



MINUTES

SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD MEETING: MONDAY 15 MAY 2017, PARLIAMENT HOUSE

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

1. Minutes of the SCTS Board Meeting of 27 March 2017

- 1.1 The Minutes of the last meeting were approved.

2. Matters Arising

- 2.1 There were no outstanding actions from the last meeting.

Cyber Security

- 2.2 The Board received an update on the work carried out by the IT Unit following the recent ransomware attacks that hit a number of organisations. This had ensured that the SCTS risk of exposure to a similar cyber-attack was minimised. Board members commended the work of the IT staff, both in responding to this specific threat and in ensuring that the appropriate security systems were in place for the future.

3. Financial Results and Outturn 2017-18 (SCTS/May17/27)

- 3.1 The Board considered the provisional year-end outturn for the 2016-17 financial year. An underspend of £0.03m in net revenue costs against the total budget of £107m was anticipated. The business costs had been well managed throughout the year to align with budget and forecasted spend. Identified savings had been directed towards priorities such as estates maintenance, which had reduced the total level of backlog maintenance by a further £2.5m over the course of the financial year.

4. SCTS Pay Remit 2017/18 (SCTS/May17/28)

- 4.1 Members reviewed the draft pay remit that had been developed by the Executive for the 2017-18 staff pay settlement. It sought to make the best use of the limited flexibility

available within the Scottish Government's public pay policy to best effect for staff. Following discussion the Board agreed the draft remit.

5. Inverness Justice Centre – full business case (SCTS/May17/29)

5.1 The full business case for the Inverness Justice Centre was presented to the Board for consideration and approval. The Board commended the work that had gone into developing the business case. The Executive informed Board members of the ongoing discussion with Scottish Government in relation to the funding requirements of partner organisations. Meeting these requirements would ensure that the full potential of the Justice Centre would be realised.

5.2 The Board approved the full business case, subject to a number of comments and revisions that would be incorporated. The finalised version would be presented to the SCTS Estates Committee at their meeting in June.

6. Arrangements for SCTS Annual Report and Accounts 2016-17 (SCTS/May17/30)

6.1 The Board were advised of preparations under way for production of the 2016-17 Annual Report and Accounts. An interim audit of financial processes and controls had already been completed ahead of the formal audit process. That process would involve detailed scrutiny of the draft annual report and accounts. The draft annual report would be provided to external auditors in early June. A summary of SCTS's performance would be shared with members in advance of the submission to External Audit. Members were content with the arrangements proposed.

6.2 As in previous years, the final version of the Annual Report and Accounts would be considered by both the Audit and Risk Committee and the Board in August.

7. Annual Review of SCTS Standing Orders (SCTS/May17/31)

7.1 The Board conducted its annual review of the SCTS Standing Orders. A number of minor amendments, to ensure the standing orders remained accurate, were proposed and agreed.

7.2 The revised Standing Orders would supersede the existing version from 1 June 2017 and be published on the SCTS website.

8. Review of the Service Standards for Victims and Witnesses (SCTS/May17/32)

8.1 A report on the operation of shared standards of service for victims and witnesses was considered. The cross justice sector report provided a summary of the service standards in place over the past 12 months and the efforts made by organisations to ensure that these were met. It also provided detail on further action planned over the coming year to ensure that the good level of service, which is provided by SCTS, was maintained.

8.2 The Board reviewed the content of the report. It was agreed that, although challenging in a court environment, staff across the organisation had worked hard to improve the level of service provided. Maintaining and improving performance in relation to the standards was important as it enhanced the experience of victims and witnesses. Their effective participation is an essential element of the justice process.

9. The Scotland Act – Devolution of Reserved Tribunals (SCTS/May17/33)

9.1 The Board discussed the current position of this work. A draft feasibility report, setting out the options for devolution of the administration of reserved tribunals, had been developed. It had not been possible to conclude the report with the UK Government ahead of the general election. A decision is required on when the transfer of these tribunals should

take place and the arrangements that should be made for the transfer. This would not be until a new UK Government has been formed and is in a position to provide its views.

9.2 The Board agreed that planning for the transfer should continue so far as possible in the meantime. The Board were appraised of the feasibility work underway to explore the establishment of integrated tribunals' accommodation in Glasgow. This had the potential to house staff working in currently devolved and reserved tribunals in a single location from 2018.

10. ICMS – Ongoing Development (SCTS/May17/34)

10.1 The Board discussed the current position on the operation and future development of the Integrated Case Management System (ICMS). SCTS Senior Managers had participated in a workshop to prioritise further development and upgrades. These would be delivered over the coming months to meet user needs. The Board were advised that a communication would be issued to all staff and judiciary to inform them of those priorities and the timeframe for their implementation.

10.2 An interim Lessons Learned Report on delivery of the system to date, produced by an independent project manager, was reviewed. The report had previously been reviewed and discussed in detail by the Audit and Risk Committee at their meeting in April. The Committee had agreed that delivery of the review's recommendations required clear ownership for each recommendation, with delivery and review timescales set, in order to ensure effective implementation.

10.3 The Executive confirmed that steps would be taken to implement all of the recommendations of the Lessons Learned Report. It was also agreed that a detailed technical assessment would be carried out to help inform future development of ICMS. The Audit and Risk Committee had stressed the need to ensure that a thorough technical assurance assessment was conducted on the ICMS infrastructure platform, application layer and data integrity. This was to provide assurance that the system provided a strong basis for further development ahead of future investment being made. The terms and scope of the assessment would be reviewed by the Executive. The next major steps identified in ICMS development, and contained in the SCTS Business Plan for 2017-18, would be the creation of the Civil Online portal and roll-out of the system to the Court of Session.

10.4 The Board agreed that a balance needed to be struck between ensuring that the core system was robust and making progress on the next phases of ICMS development. These developments would help to deliver the broader benefits of the system. The assurance from the Executive that the recommendations from the Lessons Learned Report would be implemented was welcomed.

11. SCTS Committee Update

Audit and Risk Committee

11.1 The Committee Chair reported that two new members of the Committee had received their induction and attended their first meeting on 24 April. Members had received a presentation on ICMS and scrutinised the ICMS Lessons Learned Report as part of their workshop session which followed the formal meeting.

12. Any Other Business

12.1 There was no other business raised.

13. Papers for Scrutiny/Exception Reporting Only

13.1 The following papers had been circulated for scrutiny:

- Court Programming

- Mobile Judiciary
- ICT Programme Milestones and High Level Risks
- the SCTS Decision Tracker
- Draft minutes of the SCTS Committees held since March

No matters were raised by exception.

13.2 The Executive proposed that, as the projects captured in the ICT Programme Milestones paper had been substantively delivered, this paper would no longer be circulated to future meetings. The Board accepted the proposal.

14. Date of the Next Meeting

14.1 Monday 3 July 2017 in Aberdeen.

Scottish Courts and Tribunals Service