

Judicial Appointments Board for Scotland
Meeting: Monday 23 April 2018, Thistle House, Edinburgh

MINUTES

Present:

Mrs Nicola Gordon, Chairing Member
Dr Michael Ewart
Mrs Alison Mitchell
Mrs Deirdre Fulton
Ms Neelam Bakshi
Professor Stephen Tierney
The Hon Lady Wise
Mr Alistair Morris
The Hon Lord Minginish
Sheriff Principal Derek Pyle

Attended:

Mrs Erica Clarkson, Chief Executive
Miss Ashleigh Meikle, Court Appointments Manager and Board Secretary
Mr John Wallace, Tribunal Appointments and Governance Manager
Miss Rachel Craig, Appointments Team Leader
Miss Katy Mitchell, Administrator

Sandra Wallace, Scottish Government
Michael Fraser, APS Group

Apologies:

Sheriff Michael O'Grady, QC
Mr James McNeill, QC

1. Minute of the JABS Board Meeting of 19 March 2018

1.1 The minute from the previous meeting was agreed.

2. Matters Arising and Action Tracker

2.1 The Board were informed that the First Minister had approved David Young's recommendation for the office of sheriff. No other matters arose.

2.2. The Board reviewed the Action Tracker and agreed that it would be helpful if corresponding meeting dates and agenda item numbers were added to the tasks. Completed

tasks are to be moved off the main tracker. The Secretariat will make the necessary amendments.

3. Chairing Member and Chief Executive Updates

3.1 The Chairing Member reported that she would be meeting with the Lord President to discuss the proposed senator round. To allow for more efficient planning, the Chairing Member presented proposals for members of the selection and interview panels should the recruitment round go ahead. The Board supported the proposals and the Chairing Member will report back on progress at the next meeting.

3.2 The Chairing Member reported that the recruitment process for new Board members was now underway. Following discussions with the Scottish Government Public Appointments team, a timetable for advertising and interviews has now been agreed. The advert will 'go live' on 1 May 2018 with interviews scheduled for the middle of June.

3.3 The Chairing Member asked the Board to note that operational planning for 2018/19 was underway and that processes were beginning to be more streamlined. Strategic and operating plans were in draft and would be available for consideration by the Board at their next full meeting.

3.4 The Chairing Member thanked the Board for participating in one-to-one discussions with her. Once these are completed, a summary highlighting the key themes will be provided to the Board for discussion.

3.5 The Chairing Member reported that she has been invited to attend a strategy meeting with JUSTICE Scotland and the Scottish Equality and Human Rights Commission to discuss judicial diversity in Scotland. The meeting will be held on Thursday 31 May in Edinburgh and an update will be provided at the next full Board meeting.

Chief Executive Update

3.6 The Chief Executive provided the Board with a short update on the summary sheriff recruitment round. Panel meetings are scheduled to take place imminently and supporting papers have been issued to members. A mock interviewee has been identified and a date set.

3.7 The Chief Executive informed the Board that the team had recently visited HMP Edinburgh as part of their professional development programme. The visit had been excellent and the Governor had kindly extend the invitation to Board members should they find it helpful. In addition, the team had enjoyed an Away Day at Glasgow Sheriff Court followed by a session to discuss new ways of working, Improvement Methodology, IT requirements and the SG's 2020 programme.

3.8 An update was provided on the Board's Public Face project. Wireframes for the new website are in draft with the timetable for the build programme is in place. The topic guides for the research project are under development. The number of interviews has been increased to 50 and a questionnaire is being developed to support the qualitative element of the project. A presentation from APS on the refreshed Brand ID would be delivered later in the meeting.

3.9 The Chief Executive reported that draft GDPR policies were now with Brodies for review and edits. These will be circulated to the ARMC in short course for final sign-off. The Board were assured that the 25 May deadline will be met.

3.10 The Board commissioned a paper from the Secretariat which sets out projected timetables for tribunals and their existing structures. To allow for the summary sheriff round to be completed, this will paper will be presented to the Board at their July meeting.

3.11 The ARMC had met in March 2018. The Committee commissioned for assurance (1) “a high level list covering business work streams for the first two quarters of 2018/19 and (2) that “newly articulated risks and controls to be circulated to the ARMC for comment and approval”. The Committee also requested a “briefing updated to the next ARMC about action being taken to update and implement new requirements in relation to the General Data Protection Regulations (GDPR)”.

3.12 In light of the creation of the new five year strategy and underlying operational plan Committee agreed that “a draft business/operational plan to accompany the five year strategic plan is to be produced for consideration at an ARMC meeting in June” and that there requires to be a “refresh of risk register alongside approval of the five year strategic plan in due course”. Committee recommends “that the Board hold a risk workshop or alternative means to consider risks following approval of the five year strategic plan”.

3.13 The ARMC noted the CE’s report in respect of potential inconsistencies in claims for travel expenses and requested “fee and expense claims to be considered to ensure that appropriate controls are in place”.

3.14 It was agreed that the Board needs to take a broader look at the Board’s sub groups and committees in the round. The Secretariat will organise a workshop for Board members on this topic in due course.

3.15 The Board discussed the involvement of the Lay Assistants in appointments going forward and agreed their contribution has been invaluable to the Board’s work.

4. JABS Brand Identity (Public Face Project)

4.1 The Board welcomed the Creative Director of the APS (Scotland) Group, Michael Fraser to the meeting. APS introduced the Board to some suggestions for the new brand ID and sought views on preferences. These will now be developed further with the Secretariat and an update provided at the next meeting.

5. Monthly Budget Report (JABS 2018 12)

5.1 The Board considered a paper on the financial position to the end of March 2018. The Chief Executive reported that there would be a very small underspend at the end of the 2017/18 financial year.

5.2 The Board considered a paper setting out a top-level indicative budget for financial year 2018/19 and approved the proposals for allocations. The Chief Executive will discuss

the potential for a future budgetary uplift with Scottish Government colleagues. In the meantime, the Secretariat will carry out some financial comparisons across other jurisdictions in order to support the arguments for additional funding.

6. Any Other Business and Forward Look

6.1. The Chief Executive informed the Board of future meetings with key stakeholders including the Parole Board and the Law Society.

6.2 The Board discussed the Legal Competencies and Skills project. Liz Burnley will endeavour to report back to the Board at the July meeting.

6.3 The Board agreed that it would be useful to begin to scope out a close review of recruitment processes by drawing comparisons with other jurisdictions, sectors and organisations. This point will be discussed further following the conclusion of the summary sheriff round.

6.4 In closing the meeting, the Chairing Member once again wished Sheriff O'Grady well in his recovery and thanked members for all of their support, particularly in regard to the summary sheriff recruitment round.

7. Date of the Next Meeting

7.1 Monday 4 June 2018 at Thistle House, Edinburgh. This meeting will have an abridged agenda to ensure that the Board have time to consider the recommendations for summary sheriff.

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