration includes salary, non-consolidated performance-related pay and benefits-in-kind. It does not include severance payments, employer pension contributions and the cash equivalent transfer value of pensions.

The banded remuneration of the highest-paid Director in the SCTS in the financial year 2019-20 was £100,000 – £105,000 (2019-20, £100,000 - £105,000). This was 4.6 times (2019-20, 4.6) the median remuneration of the workforce, which was £22,815 (2019-20, £22,065). The median remuneration does not include any additional allowances or overtime due to data availability. In 2020-21, remuneration (excluding the highest paid director) ranged from £20,707 to £80,233 (2019-20: £19,320 to £80,808). In 2020-21, no employees (2019-20: nil) received remuneration in excess of the highest paid director.

Staff Report

As at 31 March 2021 there were 1829 Staff in post and 14 Non-Executive Directors. The split across grades, gender and business areas is detailed in the tables below.

Headcount by Grade	Number of Staff	Female	Male
CEO & Executive Directors	6	1	5
Director	12	7	5
Senior Manager	48	28	20
Senior Executive Officer	139	87	52
Higher Executive Officer	197	129	68
Executive Officer	468	324	144
Administrative Officer & Clerk/Typist	630	473	157
Typists	4	3	1
Administrative Assistants & Support Grades	325	176	149
Sub-total	1,829	1,228	601
Non-Executive Director ¹⁹	14	6	8
Total	1,843	1,234	609
Percentage of total	100%	67%	33%

¹⁹ Definition of non-executive directors (board and committee members) as set down in the Gender Representation on Public Boards (Scotland) Act 2018 and associated regulations

Area of Business	2020 – 21 Ave WTE	2019 – 20 Ave WTE
Headquarters and support units	204	197
Supreme Courts	158	161
Judicial Office	41	38
Office of the Public Guardian & Accountant of Court	89	82
Sheriff & JP Courts & Tribunals	1,145	1,165
Total	1,637	1,643

Staffing costs	2020-21 £'000	2019-20 £'000
Wages and salaries	47,262	45,343
Social security costs	4,491	4,329
Other pension costs	12,233	11,827
Sub-total	63,986	61,499
Inward secondments	891	1,101
Agency, temporary and contract staff	1,681	892
Other staff costs	1,337	809
Total	67,895	64,301
Less recoveries of outward secondments	18	(67)
Total Staff Costs	67,913	64,234

Employer Contributions	2020-21 £'000	2019-20 £'000
Contributions paid to PCSPS	12,161	11,752
Contributions paid to partnership pensions	77	71
Contributions paid to Judicial pensions ²⁰	14,769	14,985

Sickness Absence Data

In 2020-21 a total of 15,284 days (2019-20: 29,571 days) were lost through absence equating to a lost time rate of 2.6% (2019-20: 4.9%).

Staff Turnover

In 2020-21 there were 274 leavers which gives a turnover rate of 15.2%.

Exit packages

There were no exit packages agreed in year (Prior year: 1 exit package of between £0 and £5k agreed under the

Civil Service Compensation Scheme).

Ill-health retirement

There were 3 early retirements due to ill-health grounds in 2020-21 (2019-20, 1)

SCTS Employment Policies

The COVID-19 pandemic presented a significant challenge to the organisation during 2020 and continues during 2021. The SCTS has, working in partnership with PCS, provided a range of measures for staff to ensure that essential business can

continue, but that our people feel supported by the organisation at this challenging time. Our priority has been to ensure our people have been provided with appropriate and relevant guidance, information and support during the uncertain times.

Our guidance has been developed in partnership with our Trade Union, PCS and reflects Scottish Government, NHS and Public Health Scotland guidance. It covers a variety of people issues relating to covid-19 including absence management; wellbeing; health and safety, homeworking, school and

²⁰SCTS was responsible for making employer contributions to the Judicial Pension Scheme with effect from 1 April 2016.

nursery closures and annual leave. It has been necessary to make temporary amendments to a number of key employment policies during this time in order to support staff.

Our response to the Coronavirus pandemic continues. SCTS has adopted a number of new practices and digital solutions to continue to deliver our essential business. There continues to be changes in work practices, procedures and the way our people carry out their roles and responsibilities. New people policies will be developed as required including the continuation of homeworking and developing a blended model for those roles that can work partially at home and partially in the workplace. As equal opportunities employer when we develop new policies to support new ways of working Equality Impact Assessments are carried out to analyse our policies and practices to make sure they do not discriminate or disadvantage our people and to provide an opportunity to improve or promote equality within our organisation

We promote, collaborate and celebrate the successes of a diverse workforce and we want to make sure that we are doing all we can to be inclusive and employ a workforce representative of the Scottish population across all of the equality protected characteristics. Our Employee Resourcing Policy and recruitment practices are consistent with the requirements of the Civil Service Commissioners. We continue to be a Disability Confident Employer and we promote the guaranteed

interview scheme for candidates who meet the minimum essential criteria for an advertised vacancy. We are also an Age positive employer, a Stonewall Diversity Champion and a member of the Employers Network for Equality and Inclusion (enei).

We continue to make progress with mainstreaming equality within SCTS and our Equalities Outcomes that we have set for the period 2019 – 2023. We are committed to making SCTS a diverse and inclusive place for staff and service users and these focus on promoting awareness and understanding of equality and diversity; improving the accessibility of our services and improving accessibility to our employment. Covid-19 and its restrictions interrupted our campaign to recruit a new Equality and Diversity Manager but the successful candidate took up post in November 2020.

During 2020 we published our Recruitment and Resourcing Strategy 2020-2023 which reflects our commitment to flexible working, equality, diversity and work fulfilment and has four themes: clarity; diversity; efficiency and flexibility. Our aim is to improve our current recruitment processes, address recruitment challenges; develop innovative recruitment solutions, develop SCTS as a socially inclusive employer and attract and retain a diverse workforce so we have the right people in the right place, at the right time with the skills and behaviours to succeed.

SCTS is a Carer Positive Exemplary Employer. We recognise that a substantial

number of our people have significant caring responsibilities, and that their role as a carer may make a work/life balance difficult to achieve so we have an established carers register. In addition to our Carers Policy, we have a Carers Advisory Group that represents the interests of those with significant caring responsibilities and a Carers Contact Team which comprises of both past and present carers designed to offer support to individuals.

SCTS continues to be an accredited real living wage employer (initial accreditation was received in March 2017) which reflects our work to ensure that not only SCTS staff receive the living wage but that contract staff we engage under a range of contracts also pay employees working for SCTS the real living wage.

Our Pay Award date is 1 April. Our principles of fairness, transparency, consistency and motivation underpin our pay and reward strategies acknowledging that we will operate aligned to, and in accordance with, the Scottish Government's Public Sector Pay Policy to deliver an affordable and appropriate total reward package for our employees. As required by the Equality Act 2010 we publish our gender pay gap annually and our 2019 mean gender pay gap was 3.4% and the median gender pay gap was 0%. Our 2020 gender pay gap will be published in June. We have made significant progress with our reward review and are taking steps to raise awareness and understanding of our total reward package available to our employees.

Our People Strategy 2018 – 2023 sets out our commitment to wellbeing and this has been of critical importance this year. Our ultimate goal is to improve the health, safety and wellbeing of our employees and to prevent ill health, for the overall benefit of our employees and the organisation as a whole. This encompasses the physical, mental and social health of employees. We recognise that employees' values, personal development and work contribute to their overall wellbeing at work. As a consequence of covid-19 we have developed a variety of specific wellbeing guidance to help our people manage the impact of covid-19 on their daily lives and also for homeworking. SCTS is committed to providing a safe and healthy working environment for all our employees as well as those who use our services. We have our own dedicated Health and Safety Team incorporating health and safety, fire and security.

Throughout the pandemic, we have been guided by Public Health advice and have ensured that our facilities meet the standards required for non-healthcare settings allowed to operate at this time. We have in our covid-19 Organisational Risk Assessment and SCTS Covid-19 Risk Assessment Tool to manage specific health and safety risks associated with covid-19. Those visiting and working in our buildings are required to comply with all of our health and safety requirements and signage has been installed to help remind everyone of the need to observe the arrangements in place. A safe working environment is a combination of the facilities

and the way in which everyone uses them.

Our policies and procedures for occupational health mean that for staff with a disability we carry out workplace assessments and make reasonable and practicable adjustments to enable individuals to make a full contribution at work.

We also provide our employees with access to a free and confidential Employee Assistance Programme.

Our People Strategy sets out our strong and powerful commitment to develop as a learning organisation and we strive to ensure that all our people have a variety of opportunities to learn and to achieve this our digital learning portfolio continues to grow. We have relied upon digital and on-line learning this year as a consequence of the coronavirus pandemic.

We take a collaborative approach to make our organisation a great place to work, working with PCS our recognised trade union. We remain committed to working in partnership to deliver the Fair Work Agreement which we signed in 2018 and which confirms fair work principles around five key themes of effective voice, opportunity, security, fulfilment and respect enhancing our working environment further. This partnership approach has been vital during the last year in ensuring that we created a working environment that was as safe as possible, we supported staff working at home and we ensured that everyone was treated with compassion and understanding. Throughout our

Covid journey, the priority has been, and remains, our staff's safety and through our partnership with PCS we are committed to supporting and safeguarding the wellbeing of our staff. We have developed and published our Partnership Statement to re-affirm our joint commitment to partnership working.

Trade Union Facility Time

During the year there were 16 employees (WTE 15.5) (2019-20, 17 WTE 16.89) who were relevant union officials. The total cost of facility time was £126k (2019-20, £111k) from a total pay bill of £63,986k (2019-20, £61,499k) which equates to 0.2% (2019-20, 0.2%).

Percentage of time spent on facility time - Number of employees who were relevant union officials employed during the year and the percentage of their working hours spent on facility time:

Percentage of time	Number of employees
0%	-
1-50%	14
51-99%	-
100%	2

Paid trade union activities - As a percentage of total paid facility time hours, the number of hours spent by employees who were relevant union officials during the year on paid trade union activities

Time spent on paid trade union activities as a percentage of total paid facility time hours	1.3%
---	------

3 Parliamentary Accountability Report

Losses and special payments

There were no material losses or special payments made during the year.

