



SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD

MEETING: Monday 25 November 2024, Parliament House, Edinburgh

Present: Lady Dorrian, Lord Justice Clerk (Chair)
Sheriff Principal Anwar
Dr David Caddick MBE
Maggie Craig
Steven Dickson
Dr Sophie Flemig
Malcolm Graham
Ruth Innes, KC
Sheriff Olga Paspornikov
Anne Scott
Lynsey Walker
Lady Wise

Attended: Noel Rehfisch, Deputy Chief Executive, SCTS
Karen Lawrie, Head of Secretariat, SCTS

Apologies:

Lord Carloway, Lord President
Sheriff Jillian Martin-Brown

1. Minutes of the SCTS Board Meeting on 7 October 2024

1.1 The Minutes of the last meeting were approved.

2. Declarations of Interest and Matters Arising

2.1 There were no declarations of interest.

3. Finance Report

3.1 The Board considered a report on financial performance to the end of September 2024. The total 2024-25 budget was £204.5m. This included the anticipated in-year funding transfers from the Scottish Government provided through Budget revisions. Full year expenditure was currently forecast to be 0.25% above this level. Measures were in place both to monitor expenditure and ensure the budget was effectively utilised. The Board acknowledged that revised fees orders had been approved by the Scottish Parliament. They came into force, changing the level of most court fees, with effect from 1 November. Fee income remained ahead of forecasted levels and would continue to be closely monitored.

3.2 The Board stressed the importance of utilising the full budget to ensure that planned projects could be implemented fully. They acknowledged the robust forecasting and budget monitoring that was in place in order to balance the budget whilst continuing to invest in improvements in key areas. They agreed that monitoring of income and expenditure should continue, in order to deliver a balanced budget.

3.3 The launch of the Scottish Government's Oracle Fusion Cloud Accounting system on 1 October was discussed. The Audit and Risk Committee provided assurance that they had scrutinised the impact of the new system at their recent meetings and would continue to monitor the impact of the new system on the organisation as future finance modules were introduced.

3.4 Whilst the introduction had been effective overall it had created a number of transitional and teething issues requiring additional effort from the Finance and Procurement team to ensure that important transactions and rigorous accounting were maintained. The Board commended the Finance and Procurement Team on their resilience in adopting to the new system, which had the potential to deliver improvements and efficiencies once implemented.

4. 2025-26 Budget Update

4.1 The Board were informed of the SCTS Budget process for 2025-26. The UK Government had published its budget on 30 October. The Scottish Government planned to deliver its budget on 4 December.

4.2 The Chief Executive had provided details of the level of funding required for the coming financial year to the Scottish Government. He had also set out the financial provision required to maintain effective operations and support change during an evidence session of the Scottish Parliament's Criminal Justice Committee on 6 November. The Lord President and Chief Executive had met with the Cabinet Secretary for Finance to highlight resourcing requirements and the potential impact on both performance and reform should they not be met.

4.3 The Board discussed the strong case that had been made for the resourcing sought. They recognised that a funding settlement below the level sought would impact on service delivery and the ability to deliver further reform. The uncertainty of the funding of employer's National Insurance increases and the further pressure it would place on the SCTS budget if not fully covered was noted.

5. Office of the Public Guardian Transformation – reprofiling

5.1 The Board were informed of a reprofiling of delivery dates for the new case management system to support work in the Office of the Public Guardian (OPG). Phase 1 of the system had been expected to go-live in October, transferring Power of Attorney cases to the new system. The October go-live had not taken place due to a number of technical issues. Following a full review it was recommended that more time was required to resolve the technical issues and for full staff training and familiarisation to be completed in order to support a successful launch. The launch of phase 1 was now scheduled for early 2025. Further phases relating to Guardianship and the Accountant of Court were scheduled to be developed in 2025-26, subject to available funding. The overall implementation costs had been reviewed and were expected to be the same or lower than previously planned.

5.2 The revised timescales which, whilst necessary in the circumstances, were noted as a significant concern by the Board given the functionality and age of the current OPG case management system. They expressed further concern in relation to the project delivery process and the fact that it had been necessary to delay and re-plan in order to ensure effective implementation.

