

MINUTES

SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD

MEETING: Monday 24 March 2025, Parliament House, Edinburgh

Present: Lord Pentland, Lord President (Chair)
Sheriff Principal Anwar, KC
Dr David Caddick MBE
Maggie Craig
Steven Dickson
Dr Sophie Flemig
Malcolm Graham
Ruth Innes, KC
Sheriff Olga Pasportnikov
Sheriff Frank Gill
Anne Scott
Lynsey Walker
Lady Wise

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

Apologies: Lord Beckett, Lord Justice Clerk

1. Minutes of the SCTS Board Meeting on 27 January 2025

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.

2.2 Lord Pentland was welcomed to the Board as Chair following his appointment as Lord President on 3 February. Sheriff Gill was welcomed to his first Board meeting following his appointment on 1 March. It was confirmed that Sheriff Gill would Chair the Estates, Health and Safety, Fire and Security Committee.

3. Finance Report

3.1 The Board considered a report on financial performance to the end of February 2025. The total 2024-25 budget was £204.6m. This included the anticipated in-year funding transfers from the Scottish Government provided through Budget revisions. At present the end year forecast was projected to be £0.9m above this level, however this was within a permitted revenue overspend granted by the Scottish Government, in order to support the introduction of a new case management system in the Office of the Public Guardian. Monitoring of expenditure would continue until the end of the financial year to ensure that all available funding was used effectively.

3.2 The Oracle Fusion Cloud Finance system, provided by the Scottish Government and used by SCTS, was launched on 1 October. While elements of the system were working well functionality in areas that supported purchasing and overall accounting continued to create

challenges, with a number of manual processes remaining in place to ensure that SCTS records were accurate and robust. The Audit and Risk Committee had been closely monitoring these challenges and commended the resilience of the Finance and Procurement Team in dealing with them. The Board noted that these matters had been raised formally by the Chief Executive with the Scottish Government.

3.3 The Board acknowledged that building maintenance continued to place significant demands on the budget. Members noted that a high proportion of capital expenditure would be committed towards the end of the year. While effective management arrangements were in place to commit that expenditure the Executive confirmed that capital spending in 2025-26 would be more equally spread across the year, with multi-year capital project planning being developed. A new Facilities Management Contract with OCS had been signed in February. The Estates Committee had highlighted that inflationary pressures and tariffs could increase contractor costs over the coming year and that these would need to be managed closely.

3.4 The Board acknowledged the comprehensive management of the budget across the financial year, which had supported progress across a wide range of priorities.

4. Quarterly Performance Review and SCTS Board Scorecard

4.1 The Board carried out its quarterly performance review. The current position on delivery of outcomes in the 2024-25 Business Plan was scrutinised. It was noted that 17 out of 21 outcomes set for the 2024-25 had been completed or were on-track for completion. Four outcomes were reporting as amber, indicating partial delivery or slippage in the timescale. The Executive provided updates on the steps in place to manage delivery of business plan outcomes until the end of the reporting period.

4.2 Progress on the use of Artificial Intelligence to support automated transcription was discussed by the Board. A pilot based around the provision of transcripts to the judiciary in Evidence by Commission cases had provided encouraging results. Extension to other areas, particularly in support of the judiciary, was under consideration. Recent improvements to the SCTS website and the creation of an Instagram account for the Judiciary were identified as positive steps in providing the public with information on the work of SCTS and supporting open justice.

5. SCTS Business Plan and Budget 2025-26

5.1 The draft SCTS Business Plan and Budget for 2025-26, setting out the key outcomes which the SCTS planned to deliver over the coming year and the operating budget, was considered. The Board approved the budget and the business plan, which would be published in April.

5.2 Board members noted the broad range of outcomes that would be worked on during the course of the year. They also observed that, while it had been possible to produce a balanced budget in the plan, resources were tight as the organisation had not received the full level of funding that had been requested from the Scottish Government. Budgets would be carefully managed during the year and discussions were planned with the Scottish Government in relation to in-year funding, particularly the funding provided to support additional court capacity, which would remain essential in future years given the growing level of solemn business.

6. People Survey Results 2024 – Update from the People Committee

6.1 The People Committee had scrutinised the results and analysis for SCTS from the People Survey 2024. The Committee had been updated on the discussions that had taken place between SCTS management and the PCS Union in relation to the survey results. The improvement in both participation levels and the engagement index score was welcomed. Members were satisfied with the progress made to date on the two-year action plans covering the themes of leadership and managing change and the SCTS values and behaviours.