Gifts

No gifts were made during the year.

Remote Contingent Liabilities

There are no remote contingent liabilities to disclose.

Fees and Charges

It is a legislative requirement for the SCTS to charge court fees at various stages of proceedings including, but not exclusively, registration, lodgement of motions, legal debates and proofs in the Court of Session and the Sheriff Court as well as Commissary lodgements.

Fees are also charged for work undertaken by the Office of the Public Guardian which includes, but not exclusively, issuing of Powers of Attorney and

Guardianship and by the Accountant of Court. Fees are also charged by the Lands Tribunal for appeals.

Scottish Government policy is to set fees so as to move towards full cost recovery (including judicial costs).

The Fee Memorandum Trading Account shows the cost of delivering business in the Civil Courts. Full details of all chargeable fees are found at www.scotcourts.gov.uk/taking-action/court-fees

Fees memorandum trading account

	Sheriff Courts £'000	Supreme Courts £'000	OPG £'000	2020-21 Total £'000	2019-20 (Restated) Total £'000
Net Fee Income	22,660	4,005	4,477	31,142	33,766
Net Costs to be recovered	27,844	18,846	6,717	53,407	52,859
Shortfall from full cost Recovery	5,184	14,841	2,240	22,265	19,093
% Cost Recovery <i>(Gross Fees Raised divided by Net Recoverable Costs)</i>				58%	64%

A change in methodology resulting in a more detailed allocation of costs in line with current business practices has been used for the year 2020-21. 2019-20 has been restated using the new methodology.



Eric McQueen
Chief Executive
16 August 2021

2.4 Independent Auditor's Report to the Scottish Courts and Tribunals Service, the Auditor General for Scotland and the Scottish Parliament

Reporting on the audit of the financial statements

Opinion on financial statements

We have audited the financial statements in the annual report and accounts of the Scottish Courts and Tribunals Service for the year ended 31 March 2021 under the Public Finance and Accountability (Scotland) Act 2000. The financial statements comprise the Statement of Financial Position, the Statement of Comprehensive Net Expenditure, the Statement of Cash Flow, the Statement of Changes in Taxpayers' Equity and notes to the financial statements, including a summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and International Financial Reporting Standards (IFRSs) as adopted by the European Union, and as interpreted and adapted by the 2020/21 Government Financial Reporting Manual (the 2020/21 FReM).

In our opinion the accompanying financial statements:

- give a true and fair view in accordance with the Public Finance and Accountability (Scotland) Act 2000 and directions made thereunder by the Scottish Ministers of the state of the body's affairs as at 31 March 2021 and of its net expenditure for the year then ended;
- have been properly prepared in accordance

with IFRSs as adopted by the European Union, as interpreted and adapted by the 2020/21 FReM; and

- have been prepared in accordance with the requirements of the Public Finance and Accountability (Scotland) Act 2000 and directions made thereunder by the Scottish Ministers.

Basis for opinion

We conducted our audit in accordance with applicable law and International Standards on Auditing (UK) (ISAs (UK)), as required by the Code of Audit Practice approved by the Auditor General for Scotland. Our responsibilities under those standards are further described in the auditor's responsibilities for the audit of the financial statements section of our report. We were appointed by the Auditor General on 31 May 2016. The period of total uninterrupted appointment is 5 years. We are independent of the body in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK including the Financial Reporting Council's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. Non-audit services prohibited by the Ethical Standard were not provided to the body. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Conclusions relating to going concern basis of accounting

We have concluded that the use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the body's ability to continue to adopt the going concern basis of accounting for a period of at least twelve months from when the financial statements are authorised for issue.

Risks of material misstatement

We report in a separate Annual Audit Report, available from the [Audit Scotland website](#), the most significant assessed risks of material misstatement that we identified and our judgements thereon.

Responsibilities of the Accountable Officer for the financial statements

As explained more fully in the Statement of Accountable Officer's Responsibilities, the Accountable Officer is responsible for the preparation of financial statements that give a true and fair view in accordance with the financial reporting framework, and for such internal control as the Accountable Officer determines is necessary to enable the preparation of financial statements that are free from material

misstatement, whether due to fraud or error.

In preparing the financial statements, the Accountable Officer is responsible for using the going concern basis of accounting unless deemed inappropriate.

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

Irregularities, including fraud, are instances of non-compliance with laws and regulations. We design procedures in line with our responsibilities outlined above to detect material misstatements in respect of irregularities, including fraud. Procedures include:

- obtaining an understanding of the applicable legal and regulatory framework and how the body is complying with that framework;

- identifying which laws and regulations are significant in the context of the body;
- assessing the susceptibility of the financial statements to material misstatement, including how fraud might occur; and
- considering whether the audit team collectively has the appropriate competence and capabilities to identify or recognise non-compliance with laws and regulations.

The extent to which our procedures are capable of detecting irregularities, including fraud, is affected by the inherent difficulty in detecting irregularities, the effectiveness of the body's controls, and the nature, timing and extent of the audit procedures performed.

Irregularities that result from fraud are inherently more difficult to detect than irregularities that result from error as fraud may involve collusion, intentional omissions, misrepresentations, or the override of internal control. The capability of the audit to detect fraud and other irregularities depends on factors such as the skilfulness of the perpetrator, the frequency and extent of manipulation, the degree of collusion involved, the relative size of individual amounts manipulated, and the seniority of those individuals involved.

A further description of the auditor's responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website www.frc.org.uk/auditorsresponsibilities. This description forms part of our auditor's report.

Reporting on regularity of expenditure and income

Opinion on regularity

In our opinion in all material respects:

- the expenditure and income in the financial statements were incurred or applied in accordance with any applicable enactments and guidance issued by the Scottish Ministers, the Budget (Scotland) Act covering the financial year and sections 4 to 7 of the Public Finance and Accountability (Scotland) Act 2000; and
- the sums paid out of the Scottish Consolidated Fund for the purpose of meeting the expenditure shown in the financial statements were applied in accordance with section 65 of the Scotland Act 1998.

Responsibilities for regularity

The Accountable Officer is responsible for ensuring the regularity of expenditure and income. In addition to our responsibilities to detect material misstatements in the financial statements in respect of irregularities, we are responsible for expressing an opinion on the regularity of expenditure and income in accordance with the Public Finance and Accountability (Scotland) Act 2000.

Reporting on other requirements

Opinion prescribed by the Auditor General for Scotland on audited part of the Remuneration and Staff Report

We have audited the parts of the Remuneration and Staff

Report described as audited. In our opinion, the audited part of the Remuneration and Staff Report has been properly prepared in accordance with the Public Finance and Accountability (Scotland) Act 2000 and directions made thereunder by the Scottish Ministers.

Statutory other information

The Accountable Officer is responsible for the statutory other information in the annual report and accounts. The statutory other information comprises the Performance Report and the Accountability Report excluding the audited part of the Remuneration and Staff Report.

Our responsibility is to read all the statutory other information and, in doing so, consider whether the statutory other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work we have performed, we conclude that there is a material misstatement of this statutory other information, we are required to report that fact. We have nothing to report in this regard.

Our opinion on the financial statements does not cover the statutory other information and we do not express any form of assurance conclusion thereon except on the Performance Report and Governance Statement to the

extent explicitly stated in the following opinions prescribed by the Auditor General for Scotland.

Opinions prescribed by the Auditor General for Scotland on Performance Report and Governance Statement

In our opinion, based on the work undertaken in the course of the audit:

- the information given in the Performance Report for the financial year for which the financial statements are prepared is consistent with the financial statements and that report has been prepared in accordance with the Public Finance and Accountability (Scotland) Act 2000 and directions made thereunder by the Scottish Ministers; and
- the information given in the Governance Statement for the financial year for which the financial statements are prepared is consistent with the financial statements and that report has been prepared in accordance with the Public Finance and Accountability (Scotland) Act 2000 and directions made thereunder by the Scottish Ministers.

Matters on which we are required to report by exception

We are required by the Auditor General for Scotland to report to you if, in our opinion:

- adequate accounting records have not been kept; or

- the financial statements and the audited part of the Remuneration and Staff Report are not in agreement with the accounting records; or
- we have not received all the information and explanations we require for our audit.

We have nothing to report in respect of these matters.

Conclusions on wider scope responsibilities

In addition to our responsibilities for the annual report and accounts, our conclusions on the wider scope responsibilities specified in the Code of Audit Practice are set out in our Annual Audit Report.

Use of our report

This report is made solely to the parties to whom it is addressed in accordance with the Public Finance and Accountability (Scotland) Act 2000 and for no other purpose. In accordance with paragraph 120 of the Code of Audit Practice, we do not undertake to have responsibilities to members or officers, in their individual capacities, or to third parties.

Gary Devlin

Gary Devlin, (for and on behalf of Azets Audit Services)
Exchange Place 3
Semple Street
Edinburgh
EH3 8BL
17 August 2021

3. Financial Statements

The Statements of Comprehensive Net Expenditure, Financial Position, Cash Flows and Changes in Taxpayers Equity, as well as details of accounting policies and supporting notes.

The outturn against the DEL and AME budget is at page 10.

Scottish Courts and Tribunals Service
Statement of Comprehensive Net Expenditure
For the year ended 31 March 2021

		2020-21	2019-20
Expenditure	Note	£'000	£'000
Staff costs	3	67,913	64,234
Other administration costs	4	49,101	43,007
Depreciation and amortisation	6,7	19,305	17,239
Impairment	6	5	6,916
Operational costs	4	26,785	32,068
Total Expenditure		163,109	163,464
Income			
Operating Income	5	7,010	6,869
Income from fees and retained fines	5	30,194	38,513
Total Income		37,204	45,382
Net outturn		125,905	118,082
Items that will not be reclassified to profit or loss			
(Loss)/Gains on property revaluation	6	(238)	8,000
		(238)	8,000
Other comprehensive income for the year, net of tax		(238)	8,000

The notes on pages 57 to 71 form part of these accounts.

