



SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD MEETING: Monday 7 October 2024, Hamilton House, Hamilton

Present: Lord Carloway, Lord President (Chair)
Dr David Caddick MBE
Steven Dickson
Lady Dorrian, Lord Justice Clerk
Malcolm Graham
Anne Scott
Lynsey Walker
Lady Wise

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

Apologies:

Sheriff Principal Anwar
Maggie Craig
Dr Sophie Flemig
Ruth Innes, KC
Sheriff Jillian Martin-Brown
Sheriff Olga Paspornnikov

1. Minutes of the SCTS Board Meeting on 5 August 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. Tribunals Update Session

3.1 The Board visited Bothwell House and Hamilton House in Hamilton. They met with staff who provided support to the Mental Health Tribunal for Scotland, the Local Taxation Chamber and associated administrative functions. The work of the MHTS scheduling and hearings teams was highlighted due to the tight statutory timescales for arranging hearings. The Board were informed of recent successes and challenges which had been faced by the tribunals teams, including the management of case backlogs that had been inherited as new functions were transferred to the tribunals. The Board praised staff for their management of growing caseloads, whilst ensuring a real focus on the needs of service users in the delivery of hearings and provision of support.

3.2 Lady Wise, Tim Barraclough, Executive Director Tribunals and the Office of the Public Guardian, and Lesley Black (Director, Tribunals Operations) gave a presentation on the work of the devolved tribunals more broadly. Lady Wise outlined the challenges relating to recruitment, retention and remuneration of devolved tribunal panel members. As the roles were fee-paid, and did not attract any pension entitlement, it could be challenging to ensure a sufficient pool of specialist panel members to support the growing caseloads across the broad range of tribunals.

Some members supported the work of more than one tribunal panel, which placed further pressure on the availability of panel members.

3.3 Lesley provided an overview of the current structure and caseloads which were faced by Tribunals Operations. She emphasised the challenge of predicting business volumes in new areas, matching staffing and resourcing levels to meet demand whilst focusing on continuous improvement across jurisdictions to deliver an efficient and high-quality service within the resources available.

3.4 The Board discussed the challenges being faced by the tribunals staff. They welcomed the proactiveness of senior management and the ways in which they involved their teams to identify and implement efficiencies.

4. Finance Report

4.1 The Board considered a report on financial performance to the end of August 2024. The total 2024-25 budget was £207.7m. This included the anticipated in-year funding transfers from the Scottish Government. Full year expenditure was currently forecast to be 0.3% above this level. Steps would be taken to ensure that a balanced budget would be delivered. Fee income was slightly ahead of forecasted levels and would continue to be closely monitored.

4.2 The Board discussed the importance of utilising the full budget to ensure that planned projects could be fully implemented. 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.

5. 2025-26 Spending Review Update

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

5.2 The Chief Executive had been invited to give evidence to the Criminal Justice Committee of the Scottish Parliament on 6 November. The Board agreed that this provided an opportunity to set out the budget which was required in 2025-26 to maintain effective operations and to deliver improvements. SCTS had set out its future financial needs in the medium term financial strategy. It would provide an analysis on the level of capacity required through the criminal court case modelling report which would be published later this month.

5.3 The Board supported the preparations underway to ensure that the Scottish Government was well-informed about the priorities and needs of the SCTS. An update on progress would be provided at the meeting in November.

6. Board Succession Planning

6.1 The Lord President and Lord Justice Clerk had both intimated their intention to retire in February 2025. The Board were updated on the appointment processes and timeline for each role. The processes would be managed by separate boards under the chairmanship of the Chair of the Judicial Appointments Board. They were independent of SCTS.

6.2 The Board acknowledged the timescales associated with each process and would be kept informed as they progressed. On appointment, the new Lord President would become the Chair of the SCTS Board.

7. SCTS Committees

People Committee

7.1 Anne Scott presented the SCTS People Strategy 2024-28. The strategy was a high-level document that set out the SCTS vision of “Making SCTS a great place to work, learn and develop”. It outlined a range of proposed activities under four strategic goals which were intended to attract, retain, develop and reward SCTS staff.

7.2 The Board commended the strategy and approved it for publication, subject to minor amendment.

8. Any Other Business

8.1 None

9. Papers for Scrutiny/Exception Reporting Only

9.1 The following papers had been circulated for scrutiny:

- the SCTS Decision Tracker

No matters were raised by exception.

10. Date of the Next Meeting

10.1 The next meeting would be on Monday 25 November 2024 in Edinburgh.

11. Deep Dive Session – Digital Developments and Cyber Security

11.1 The Board welcomed Colin Lister, Director Change Labs and Lora Crabtree, Head of Cyber Security and Digital Risk to the meeting.

11.2 The reliance of SCTS on a range of digital systems and technology to support its business was acknowledged. The Board received an update on the substantial work that had been carried out over the past 12 months to support the organisation. Plans for further development were outlined. New systems were being launched which had the potential to deliver both service improvements and efficiencies. These included the OPG case management system and the facility for DVLA endorsable penalties to be paid online

11.3 Lora reported on the substantial investment that had been made to enhance the digital infrastructure of SCTS. This had proved essential in supporting new ways of working. She stressed the importance of making use of up to date services and systems, backed up by a reliable network, to maintain cyber security. A considerable amount of “behind the scenes” investment and work would remain essential to ensure that services were secure. Lora advised of the ongoing internal and external assessments of the digital security and resilience that were carried out in order to provide the greatest possible assurance.

11.4 The Board commended the work in all areas of the Change and Digital Innovation Team in achieving progress at speed. The need to maintain investment in cyber security was recognised, given the greater reliance on digital systems and the continuing threat that existed.

11.5 The Board thanked Colin and Lora for their informative session.

Scottish Courts and Tribunals Service
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