6.2 Members agreed that work should continue in line with the Corporate People Survey Action Plan. Local action plans would also be developed. The Committee would explore the metrics being used to demonstrate and measure performance at the next People Committee meeting. Further updates would be provided to the Committee throughout the year.

7. SCTS Committees

People Committee

7.1 The Chair of the Committee updated the Board on the discussions at their last meeting. The Committee had welcomed a new member, Helen Meldrum, who had been recently appointed. The Committee had reviewed the draft HR and ELU Business Plans which contained objectives covering developmental and core service delivery activities. Progress on delivery of the objectives would be conducted throughout the year.

7.2 Members agreed that the new format of their meetings, involving advance circulation of materials for the deep dives and a pre-meeting for members, was working well and allowed for more detailed discussion during the meetings.

Estates Committee

7.3 An update was provided from the temporary Chair of the Estates Committee on the discussions at their last meeting. The Committee had received a quarterly finance update which highlighted the introduction of a triage system to manage an increase in reactive court maintenance requests and costs. They also discussed the progress of the Edinburgh Justice Campus programme and were updated on other major capital projects.

7.4 Following the commencement of the Facilities Management Contract in July 2024, the contract was formally signed by the SCTS Chief Executive and Sheriff Martin-Brown, on behalf of the SCTS Board, and OCS Officials in February. The Committee would have oversight of a suite of key performance indicators at future meetings.

8. Any Other Business

8.1 The Board discussed the recent media reports regarding delays in the processing of some requests for transcriptions from victims of rape which were part of a Scottish Government pilot being delivered by SCTS. An extension to the pilot had been announced by the Scottish Government alongside continued funding. This would allow dedicated staff to process transcripts for the cases in question, improving processing times and case handling. The need for adequate and sustained funding to support work of this nature to the service level required was highlighted by the Board. These points would be shared with the Scottish Government as it developed plans for longer-term operation of the pilot.

9. Papers for Scrutiny/Exception Reporting Only

9.1 The following papers had been circulated for scrutiny:

- Inverness Justice Centre – Presence of Radon Gas
- the SCTS Decision Tracker

9.2 The Board were informed that elevated levels of Radon Gas had been identified within the Inverness Justice Centre (IJC). Radon gas is a naturally occurring gas that is present throughout the country. The gas had been identified through routine testing and measures had been put in place to ensure that all staff and building users continued to operate in a safe working environment. Radon monitoring takes time to be completed, as levels can fluctuate depending on environmental factors. Monitoring of other SCTS premises where an elevated risk of radon may be present has commenced, to ensure the organisation is providing the safest possible working environment.

9.3 The Board welcomed the informative update. They agreed that oversight of the matter should be delegated to the Estates Committee.

10. Date of the Next Meeting

10.1 The next meeting would be on Monday 9 June 2025 in the Office of the Public Guardian in Falkirk.

11. Digital Strategy Engagement Session

11.1 Fiona Cameron (Change and Digital Innovation Unit) gave a presentation to the Board, outlining the aim of the new SCTS Digital strategy that was currently under development. Fiona provided an overview of the key themes on which the new strategy would be based. A consultation process was under way to develop and finalise the strategy. A draft of the strategy, once developed, would be presented to Board for consideration and approval.

11.2 The Board thanked Fiona for her presentation and offered a range of views on development of the strategy. Collaboration with the judiciary to ensure that their needs and interests were taken on board would be crucial. Learning from both the private sector and other jurisdictions would identify good practice that may be of benefit in Scotland. Non-Executive members of the Board made clear that they would like to be more engaged in the detail of the strategy as it developed – and offered their support in its development, bringing experience from other organisations and sectors.

11.3 It was agreed that delivery of the previous SCTS Digital Strategy should be reviewed in order to learn from experience and build on the progress already made. The importance of taking an inclusive approach so that all SCTS service users, including those with limited access to digital systems, could use new systems was recognised. As the strategy was developed the views of both SCTS staff and other justice partners would be considered, to ensure that future projects provided benefits to both our service users and the organisation.

11.4 The Board welcomed the early update on development of the Digital Strategy.

Scottish Courts and Tribunals Service
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