Scottish Courts and Tribunals Service
Statement of Financial Position
As at 31 March 2021

	Note	2020 £'000	2019 £'000
Non-current assets			
Property, plant and equipment	6	504,049	510,142
Intangible assets	7	17,489	11,156
Trade and other assets due in more than one year	8	-	20
Total non-current assets		521,538	521,318
Current assets			
Receivables and other current assets	8	12,158	11,207
Cash and cash equivalents	9	16,942	16,859
Assets classified as held for sale	6c	6	400
Total current assets		29,106	28,466
Total assets		550,644	549,784
Current liabilities			
Payables and other current liabilities	10	(13,398)	(12,739)
Provisions for liabilities and charges due within one year	11	(447)	(696)
Total current liabilities		(13,845)	(13,435)
Total assets less current liabilities		536,799	536,349
Non-current liabilities			
Payables and other liabilities	10	(2,221)	(2,329)
Provisions for liabilities and charges due in more than one year	11	(4,699)	(4,355)
Total non-current liabilities		(6,920)	(6,684)
Assets less liabilities		529,879	529,665
Taxpayers' equity			
General fund	SOCTE	361,000	357,682
Revaluation reserve	SOCTE	168,879	171,983
Total taxpayers' equity		529,879	529,665



Eric McQueen
 Chief Executive
 16 August 2021

The Accountable Officer authorised these financial statements for issue on 16 August 2021.

The notes on pages 57 to 71 form part of these accounts.

Scottish Courts and Tribunals Service
Cash Flow Statement
For the year ended 31 March 2021

	Note	2021 £'000	2020 £'000
Cash flows from operating activities			
Net outturn	SCNE	(125,905)	(118,082)
<i>Adjustments for non-cash transactions:</i>			
Depreciation and amortisation	SCNE	19,305	17,239
Impairment	SCNE	5	6,916
Other adjustments	9	-	(2,489)
Notional audit fee	4	95	96
Loss/(Profit) on disposal of property, plant and equipment and asset held for sale	4,5	77	-
<i>Movements in working capital:</i>			
(Increase)/decrease in receivables and other current assets		(931)	(3,965)
Increase/(decrease) in trade and other payables		1,006	(2,337)
Increase/(decrease) in provisions		95	469
Net cash flow from operating activities		(106,253)	(102,153)
<i>Cash flows from investment activities</i>			
Purchase of property, plant and equipment	6	(12,677)	(27,997)
Purchase of intangible assets	7	(7,692)	(2,119)
Proceeds of disposal of property, plant and equipment	4,5,6	43	-
Proceed of disposal of assets held for sale	6c	400	-
Net cash flow from investment activities		(19,926)	(30,116)
Cash flows from financing activities			
From Scottish Consolidated Fund	SOCTE	126,262	104,574
Cash flows from financing activities		126,262	104,574
Net Increase in cash and cash equivalents		83	(27,695)
Cash and cash equivalents at beginning of period	9	16,859	44,554
Net increase on cash and cash equivalents		83	(27,695)
Cash and cash equivalents at end of period	9	16,942	16,859

The notes on pages 57 to 71 form part of these accounts.

Scottish Courts and Tribunals Service
Statement of Changes in Taxpayers' Equity
For the year ended 31 March 2021

	Note	General Fund £'000	Revaluation Reserve £'000	Total £'000
Balance at 1 April 2020		357,682	171,983	529,665
Total comprehensive expenditure for the year ended 31 March 2021		(125,905)	(238)	(126,143)
Non-cash charges				
Non-cash charges - auditor's remuneration	4	95	-	95
Non-cash charges - other		-	-	-
Total non-cash charges - auditor's remuneration	4	95	-	95
Other reserve movements				
Transfer of fixed assets (to)/from other bodies		-	-	-
Other adjustments	9	-	-	-
Transfers between reserves		2,866	(2,866)	-
Total other reserve movements/adjustments		2,866	(2,866)	-
Funding				
Parliamentary funding		126,262	-	126,262
Net parliamentary funding drawn down		126,262	-	126,262
Balance at 31 March 2021		361,000	168,879	529,879
Net increase/ (decrease) during the year		3,318	(3,104)	214

The notes on pages 57 to 71 form part of these accounts.

**Scottish Courts and Tribunals Service-
Statement of Changes in Taxpayers' Equity
For the year ended 31 March 2020**

	Note	General Fund £'000	Revaluation Reserve £'000	Total £'000
Balance at 1 April 2019		369,965	167,601	537,566
Total comprehensive expenditure for the year ended 31 March 2020		(118,082)	8,000	(110,082)
Non-cash charges				
Non-cash charges - auditor's remuneration	4	96	-	96
Non-cash charges - other		-	-	-
Total non-cash charges - auditor's remuneration	4	96	-	96
Other reserve movements				
Transfer of fixed assets (to)/from other bodies		-	-	-
Other adjustments	9	(2,489)	-	(2,489)
Transfers between reserves		3,618	(3,618)	-
Total other reserve movements/adjustments		1,129	(3,618)	(2,489)
Funding				
Parliamentary funding		104,574	-	104,574
Net parliamentary funding drawn down		104,574	-	104,574
Balance at 31 March 2020		357,682	171,983	529,665
Net increase/ (decrease) during the year		(12,283)	4,382	(7,901)

The notes on pages 57 to 71 form part of these accounts.

NOTES TO THE ACCOUNTS

1. Basis of Accounts

These financial statements have been prepared in accordance with International Financial Reporting Standards (IFRS) as adopted and interpreted by the 2020-21 Government Financial Reporting Manual (FRoM) issued by HM Treasury and the Accounts Direction issued by Scottish Ministers (Annex 3). The Board and Accountable Officer have considered the budget and associated grant in aid allocation for 2021-22 and consider that the SCTS has adequate resources to continue in operational existence in the foreseeable future. The accounts are therefore prepared on a going concern basis.

An assessment of liquidity risk is shown in Note 15 and the budget allocation for 2021-22 can be seen at: <https://www.scotcourts.gov.uk/docs/default-source/aboutscts/reports-and-data/publications/scts-business-plan-2021-22---final.pdf?sfvrsn=2>

These accounts have been prepared under the historical cost convention, modified to account for the revaluation of property, plant and equipment.

2. Accounting Policies

Where the FRoM permits a choice of accounting policy, the accounting policy which is judged to be most appropriate to the particular circumstances of the Scottish Courts and Tribunals Service (SCTS) for the purpose of giving a true and fair view has been selected. The particular policies adopted by the SCTS are described below. They have been applied consistently in dealing with items that are considered material to the accounts.

2.1 Property, plant and equipment

The threshold for capitalising assets is £5,000 for all categories apart from information technology equipment (networked and grouped) which is all capitalised, irrespective of value. On initial recognition, property, plant and equipment are measured at cost including any costs such as installation directly attributable to bring them into working condition. All property, plant and equipment are carried at fair value. Operational assets and those that are not held for their service potential (i.e. investment properties and assets held for sale), including operational assets which are surplus to requirements where there are no restrictions on disposal which would prevent access to the market, are measured subsequently at Fair Value as follows:

Specialised SCTS land, buildings, equipment, installations and fittings are stated at Depreciated Replacement Cost (DRC), as a proxy for Fair Value as specified in the SPFM (Scottish Public Financial Manual). DRC assessments are subject to an assumption of ongoing future use by SCTS for operational purposes. Non-specialised land and buildings are stated at Fair Value which is broadly correlated with Market Value. The assessment of Fair Value for operational non specialised assets is subject to an assumption of ongoing use for the existing purposes thereby reflective of Market Value for Existing Use.

Valuations of all land and building assets are reassessed by our valuers (currently Avison Young) on a 5 year cycle of professional valuations. In the intervening years, to take account of movements in prices since the latest valuation, indexation is applied. Building Cost Information Service (BCIS) indices are used for cost based assessments (DRC) otherwise for market based elements indexation figures will reflect observed movements in the property market over the relevant period. The valuations are carried out in accordance with the Royal Institution of Chartered Surveyors (RICS) Valuation Standards insofar as these terms are consistent with the agreed requirements of the SPFM.

Where significant redevelopment of a property has been completed outwith the valuation cycle the relevant property will be subject to a specific valuation at the appropriate point in accordance with SPFM guidance.

Land and buildings were fully revalued by the valuers as at 31 March 2019 on the basis of Fair Value (Market Value or Depreciated Replacement Cost where appropriate). The valuations were undertaken by RICS Registered Valuers and prepared under the RICS Valuation – Global Standards 2017 and the SPFM. Property details provided by SCTS were supported by site visits/inspections by the valuer and the valuations were prepared reflecting the specific classification of each of the subjects. Specialised operational assets have been assessed to DRC. A Modern Equivalent Asset (MEA) approach has been adopted with the resulting Gross Replacement Cost assessment adjusted, as appropriate, for physical, functional and economic/external obsolescence. Land held in association with specialised operational sites has been valued to Market Value for Existing Use as part of the wider DRC calculations. Non specialised operational assets have also been valued to Market Value for Existing Use with surplus/non-operational properties valued on a Market Value basis. Market related assessments have been prepared through the use of comparable

market transaction evidence. DRC valuations are subject to an assumption of future ongoing use by the SCTS for operational purposes.

Increases in the carrying amount arising on revaluation of property, plant and equipment are credited to the revaluation reserve in taxpayers' equity. Decreases arising from fluctuations in market conditions are first charged directly to revaluation reserve to offset any previous increases for the same asset. Amounts in excess of these previous increases are expensed to the Statement of Comprehensive Net Expenditure. Decreases arising from other factors are expensed directly to the Statement of Comprehensive Net Expenditure.

Depreciation is provided on a straight line basis on all property, plant and equipment (other than freehold land) at rates calculated to write down the cost or valuation of each asset over its estimated useful life.

Buildings	
<i>Sub & super structure</i>	not exceeding 80 years
<i>Fittings & furnishings</i>	not exceeding 50 years
<i>Other Buildings</i>	not exceeding 40 years
Vehicles	3 years
Information Technology Equipment	3 years
Equipment	not exceeding 10 years
Fixtures & Fittings	not exceeding 10 years

Assets under construction are carried at the costs directly attributable to bringing the asset to the location and condition necessary for it to be capable of operating in the manner intended by management. Assets under construction are transferred to the appropriate property, plant and equipment category when completed and ready for use. No depreciation is charged until the asset is operational.