5.3 The Board remitted the matter to its Audit and Risk Committee for a more detailed review of the approach to the project. This would allow the Committee to understand the circumstances and to assess the current situation, considering whether any further steps were required to prevent recurrence in future projects of a similar nature. The Committee would report their findings to the Board in 2025.

6. Business Plan Delivery Report and SCTS Board Scorecard

6.1 The Board carried out its quarterly performance review. The current position on the delivery of outcomes in the 2024-25 Business Plan was scrutinised.

6.2 The Board scrutinised the business plan delivery report outcomes and scorecard measures that were reporting as amber/red. The Executive provided updates on the steps in place to manage delivery of business plan outcomes until the end of the reporting period.

7. SCTS Board Operation

7.1 The Board reviewed the structure of its existing four Committees: People, Estates, Audit & Risk and Remuneration. The Committees had supported the Board in discharging its role to good effect over the past year. It was agreed that the structure would be maintained for 2025.

7.2 A schedule of workshop sessions, visits and development activities, which would coincide with each Board meeting in 2025, was considered. The Board approved the shortlist of topics for the sessions and proposed visits.

8. Personal Injury Claim for Injury at Work

8.1 The Board were informed of an incident at Paisley Sheriff Court, during which a member of staff was injured. The Estates Committee had been informed of the matter, which had led to litigation. The Board endorsed settlement of the personal injury claim.

9. SCTS Committees

Audit and Risk Committee

9.1 The Deputy Chair of the Committee updated the Board on discussions at the November meeting. The Committee had discussed the progress of the Oracle Fusion Shared Services Programme. Members also considered and approved their Core work plan for 2025-26.

Estates Committee

9.2 Steven Dickson submitted the Committee's Annual Report. The report outlined the matters which had been discussed by the Committee during the last year and the priorities for the coming year. The Committee planned to visit SCTS locations as part of their meetings in the coming year, to aid their understanding of the SCTS estate.

People Committee

9.3 The Committee Chair presented the Committee's Annual Report. The report highlighted the key themes covered during the year. A review of Committee effectiveness and the varied topics discussed at meetings had been completed. Members agreed that changes to the meeting format had allowed more effective discussions to be held. A new external member had been appointed and would join the committee at their next meeting.

9.4 The Chair thanked all Committee Members and staff of the SCTS who had supported their work over the last 12 months

10. Any Other Business

10.1 The Board were advised that Sheriff Martin-Brown would be stepping down from the Board. She had been a member of the Board since September 2020 and chaired the Estates Committee from 2022. The Board recorded their thanks to Sheriff Martin-Brown for her contribution and insight to the Board and Estates Committee over the last 4 years.

11. Papers for Scrutiny/Exception Reporting Only

11.1 The following papers had been circulated for scrutiny:

- the SCTS Decision Tracker

No matters were raised by exception.

12. Date of the Next Meeting

12.1 The next meeting would be on Monday 27 January 2025 in Edinburgh and would be followed by the joint SCTS Board and Committee Risk Workshop.

13. Deep Dive Session – Victims, Witnesses and Justice Reform (Scotland) Bill

13.1 The Board welcomed Danielle McLaughlin, Head of the Lady Dorrian Review Implementation Team to the meeting.

13.2 The Lord Justice Clerk provided an overview of the key recommendations set out in the report [‘Improving the Management of Sexual Offence Cases’](#) which she had led. These included the establishment of a national, specialist sexual offences court; the pre-recording of the evidence of all complainers in the court; strong judicial case management; specialist trauma-informed training for all court personnel; improved communications between justice agencies and improved guidance for jurors.

13.3 Significant progress had been made in respect of a number of these recommendations, where legislation was not required. In particular there had been real success in increasing the uptake of evidence on commission – supported by new SCTS facilities – in ensuring an effective and consistent approach to case management and in the development and roll-out of trauma-informed practice training.

13.4 Danielle McLaughlin provided an update on work under way to secure the legislative change necessary to make further progress, including the establishment of the sexual offences court. Proposals were contained in the [Victims, Witnesses and Justice Reform \(S\) Bill](#) currently before the Scottish Parliament. The importance of ensuring that key elements of the review’s proposals were maintained was stressed by the Lord Justice Clerk, in order to ensure that the package of reforms would achieve real improvements for both complainers and the process as a whole.

13.5 The Board welcomed the informative update on developments.

Scottish Courts and Tribunals Service
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