Last year in consultation with Avison Young on the impact of COVID19 on asset valuations. They supplied SCTS with a "material valuation uncertainty" advice letter. It advised that they could attach less weight to previous market evidence for comparison purposes to inform opinions of value. They advised that their valuation advice was reported on the basis of 'material valuation uncertainty' as per VPS 3 and VPGA 10 of the RICS Valuation – Global Standards effective from 31 January 2020.

Consequently, less certainty, and a higher degree of caution, was attached to the valuation advice than would normally be the case. Avison Young also highlighted that for the avoidance of doubt, the inclusion of the 'material valuation uncertainty' declaration did not mean that the valuation cannot be relied upon. Following on from that SCTS has followed Avison Young's advice and kept the valuations and property market under review.

Since early summer 2020, the classes of property which the clause applied to have been gradually reduced and since 9 September 2020, the clause has been removed for all UK real estate. With the market stabilising the 'material valuation uncertainty' no longer applies. SCTS will undertake a mid-year review, with Avison Young during 2021-22.

2.2 Non-current assets classified as held for sale

The SCTS classify a non-current asset as held for sale if its carrying amount will be recovered principally through a sale transaction rather than through continuing use. This condition is met when the asset is being actively marketed by management, it is available for immediate sale in its present condition, the sale is considered to be highly probable and is expected to qualify for recognition as a completed sale within one year from the date of classification. Assets classified as held for sale are measured at the lower of their carrying amount immediately prior to their classification as held for sale and their fair value less costs to sell. Depreciation or amortisation for such assets is not charged from the date they are classified as an asset held for sale.

2.3 Intangible assets

Both purchased software licenses and internally generated software/IT systems are valued at depreciated replacement cost. Amortisation is applied at rates calculated to write off the value of the software by equal instalments over the shorter of the term of the license and their estimated useful life. Software and main intangible systems (e.g. Integrated Case Management System, ICMS) are amortised over a 3 and 10 year life respectively. Due to the lack of active market ICMS is shown at amortised replacement cost as a proxy for fair value. A management review of the bespoke system was undertaken and confirmed that the useful life and valuation is appropriate. No impairment was necessary following this assessment.

2.4 Cash and cash equivalents

Cash represents cash in hand, cash held with the Government Banking Service and cash in commercial bank accounts

2.5 Financial instruments

The SCTS does not hold any complex financial instruments. The only financial instruments included in the accounts are receivables, cash and cash equivalents and payables (notes 8, 9 and 10).

Trade and other receivables are recognised at fair value less any impairment for any amounts assessed as irrecoverable. An impairment of debt for irrecoverable amounts is made where there is evidence that the SCTS will be unable to collect an amount due in accordance with agreed terms. The SCTS have adopted IFRS 9 in its treatment on the impairment of trade receivables. During 2020-21 a review of impairment based on a lifetime Expected Credit Losses was completed. A further review of the bad debt impairment will be undertaken in 2021-22 to estimate the possible impact of COVID-19 on the Expected Credit Losses. Trade and other payables are recognised at fair value.

2.6 Income and Expenditure recognition

The SCTS is not a trading organisation. Income primarily comprises court fees for civil cases. The SCTS collects fines on an agency basis. Sheriff Court fines are paid over to the Scottish Consolidated Fund and are not accounted for as part of the income of the SCTS. An element of Justice of the Peace Court fines, Police and Fiscal fixed penalty fines are retained by the SCTS in line with The Scotland Act 1998 (Designation of Receipts) Order issued by HM Treasury. The remainder is paid over to the Scottish Consolidated Fund. Income and expenditure is accounted for in the year to which it relates and not when cash payments are made or received. Where income and expenditure has been recognised but cash has not been received or paid, a receivable or payable for the corresponding amount is recorded in the Statement of Financial Position.

2.7 Value added tax (VAT)

Revenues, expenses and assets are recognised net of the amount of VAT except where the VAT incurred on a purchase of assets or services is not recoverable from HM Revenue and Customs (HMRC), in which case the VAT is recognised as part of the cost of acquisition of the asset or as part of the expenses item as applicable. The net amount of VAT recoverable from, or payable to, HMRC is included as part of receivables or payables in the Statement of Financial Position.

2.8 Operating leases

All the SCTS leases are leases where substantially all the risk and benefits of ownership of the asset have not transferred to the SCTS and are therefore classified as operating leases. Rentals payable under operating leases are charged to the Statement of Comprehensive Net Expenditure on a straight-line basis over the lease term. The SCTS recognises the aggregate benefit of incentives as a reduction of rental expense over the lease terms, on a straight line basis. The determination of whether an arrangement is, or contains, a lease is based on the substance of the arrangement at inception date: whether fulfilment of the arrangement is dependent on the use of a specific asset or assets or the arrangement conveys a right to use the asset.

2.9 External auditor remuneration

External auditor's remuneration for non-audit services is charged on a notional basis to the SCTS. It is charged to the Statement of Comprehensive Net Expenditure and credited as a movement on the general fund.

2.10 Provisions

Provisions are recognised when the SCTS has a present obligation (legal or constructive) as a result of a past event, it is probable that an outflow of resources will be required to settle the obligation and a reliable estimate can be made of the amount of the obligation. The expense relating to any provisions is presented in the Statement of Comprehensive Net Expenditure net of any reimbursement.

Following a review of the dilapidations provisions during 2018-19, SCTS revised the methodology for the recognition of dilapidations provisions and now recognises the reinstatement element at the start of a lease with the wear and tear element spread across the life of the lease. The dilapidations provision is based from an estimate assessment provided by external surveyors Avison Young. This is also best practice and complies with IAS 37. Given the unknown future impact that COVID-19 might have on dilapidations, the SCTS commissioned a mid-year desktop review from Avison Young during 2020-21 to supplement the year-end desktop review

2.11 Employee benefits pensions

Past and present employees are covered by the provisions of the Principal Civil Service Pension Scheme (PCSPS) and the Civil Service and Other Pension Scheme (CSOPS). These defined benefit schemes are unfunded and are non-contributory except in respect of dependant's benefits. The SCTS accounts for these schemes as defined contribution plans and recognises the expected cost of these elements on a systematic and rational basis over the period during which it benefits from employee's services by payment to the PCSPS/CSOPS of amounts calculated on an accruing basis. Liability for payment of future benefits is a charge on the PCSPS/CSOPS. In respect of the defined contribution schemes, the SCTS recognises the contributions payable for the year. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in the future payments is available.

2.12 Judicial Pension Scheme

Members of the judiciary are covered by a different Judicial Pension Schemes (JPS). This includes the 1981 Scheme, 1993 JUPRA, 2015 Judicial Pensions Scheme and 2017 Fee-Paid Judicial Pension Scheme. The JPS is an unfunded multi-employer defined benefit scheme which prepares its own Accounts. Effective from 1 April 2016, the SCTS became responsible for the employer contributions to the JPS. Contributions from 2016 to 31 March 2019 were paid at a rate of 38.45% and from April 2019 that rate increased to 51.35%. The amount of these contributions is included in the Staff Report from page 42. Although the JPS is a defined benefit scheme, in accordance with FReM 6.2, the SCTS accounts for the scheme as a defined contribution scheme and recognises employer contributions payable as an expense in the year they are incurred.

As part of the changes to judicial pension arrangements, a new governance framework was established to secure the confidence in the Judicial Pension Schemes of both the scheme members and the tax payers. The Lord Chancellor is the Responsible Authority and Scheme Manager for the Schemes. Furthermore, there is an established Judicial Pensions Board. Further information on the Judicial Pensions Board and relevant publications, such as judicial; pension scheme accounts, scheme guidance and valuation reports can be found here: <https://www.gov.uk/government/groups/judicial-pension-board>.

2.13 Other employee benefits

A liability and an expense are recognised for untaken holiday days, holiday pay, and flexi balances at 31 March 2021. As a result an accrual has been made for time earned but not taken.

2.14 Accounting estimates and assumptions

The SCTS makes estimates and assumptions concerning the future. The resulting accounting estimates will, by definition, seldom equal the actual results. Other than estimates and assumptions relating to Property Plant & Equipment, Intangibles and Provisions, stated in accounting policies at 2.1, 2.3 and 2.10 above, there are no material estimates or assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year. Estimates and judgments are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances. Given the unknown potential impact of the COVID-19 pandemic; SCTS has not amended estimates and judgements in respect of Property Plant & Equipment, Intangibles and Provisions for any impact of COVID-19.

2.15 Disclosure of accounting standards not yet applied

A number of new accounting standards have been issued or amendments made to existing standards, but have not yet been applied to these financial statements. The standard that is considered relevant and the anticipated impact is as follows:

IFRS 16 Leases – The standard was published by the International Accounting Standards Board in January 2016. In 2020/21, HM Treasury determined that entities which prepare their accounts in accordance with the FReM will now adopt this standard in 2022/23. IFRS 16 replaces IAS 17 Leases and introduces a new single accounting approach for all leases (with limited exceptions); therefore, there will no longer be a distinction between operating and finance leases. Lessees will recognise, in the Statement of Financial Position, a liability to make lease payments and an asset representing the right to use the underlying asset during the lease term. The accounting for leases by lessors will remain largely unchanged. Significant preparations for the implementation of the standard are underway and baseline modelling has been conducted; however, a quantification of the impact on SCTS has not yet been finalised as we await further verification data from external advisors.

3. Staff Numbers and costs

Due to changes in the required reporting format all relevant disclosures relating to staff are included in the Remuneration and Staff Report (pages 42 to 48).

4. Non-staff expenditure

4a. Other administration expenditure

Rent and Rates	
Accommodation	
Building maintenance and impairment	
Computer Maintenance	
Office running costs	
Publications – Sheriff Courts	
Other	
Postage	
Contracted Services	
Travel, subsistence and hospitality	
Provision movements	
External auditor remuneration - Audit fee	
Loss on disposal of non-current assets	
Total	

	2020-201 £'000	2019-20 £'000
	13,641	13,787
	17,225	9,602
	7,700	8,031
	3,803	3,382
	1,815	1,736
	1,342	1,476
	1,459	1,083
	1,060	1,075
	577	1,042
	203	952
	104	745
	95	96
	77	-
Total	49,101	43,007

During the year SCTS purchased non-audit services from its external auditor totaling £25k (2019-20: £19k).

4b. Operational costs

Judicial costs	
Judicial pension costs	
Payments to jurors	
Interpreters' costs	
Other	
Total	

	2020-21 £'000	2019-20 £'000
	7,224	9,602
	14,769	14,985
	1,374	3,784
	571	1,221
	2,847	2,476
Total	26,785	32,068

5. Income

5a. Operating income

	2020-21 £'000	2019-20 £'000
Shared service income from other government departments	5,578	4,466
Profit on disposal of non-current assets	-	-
Income from rent receivable and court hire	229	29
Stakeholder capital contribution *	-	2,273
Recharges	1,178	-
Other income	25	101
Total	7,010	6,869

*Includes £2,273k contribution from Highland Council for Inverness Justice Centre.

5b. Income from fees and retained fines

	2020-21 £'000	2019-20 £'000
Fees charged	26,452	33,815
Retained fines	3,742	4,698
Total	30,194	38,513

6. Property, plant and equipment

6a. Property, plant and equipment current year

Purchases of total property, plant and equipment in the schedule of £11,631k (2019-20: £20,448k) appear in the cash flow statement as £12,677k (19-20: £27,997k) after adjustment for opening and closing property, plant and equipment accruals in trade and other payables.

Cost or valuation	Land £'000	Buildings £'000	Vehicles £'000	Equipment £'000	ICT systems £'000	Fixtures and fittings £'000	Assets under construction £'000	2020-21 Total £'000
Opening balance at 1 April 2020	32,340	782,161	224	1,559	17,459	5,135	-	838,878
Additions	-	4,837	352	-	6,442	-	-	11,631
Transfers to/from assets classified as held for sale	(8)	(39)	-	-	(6)	-	-	(53)
Disposals	-	-	-	(259)	(2,421)	(285)	-	(2,965)
Revaluation	(42)	(196)	-	-	-	-	-	(238)
Downward Revaluation to Statement of comprehensive net expenditure	-	-	-	-	(11)	-	-	(11)
As at 31 March 2021	32,290	786,763	576	1,300	21,463	4,850	-	847,242
Depreciation								
Opening balance at 1 April 2020	-	313,071	224	1,061	11,350	3,030	-	328,736
Charged in year	-	13,329	-	108	3,517	401	-	17,355
Disposals	-	-	-	(259)	(2,352)	(281)	-	(2,892)
Revaluation	-	-	-	-	-	-	-	-
Downward Revaluation to Statement of comprehensive net expenditure	-	-	-	-	(6)	-	-	(6)
Balance as at 31 March 2021	-	326,400	224	910	12,509	3,150	-	343,193
Net book value current year	32,290	460,363	352	390	8,954	1,700	-	504,049
Net book value prior year	32,340	469,090	-	498	6,109	2,105	-	510,142

All assets are owned by the Scottish Courts and Tribunals Service Corporate Body. All land and buildings are held freehold. No assets are held under finance leases or PFI/PPP contracts.

6b. Property, plant and equipment prior year

Purchases of total property, plant and equipment in the schedule of £20,448k (2018-19: £24,236k) appear in the cash flow statement as £27,997k after adjustment for opening and closing property, plant and equipment accruals in trade and other payables.

Cost or valuation	Land £'000	Buildings £'000	Vehicles £'000	Equipment £'000	ICT systems £'000	Fixtures and fittings £'000	Assets under construction £'000	2019-20 Total £'000
Opening balance at 1 April 2019	30,745	742,402	224	1,849	15,566	4,914	22,922	818,622
Additions	-	3,021	-	-	2,996	349	14,082	20,448
Transfers	1,310	35,694	-	-	-	-	(37,004)	-
Transfers to/from assets classified as held for sale	(26)	(374)	-	-	-	-	-	(400)
Disposals	-	-	-	(290)	(1,103)	(128)	-	(1,521)
Revaluation	311	8,334	-	-	-	-	-	8,645
Downward Revaluation to Statement of comprehensive net expenditure	-	(6,916)	-	-	-	-	-	(6,916)
As at 31 March 2020	32,340	782,161	224	1,559	17,459	5,135	-	838,878
Depreciation								
Opening balance at 1 April 2019	-	300,074	150	1,243	9,494	2,749	-	313,710
Charged in year	-	12,352	74	108	2,959	409	-	15,902
Disposals	-	-	-	(290)	(1,103)	(128)	-	(1,521)
Revaluation	-	645	-	-	-	-	-	645
Downward Revaluation to Statement of comprehensive net expenditure	-	-	-	-	-	-	-	-
Balance as at 31 March 2020	-	313,071	224	1,061	11,350	3,030	-	328,736
Net book value current year	32,340	469,090	-	498	6,109	2,105	-	510,142
Net book value prior year	30,745	442,328	74	606	6,072	2,165	22,922	504,912

All assets are owned by the Scottish Courts and Tribunals Service Corporate Body. All land and buildings are held freehold. No assets are held under finance leases or PFI/PPP contracts.

6c. Assets classified as Held for Sale

The following assets have been presented for sale by the Scottish Courts and Tribunals Service. The completion date for sale is expected to be within 12 months. Assets classified as held for sale are measured at the lower of their carrying amount immediately prior to their classification as held for sale and their fair value less costs to sell. Assets classified as held for sale are not subject to depreciation or amortisation.

Cost or valuation

Balance at 1 April 2020	400	-	400
Transfers from Non-Current Assets	53	-	53
Disposals	(447)	-	(447)
As at 31 March 2021	6	-	6

Property £'000	Intangible Assets £'000	Total £'000
400	-	400
53	-	53
(447)	-	(447)
6	-	6

Cost or valuation

Balance at 1 April 2019	-	-	-
Transfers from Non-Current Assets	400	-	400
As at 31 March 2020	400	-	400

Property £'000	Intangible Assets £'000	Total £'000
-	-	-
400	-	400
400	-	400

7. Intangible assets

7a Intangible assets current year

Purchases of total intangible assets in the schedule of £8,283k (2019-20: £2,574k) appear in the cash flow statement as £7,692k after adjustment for opening and closing intangible asset accruals in trade and other payables.

Cost or valuation

Balance at 1 April 2020	4,941	17,484	-	22,425
Additions	902	5,971	1,410	8,283
Disposals	(844)	(162)	-	(1,006)
As at 31 March 2021	4,999	23,293	1,410	29,702

Amortisation

Balance at 1 April 2020	2,909	8,360	-	11,269
Charged in year	335	1,615	-	1,950
Disposals	(844)	(162)	-	(1,006)
As at 31 March 2021	2,400	9,813	-	12,213

Net book value as at 31 March 2021

Software licences £'000	ICT software £'000	Assets under development £'000	Total £'000
4,941	17,484	-	22,425
902	5,971	1,410	8,283
(844)	(162)	-	(1,006)
4,999	23,293	1,410	29,702
2,909	8,360	-	11,269
335	1,615	-	1,950
(844)	(162)	-	(1,006)
2,400	9,813	-	12,213
2,599	13,480	1,410	17,489
2,032	9,124	-	11,156

Net book value as at 31 March 2020

The intangible assets include the ICMS system which is an internally generated case management system which has a carrying amount of £7,178k with a remaining amortisation period of 67 months

7b. Intangible assets prior year

Purchases of total intangible assets in the schedule of £2,574k (2018-19: £2,097k) appear in the cash flow statement as £2,119k after adjustment for opening and closing intangible asset accruals in trade and other payables.

	Software licences £'000	ICT software £'000	Assets under development £'000	Total £'000
Cost or valuation				
Balance at 1 April 2019	4,625	12,859	2,699	20,183
Additions	488	1,161	925	2,574
Disposals	(172)	(160)	-	(332)
Transfers	-	3,624	(3,624)	-
As at 31 March 2020	4,941	17,484	-	22,425
Amortisation				
Balance at 1 April 2019	2,782	7,482	-	10,264
Charged in year	299	1,038	-	1,337
Disposals	(172)	(160)	-	(332)
As at 31 March 2020	2,909	8,360	-	11,269
Net book value as at 31 March 2020	2,032	9,124	-	11,156
Net book value as at 31 March 2019	1,843	5,377	2,699	9,919

The intangible assets include the ICMS system which is an internally generated case management system which has a carrying amount of £6,578k with a remaining amortisation period of 79 months.

8. Trade receivables and other assets

	2020-21 £'000	2019-20 £'000
Amounts falling due within one year		
Trade receivables	2,326	4,407
VAT	2,619	1,573
Other receivables	355	611
Prepayments	5,797	2,078
Accrued income	1,061	2,538
Total receivables due within one year	12,158	11,207
Amounts falling due in more than one year		
Other receivables	-	20
Total receivables due in more than one year	-	20
Total at 31 March 2021	12,158	11,227

9. Cash and cash equivalents

Balance at 1 April 2020	
Net change in cash and cash equivalent balances*	
Balance as at 31 March 2021	

The following balances at 31 March 2021 were held at:

Commercial banks and cash in hand*	
Government Banking Service*	
Balance as at 31 March 2021	

	2020-21 £'000	2019-20 £'000
	16,859	44,554
	83	(27,695)
	16,942	16,859
	13,882	13,580
	3,060	3,279
	16,942	16,859

* In 2019-20 a one off adjustment was made to remit legacy cash balances due to Scottish Government. The cash balances are required to ensure sufficient funds were in place to support the SCTS payment and payroll runs.

10. Payables and other current liabilities

Amounts falling due within one year

Trade payables	
Other payables	
Accruals	
Deferred income	
Corporate balance with the Scottish Government	
Total payables due within one year	

	2020-21 £'000	2019-20 £'000
	-	19
	2,553	1,899
	9,488	9,413
	14	14
	1,343	1,394
	13,398	12,739
	2020-21 £'000	2019-20 £'000
	2,012	2,106
	209	223
	2,221	2,329
	15,619	15,068

Amounts falling due in more than one year

Other payables	
Deferred income and accruals	
Total payables due in more than one year	

Total at 31 March 2021

11. Provisions for liabilities and charges

11a Provisions for liabilities and charges current year

	Property and dilapidations £'000	President pension costs £'000	Compensation costs £'000	2020-21 Total £'000
Balance as at 1 April 2020	3,427	927	1	4,355
Add: element reported as due within one year	563	45	88	696
Total as at 1 April 2020	3,990	972	89	5,051
Provided for in year	128	2	155	285
Provisions not required written back	(52)	-	(26)	(78)
Provisions utilised in year	(18)	(46)	(48)	(112)
Total as at 31 March 2021	4,048	928	170	5,146
Payable within one year	(332)	(46)	(69)	(447)
As at 31 March 2021	3,716	882	101	4,699

Analysis of expected timing of any resulting outflows of economic benefits:

	Property and dilapidations £'000	President pension costs £'000	Compensation costs £'000	2020-2021 Total £'000
Payable in 1 year	332	46	69	447
Payable between 2 and 5 years	82	182	101	365
Payable between 6 and 10 years	699	228	-	927
Thereafter	2,935	472	-	3,407
Total as at 31 March 2021	4,048	928	170	5,146

11b Provisions for liabilities and charges prior year

	Property and dilapidations £'000	President pension costs £'000	Compensation costs £'000	2019-20 Total £'000
Balance as at 1 April 2019	2,529	1,013	69	3,611
Add: element reported as due within one year	878	30	63	971
Total as at 1 April 2019	3,407	1,043	132	4,582
Provided for in year	817	26	65	908
Provisions not required written back	(234)	-	(57)	(291)
Provisions utilised in year	-	(97)	(51)	(148)
Total as at 31 March 2020	3,990	972	89	5,051
Payable within one year	(563)	(45)	(88)	(696)
As at 31 March 2020	3,427	927	1	4,355

Analysis of expected timing of any resulting outflows of economic benefits:

	Property and dilapidations £'000	President pension costs £'000	Compensation costs £'000	2019-20 Total £'000
Payable in 1 year	563	45	88	696
Payable between 2 and 5 years	80	180	1	261
Payable between 6 and 10 years	507	226	-	733
Thereafter	2,840	521	-	3,361
Total as at 31 March 2020	3,990	972	89	5,051

11c Details of Provisions

Property and dilapidations

This represents the impact of the periodic revaluation exercises along with estimated amounts due on the expiry of property leaseholds held by the SCTS, to return the properties to their original condition. The amounts due and the timing of payments depends on the terms and conditions of each lease, reinstatement works covers, general wear and tear and the extent of alternations carried out by the SCTS over the period of the lease.

President Pension

This relates to the pension contributions for the Presidents of the Mental Health Tribunal.

Compensation

Amounts have been provided for material claims for compensation against the SCTS from service users. The amounts provided are based on an assessment of the amounts claimed and the likelihood of a payment being required. Where a settlement is considered unlikely to be required no provision is made.

12. Capital commitments

As at 31 March, contracted capital commitments for which no provision has been made were as follows:

	2021 £'000	2020 £'000
Property, plant and equipment		
Edinburgh Sheriff Court	651	-
Hamilton Sheriff Court	301	-
Glasgow 3 Atlantic Quay	143	-
Glasgow Sheriff Court	313	-
Glasgow High Court	139	-
Parliament House	132	-
Other	534	83
Intangible Assets		
Integrated Case Management System (ICMS)	269	1,201
Other Digital	-	951
Desktop and infrastructure	217	-
Compliance	294	-
Software development	480	-
Total	3,473	2,235

As at 31 March, authorised but not contracted capital commitments for which no provision has been made were as follows:

	2021 £'000	2020 £'000
Intangible Assets		
Integrated Case Management System (ICMS)	-	158
Other Digital	-	6
Total	-	164

13. Commitments under operating leases

As at 31 March, total future minimum lease payments under operating leases are given in the table below:

	2020 - 21 £'000	2019 -20 £'000
Buildings		
Within one year	5,783	5,867
Between two and five years (inclusive)	20,679	20,293
After five years	49,019	52,663
Total	75,481	78,823

14. Related Party Transactions

The SCTS is a Non Ministerial Departmental Body in the Scottish Administration. During the year, SCTS has had various material transactions with the Scottish Government and the Crown Office.

The SCTS has also had a number of transactions with other government departments, central government bodies, local government and other non-departmental public bodies.

During the financial year, SCTS received a number of civil court fees from Addleshaw Goddard LLP, a legal firm conducting business in Scotland. The level of these fees, for the processing and transacting of civil court business carried out by the firm, are set independently of the SCTS by the relevant Scottish Statutory Instrument (referred to as a Fee Order). Mr Simon Catto, the solicitor member of the SCTS Board was a partner of Addleshaw Goddard LLP until June 2017.

During the year no Board or Executive Team members have undertaken any material transactions with the SCTS.

15. Financial Instruments

The SCTS resource requirements are met from Scottish Government via the annual grant-in-aid provision and from other income generated from activities. The SCTS has no power to borrow funds and all surplus funds are held in interest bearing deposit accounts. Other than financial assets and liabilities which are generated by day-to-day operational activities, the SCTS holds no financial instruments. Because of the nature of its activities and the way in which the SCTS is financed, the SCTS is not exposed to the degree of financial risk faced by business entities.

Liquidity risk

Scottish Ministers make provision for the SCTS's use of resources, for revenue and capital purposes, in its budget for each financial year. Resources and accruing resources may be used only for the purposes specified and up to the amounts specified in the budget. The SCTS is not therefore exposed to significant liquidity risks.

Market risk

Market risk is the risk that the fair value of future cash flows of a financial instrument will fluctuate because of changes in market prices. Market prices that could affect the SCTS are interest rate risk. As noted above, the SCTS has no power to borrow and all surplus funds are held in interest bearing deposit accounts or the Government Banking Service. The SCTS has no other investments and therefore there is limited exposure to interest rate risk.

Credit risk

Credit risk is the risk that a counterparty will not meet its obligations under a financial instrument or contract, leading to a financial loss. The SCTS is exposed to credit risk from its operating activities (primarily for trade and other receivables) but the level of risk is not deemed significant. Credit risk related to trade and other receivables is managed through established procedures relating to the monitoring and follow up of outstanding balances.

Fair values

The fair value of the financial assets and liabilities are included at the amount at which the instrument could be exchanged in a current transaction between willing parties, other than in a forced or liquidation sale. The following methods and assumptions were used to estimate the fair values:

Cash and cash equivalents, trade receivables, trade payables, and other current liabilities approximate their carrying amounts largely due to the short-term maturities of these instruments. There is no difference between the book value and fair value for the cash and cash equivalents shown in note 9.

16. Losses

During the financial year there were two instances of cash handling losses totaling £30.00 (2019-20: 13 instances totaling £1k).

17. Third Party Assets

Cash balances of £36,173k (2019-20: £27,106k), as per confirmed via report from the banks, are held on behalf of third parties. This is mainly money consigned into court in respect of liquidations, cautions, expenses in civil actions and unclaimed dividends. These third party assets are not the property of the SCTS and are not included in the SCTS's accounts

18. Contingent Assets/Liabilities disclosed under IAS 37

At the 31 March 2021 there were no material contingent assets/liabilities.

19. Post Balance Sheet Events

In line with IAS 10, the SCTS considers there to be no adjusting or non-adjusting events

Annex 1

SCTS Business Volume Levels, 2020-21

General note on the impact of COVID-19 pandemic on business volumes

In order to support the public health response and observe government guidance, only the High Court, Court of Session and 10 “hub” sheriff courts were open during the first lockdown period from March to June 2020, managing only essential business. From June 2020, we began re-opening the remaining 29 sheriff courts and tribunal buildings – operating at reduced business levels. Criminal business has been the most challenging area in which to maintain normal operating levels, due to the requirement for in-person hearings in a higher proportion of cases. As detailed in this report we have made significant strides, particularly in relation to civil and tribunal business, where processing has returned to near-normal levels using remote operation and virtual hearings.

Progress has also been made in criminal business – with the introduction of remote jury centres, virtual custody cases and the piloting of virtual summary trials. Strong progress was made up to the end of 2020, however further backlogs accrued in criminal business due to the continuing reduction in operating capacity within our buildings and the need to reduce summary criminal business between January and April 2021 in response to the emergence of the new COVID-19 variant. In all criminal courts a total of 46,159 cases were concluded in 2020-21 – around half the volume of those concluded in 2019-20. Further detail on the range of recovery measures put in place can be found in the COVID-19 commentary section of this report (p18-19).

In view of the rapidly changing nature and impact of the pandemic on criminal business, we now publish monthly management information setting out the level of cases being processed and projected case backlogs. We have also published a range of modelling reports summarising the impact of the measures taken to date and the projected impact of the planned recovery programme. Those reports are available [here](#). Business volumes for 2020-21 should be considered in the context of the pandemic.

High Court

	2020-21	2019-20	2018-19
High Court judge days	2,227	3,486	3,676
Indictments registered	851	1,118	999
Trials Evidence Led	278	498	507
High Court: criminal appeals lodged	281	630	594

First Instance Criminal Business

Whilst the volume of indictments registered in quarter 4 saw a return to previous years' levels, the overall volume of indictments registered in 2019-20 decreased by over 23% compared with the previous year. No High Court trials proceeded between April and the end of July, however remote jury centres paved the way towards recovery from September. They have been running at or above pre-COVID capacity levels from November 2020.

Criminal Appeal Business

The marked drop in Criminal Appeals reflects lower business throughput. End to end times for the Criminal Appeal Court remain healthy and continue to be monitored closely by the Criminal Appeals Administrative Judge.

Court of Session

	2020-21	2019-20	2018-19
Court of Session judge days	1,240	1,328	1,424
Cases registered	882	975	987
Proofs proceeding	63	58	58
Court of Session: civil appeals/reclaiming motions	188	229	180
Civil petitions registered	1,067	1,185	1,279

Outer House

The Court of Session has been operating on a fully virtual basis since early in the pandemic, with remote business management the norm. The number of civil court actions has dipped around 9% representing a slight downturn that can be attributed to the broader impact of COVID-19 during the year. The overall number of proofs that proceeded showed a marginal increase on last year – testament to the new working arrangements and the flexibility shown by all parties to make use of them.

Inner House

The average period for marking a reclaiming motion or lodging an appeal to the Court of Session to disposal of the merits has remained comfortably within target at 28 weeks. The number of appeals lodged has seen a noticeable decrease in 2020-21 compared to the previous year and is more consistent with 2018-19. This fluctuation is likely due to the impacts of the pandemic, with the trend likely to recover in future years.

Court Days

The further 6% reduction in Court of Session judge days in 2020-21 (following a 7% reduction in 2019-20) is indicative of the continuing shift of business to the lower courts – a key intention of the Civil Court Reform Programme.

All-Scotland Courts

	2020-21	2019-20	2018-19
Sheriff Appeal Court - criminal appeals lodged	308	701	723
Sheriff Appeal Court - civil appeals lodged	132	294	266
Personal Injury Court: registrations	2,944	3,220	3,591

In their fourth full year of operation, case levels in both the All-Scotland Personal Injury court and the Sheriff Appeal Court are now well-established and have been operating entirely virtually. Appeal volumes in the Sheriff Appeal Court have decreased in proportion with the reduced levels of business managed by the sheriff courts this year. Nearly two-fifths of personal injury cases are being raised in the national Sheriff Personal Injury Court. Both courts continue to achieve the objective of freeing up court and judicial resource in the High Court and Court of Session.

Sheriff and Justice of the Peace Courts

Sheriff Courts: Summary Criminal	2020-21	2019-20	2018-19
Complaints registered	54,110	65,490	59,777
Trials Evidence Led	2,721	6,946	7,731

Sheriff Courts: Solemn Criminal	2020-21	2019-20	2018-19
S&J Indictments registered	4,851	5,452	5,182
S&J Trials Evidence Led	197	1,134	1,119

Justice of the Peace Courts	2020-21	2019-20	2018-19
Complaints registered	16,932	33,582	36,955
Trials Evidence Led	349	1,543	1,785
Sitting Days	1,583	3,477	4,081

Sheriff Courts: Civil	2020-21	2019-20	2018-19
Ordinary Cause registered	18,091	23,089	22,776
OC Proofs and Debates proceeding	216	543	563

Summary Cause/Small Claims/Simple Proc.	2020-21	2019-20	2018-19
Cases registered	20,502	45,953	43,465
SC Proofs Proceeding	85	368	379

Sheriff Courts: Sitting Days	2020-21	2019-20	2018-19
Number of days	18,391	26,981	26,884

Commissary	2020-21	2019-20	2018-19
Inventories Recorded	22,977	23,797	25,358

The limitations on business throughput caused by the pandemic led to significantly lower case processing levels this year. Whilst the volume of business entering the system fell the reduction in capacity exceeded that reduction in supply.

Despite solemn trials not proceeding between April and December 2020, registered indictments for the year fell only 11% compared with 2019-20. These are expected to rise again in 2021-22. Solemn trials recommenced in December using the remote jury centre model – which facilitated 197 evidence-led trials, representing a return to pre-pandemic levels for the latter part of the year.

In the summary courts, with the exception of a small number of priority trials, all scheduled sheriff court criminal trials due to call between April 2020 and July 2020 were adjourned. In August, summary trials were re-introduced to the court programme on a restricted basis, to comply with physical distancing requirements. Across summary criminal business, complaints registered dropped 17% on last year, and the level of trials called dropped by 61%. 25% of all summary complaints registered in the Sheriff Court related to domestic abuse. Domestic abuse cases accounted for 34% of summary trials called and 43% of evidence led trials demonstrating the priority afforded to these cases.

The JP courts continue to experience reductions in the level of complaints – with an almost 50% drop compared with 2019/20. Whilst a large proportion of this reduction is attributable to COVID-19 the trend of reducing case levels appears to be continuing.

Civil court business also experienced reductions over the past year, largely due to a downturn in case levels caused by the pandemic. This was more marked at the lower level – with only around half the previous year's volume of simple procedure actions registered. Ordinary actions experienced a comparatively lower reduction of 22%. Whilst capacity was restored for evidential hearings in-year, output remained lower – with Ordinary proofs and debates proceeding at 60% of 2019-20 levels and 77% for simple procedure. Ongoing recovery activity in the civil courts will continue to focus on making best use of the remote and virtual approaches that have proved to be effective, coupled with a return to in person business in those cases where it is genuinely required. There will be an ongoing need to preserve some of the physical capacity previously used for civil business in order to tackle the backlogs that have arisen in relation to criminal business in the most effective way.

Office of the Public Guardian

	2020-21	2019-20	2018-19
Powers of Attorney registered	37,999	64,166	60,778
Guardianship Orders registered	1,912	2,778	2,764

Business volumes in the Office of the Public Guardian were just over 40% lower than in 2019-20, which was the busiest year yet recorded for powers of attorney. The impacts of the pandemic reduced both the volume of business received and our processing capacity. This year is expected to be an anomaly - application levels and processing capacity were both returning towards pre-pandemic levels towards the end of the year. The long-term trend of more Powers of Attorney being registered looks set to continue, reflecting the growing recognition by people of the importance of registering a Power of Attorney in order to ensure their financial affairs can be effectively managed should they become unable to manage them, coupled with the ability to easily apply for a Power of Attorney on-line. Further information and statistics on the work of the OPG can be found on their website, <http://www.publicguardian-scotland.gov.uk>

Upper Tribunal, First-tier Tribunals and other Tribunals administered by the SCTS

The significant programme of restructuring Scotland's devolved tribunals continued this year. The impact of the COVID-19 pandemic required dramatic changes to the way that Tribunals Operations delivered its service to users. This rapidly accelerated the organisation's expansion of digital systems and 'virtual' hearings, allowing it largely to operate at business as usual levels, with backlogs recovered. In common with recent years, business levels generally continue their upward trend, with a continuing year on year increase in Mental Health Tribunal applications, which carry the largest caseload. These workloads continue to be monitored closely given the increasing demand and the tight statutory deadlines within which the Tribunal operates.

Business levels within the Housing and Property Chamber have remained high, and are expected to continue their upward trajectory in future years – following the transfer of jurisdiction for certain case types from the sheriff court: a change which appears to have encouraged more people to seek redress through the system. Whilst still relatively low this year, case volumes in the social security chamber are set to grow significantly in 2021-22 as new devolved benefits are introduced.

Upper Tribunal for Scotland	2020-21	2019-20	2018-19
Receipts	30	53	35
Disposals	38	51	16
Hearing Days	18	22	8

First-tier Tribunal for Scotland (Housing and Property Chamber)			
Property Factor	2020-21	2019-20	2018-19
Receipts	218	187	225
Disposals	196	208	169
Hearing Days	116	74	125
Rent & Repairs			
Receipts	129	151	163
Disposals	96	178	230
Hearing Days	89.5	157.5	241
Third Party			
Receipts	13	49	44
Disposals	18	25	34
Hearing Days	38.5	96	29
Right of Entry (cases are disposed of by decision rather than hearing)			
Receipt	81	79	72
Disposal	51	75	73
Decisions	26	45	39
Letting Agents			
Receipts	66	151	66
Disposals	78	135	32
Hearing Days	59	44	30
Private Rented Sector			
Receipts	1,960	3,507	3,212
Disposals	2,304	3,551	2,656
Hearing Days	323	230	176
Case Management Days	1,225	1,195	794
First-tier Tribunal for Scotland (Health & Education Chamber)			
Additional Support Needs			
Receipts	83	146	113
Disposals	125	132	83
Hearing Days	58	47	61
First-tier Tribunal for Scotland (Tax Chamber)			
Tax			
Receipts	2	24	17
Disposals	7	18	6
Hearing Days	4	25	1

First-tier Tribunal for Scotland (General Regulatory Chamber)			
Charity Appeals	2020-21	2019-20	2018-19
Receipts	0	1	3
Disposals	0	1	1
Hearing Days	0	2	4
Parking and Bus Lane Appeals (SCTS assumes responsibility during 2021-22)			
Receipts	819	-	-
Disposals	909	-	-
Hearing Days	41	-	-
First-tier Tribunal for Scotland (Social Security Chamber)			
Social Security			
Receipts	46	67	6
Disposals	42	60	0
Hearing Days	9	17	0
Other Tribunals administered by SCTS			
Mental Health Tribunal for Scotland			
Receipt	5,057	4,600	4,576
Disposal	4,812	4,509	4,397
Hearing Days	3,227	3,407	3,451
Mental Health Tribunal for Scotland (Excessive Security)			
Receipts	34	31	32
Disposals	34	26	33
Hearing Days	30	22	33
Mental Health Tribunal for Scotland (Section 26)*			
Receipts	0	-	-
Disposals	0	-	-
Hearing Days	0	-	-
Lands Tribunal for Scotland			
Receipts	2,059	335	273
Disposals	214	331	299
Hearing Days	16	80	43
Pension Appeals Tribunal for Scotland			
Receipts	191	280	350
Disposals	215	272	300
Hearing Days	43	64	75

Council Tax Reduction Review Panel			
Receipts	42	57	61
Disposals	47	60	63
Hearing Days	8	14	13

*Part 2 of the Management of Offenders (Scotland) Act 2019 commenced 30 November 2020. This legislation amended the Mental Health (Care and Treatment) (Scotland) Act 2003 adding a new application type for patients who are subject to a compulsion order under section 164A.

Annual Report for the Office of Auditor of Court

(in accordance with section 19(2) of the Civil Litigation (Expenses and Group Proceedings) (Scotland) Act 2018)

Part 3 of this Act came into force on 30 January 2019. From that date, the SCTS has the responsibility for appointments to the offices of Auditor of the Court of Session, Auditor of the Sheriff Appeal Court, Auditor of the All Scotland Personal Injury Court and Auditor of the Sheriff Courts. SCTS must report on the number of taxations carried out and the fees charged by these auditors. Transitional provisions were put in place to permit the continuation of the current service, offered by the existing Auditor of the Court of Session and independent auditors, as private businesses, until they retire or demit office. The transitional arrangements excuse the SCTS from reporting on the work carried out by these private auditors.

In course of the 2020-21 the SCTS employed four Auditors of the Sheriff Court: for the Sheriffdoms of Glasgow and Strathkelvin; North Strathclyde; Tayside Central & Fife and Grampian Highland & Islands. From 1 April 2020, SCTS also assumed responsibilities for the audit of the All Scotland Personal Injury Court and the Sheriff Appeal Court; to facilitate this, the temporary Auditor to the Court of Session, All Scotland Personal Injury Court and Sheriff Appeal Court, appointed on 1 April 2020, was re-appointed for a further 12 months to 31 March 2022.

Since 18 January 2021 the Auditor for North Strathclyde has additionally undertaken Judicial Taxations for South Strathclyde Dumfries & Galloway. The only Sheriffdom where there is no Auditor conducting taxations is Lothian & Borders.

The SCTS employed Auditors of Court are restricted to carrying out judicial taxations, although this may be extended to extra judicial taxations in the future. The information provided below is therefore limited to judicial taxations carried out by the SCTS employed Auditors of Court during the period 1 April 2019 to 31 March 2021.

Audits Undertaken

Judicial Taxations ²¹	2020-21	2019-20	2018-19
Auditor of the Sheriff Court (appointed by SCTS)	470	607	64
All Scotland Personal Injury Court	19	-	-
Sheriff Appeal Court	20	-	-

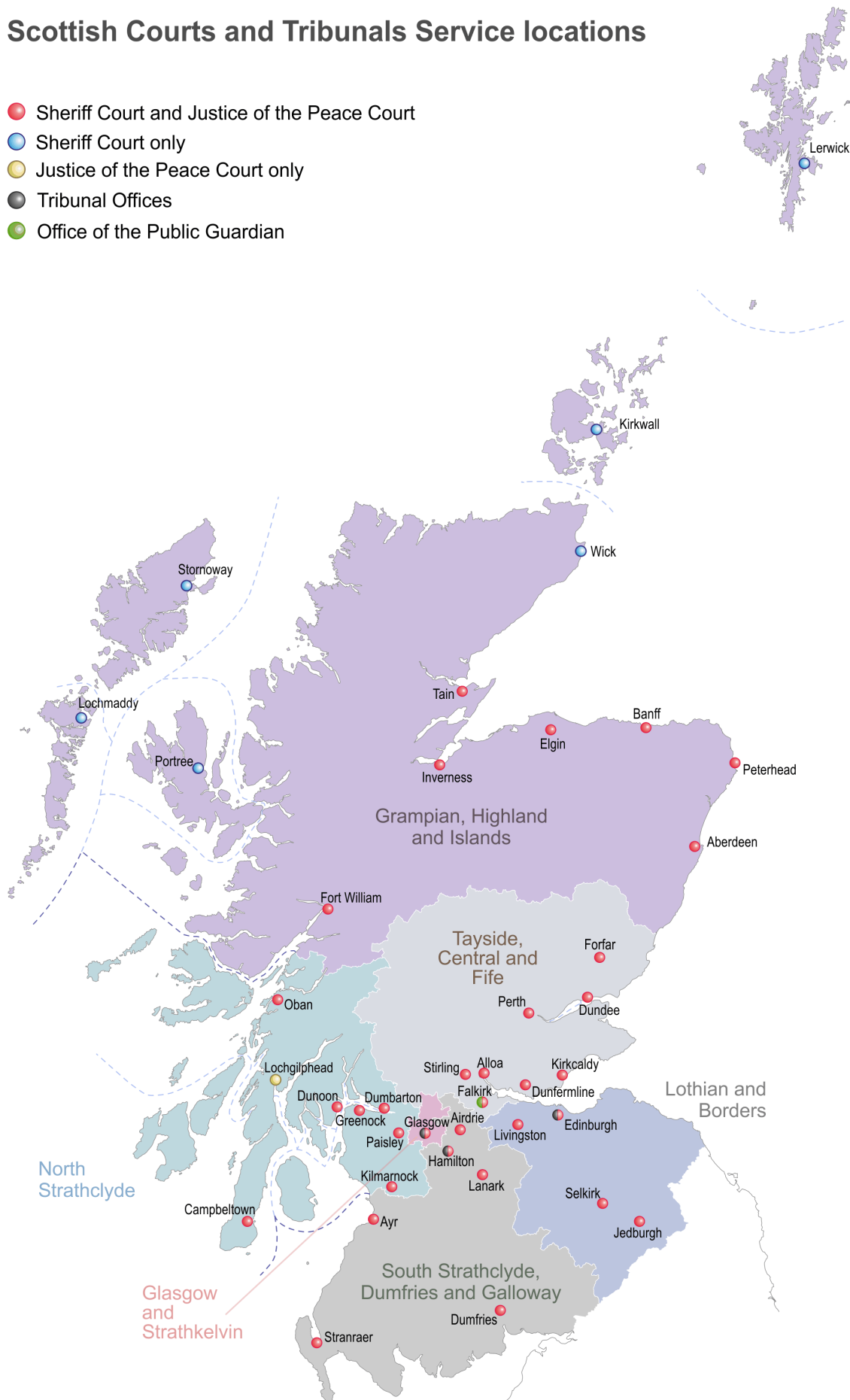
Value of Fees Raised

Judicial Taxations	2020-21	2019-20	2018-19
Auditor of the Sheriff Court (appointed by SCTS)	£139,797	£137,505	£19,973
All Scotland Personal Injury Court	£51,450	-	-
Sheriff Appeal Court	£11,986	-	-

²¹ An account of expenses remitted to an auditor of court by a court or tribunal

Scottish Courts and Tribunals Service locations

- Sheriff Court and Justice of the Peace Court
- Sheriff Court only
- Justice of the Peace Court only
- Tribunal Offices
- Office of the Public Guardian



DIRECTION BY THE SCOTTISH MINISTERS***In accordance with section 19(4) of the Public Finance and Accountability (Scotland) Act 2000***

- 1. The statement of accounts for the financial year ended 31 March 2006 and subsequent years shall comply with the accounting principles and disclosure requirements of the edition of the Government Financial Reporting Manual (FREM) which is in force for the year for which the statement of accounts are prepared.*
- 2. The accounts shall be prepared so as to give a true and fair view of the income and expenditure, recognised gains and losses, and cash flows for the financial year, and of the state of affairs at the end of the financial year.*
- 3. This direction shall be reproduced as an appendix to the statement of accounts. The direction given on the 29 March 2001 is hereby revoked.*

A handwritten signature in blue ink, appearing to read 'Alyson Stelfox', is written over a faint, light blue circular watermark.

Signed by authority of the Scottish Minister

Dated 17 January 2006

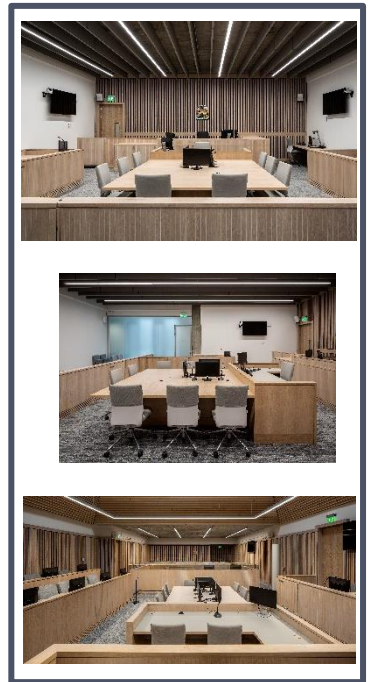
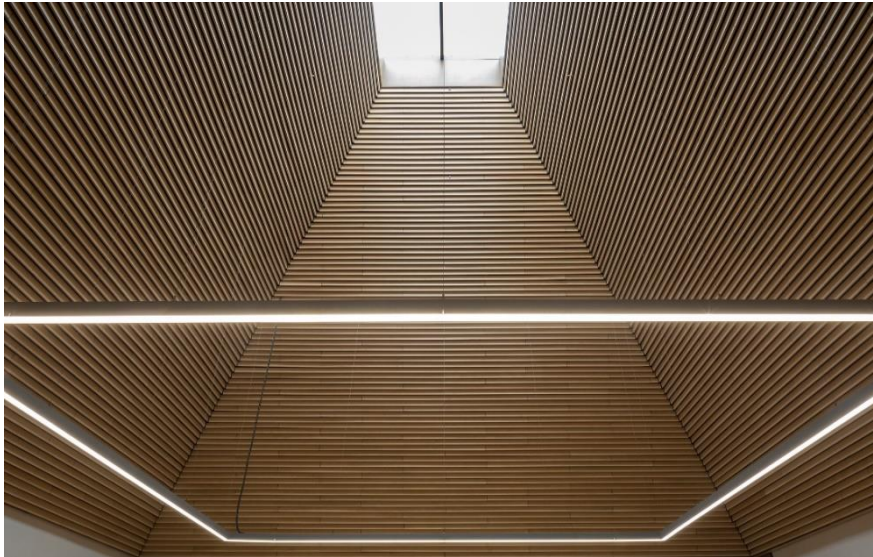
Inverness Justice Centre

Opened 30 March 2020

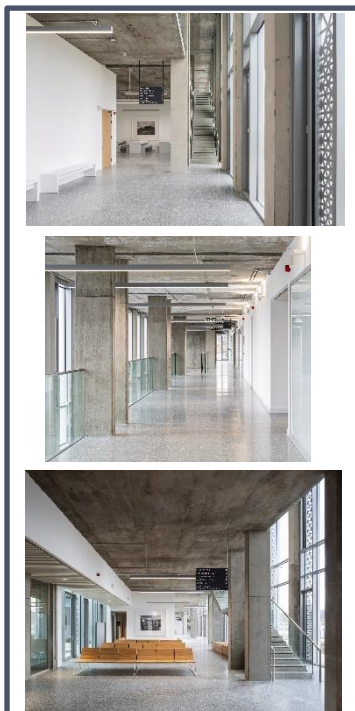
The Award-winning Justice Centre combines modern design, high quality collaborative spaces, safety, sustainability and technology to create an environment in which justice can be served efficiently accessibly and compassionately.



Form and function



Vision & collaboration



© Crown copyright 2021



This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. You may re-use this document (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence v3.0. To view this licence visit

<http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

Or write to

Information Policy Team, The National Archives, Kew, London TW9 4DU

Or email: psi@nationalarchives.gsi.gov.uk

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.scotcourts.gov.uk

Any enquiries regarding this publication should be sent to us at:

*Scottish Courts and Tribunals Service
Saughton House
Broomhouse Drive
Edinburgh
EH11 3XD*

Published by The Scottish Courts and Tribunals Service, August 2021