

**BOARD MEETING MINUTES**  
**Monday 20 June 2022,**  
**Hybrid, Thistle House**

**Present:**

Mr Lindsay Montgomery, CBE, Chairing Member  
Sheriff Principal Aisha Anwar (Virtual)  
Ms Neelam Bakshi (Virtual)  
Mrs Liz Burnley, CBE (Virtual)  
Mrs May Dunsmuir (Virtual)  
Mrs Deirdre Fulton  
The Hon. Lady Haldane, QC  
Ms Emma Marriott  
Ms Morag Ross, QC  
Professor Stephen Tierney  
Sheriff David Young, QC (Virtual)

**In attendance:**

Mrs Paula Stevenson, Chief Executive  
Mr Stuart Scott, Interim Head of Operations  
Mr Andrew Cairns, Business Support Officer  
Mr Peter McGrath, Lay Appointment Assistant (For item 12 only)

**Apologises:**

**1. Welcome & Apologies / Declarations of Interest**

1.1 The Chairing Member welcomed May Dunsmuir and Lady Haldane as new judicial members to their first Board meeting. No apologies were received.

1.2 Ms Bakshi made her standard declaration regarding membership of the social security and employment tribunals.

**2. Business from previous meeting**

**2.1 Minutes of May Board Meeting**

2.1.1 Minutes of the May Board meeting were agreed.

2.1.2 No matters arising.

**2.2 Action Tracker**

2.2.1 The Chief Executive went through the action tracker and provided an update to the Board.

2.2.2 The paper for Small Tribunals may need to be altered due to information from the Parole Board for Scotland round,

2.2.3 The action tracker was agreed by the Board.

### **3. Chiring Member's updates**

3.1 The Chiring Member is due to have an introductory meeting with the Sheriffs Principal. Some Board members who missed the last meeting with Sheriffs Principal would like the chance to meet with them in due course. Deirdre Fulton will share the paper from previous Meeting.

3.2 The Cabinet Secretary has accepted an invitation to join our November Board meeting.

### **4. Chief Executive Updates**

4.1 The Chief Executive confirmed that Nicole Dickson was appointed as the new Business Support Officer and a person has been identified to temporarily take on the Appointments Administrator vacancy once appropriate checks have been concluded.

4.2 The Chief Executive noted plans to recruit externally for the C1 and B2 roles.

4.3 The Chief Executive shared provisional timetable for the transfer of a number of independent tribunals to the Scottish Tribunals, subject to Ministerial agreement to bring forward the necessary legislation. A column will be added to the table to confirm which tribunals JABS will be expected to recruit for. It was suggested that it would be helpful for the BMU to look at previous rounds to flag which were small and large.

4.4 The Chief Executive confirmed to the Board that JABS are still waiting for sign off for a final budget from Scottish Government and confirmed spend for periods 1 and 2 of the financial year.

4.5 The finalised Code of Conduct is now with Scottish Government for Ministerial approval.

4.6 The Chief Executive advised the Board that a Freedom of Information Request had been received and was being actioned.

4.7 The Chief Executive advised that the Board had been invited by the Scottish Government to submit a voluntary Climate Change Report. May Dunsmuir offered to share contact details for SCTS who have previously prepared such a report. The CE will consider how this work might be taken forward.

**BMU Action (1) – CE to add column to the provisional tribunal table, to show expected recruitment for JABS.**

**BMU Action (2) – BMU to go through previous tribunal rounds and flag size.**

**BMU Action (3) – BMU to add a line to the finance paper to show how the recharge of rounds impacts the monthly figures.**

**BMU Action (4) – CE to consider how a Climate Change Report might be undertaken.**

## **5. Operational Plan**

5.1 The Board agreed the Outline Plan as shared.

## **6. Risk Register**

6.1 The Board approved the risk register, which had been reviewed but not changed since the previous Board Meeting.

6.2 The Chief Executive confirmed that there will be an opportunity to have a fuller discussion in September, as this will be half way through the financial year.

## **7. Policy**

### **7.1 Update on Policy Paper**

7.1.1 The Board were provided with an update on the Policy Paper which gave details of which policy papers were considered to be a priority for review and provisional timings for these to be undertaken. This was agreed.

7.1.2 As mentioned in the CE update, the code of conduct paper is with Scottish Government for approval. Once approved this will help inform the code of conduct for Lay Assistants.

**BMU Action (5) – BMU to complete a code of conduct for Lay Assistants once signed off by Cabinet Secretary.**

**BMU Action (6) – Quarterly reminders to be issued to Members to update the Register of interests.**

### **7.2 Wellbeing**

7.2.1 The BMU have liaised with other Public Bodies and with assistance from Neelam Bakshi presented the new wellbeing policy to the Board ahead of the meeting for their approval. The Board approved the policy as set out subject to minor rewording of one paragraph. Thought will also be given to any other training which may be necessary, particularly for lay members who may not have dealt with some kinds of sensitive issues which candidates may share with a panel.

### **7.3 Sharing Information – previous rounds**

7.3.1 The Board agreed to add a question to the application form to the effect that if a candidate had previously applied for (another) judicial office in the last two years, they should explain the reasons for applying for this office. It would give a previously successful candidate the opportunity to reflect on the length of time they had spent in office but also give the panel a better understanding of the rationale for the

application, e.g. a part time sheriff now applying to be a sheriff. Alternatively, it would give a previously unsuccessful applicant the opportunity to reflect on the length of time elapsed since their last application and how they had developed in the interim.

7.3.2 The Board agreed that it would be helpful to establish how colleagues at NIJAC and JAC deal with similar applications.

7.3.3 The Board agreed to share information about recent applications for the same appointment, for a period of 2 years, in line with our retention policy.

**BMU Action (7) – Contact NIJAC and JAC colleagues to ask what their approach is and how their system deals with recent applications by the same candidate for the same appointment.**

## **8. Current Competitions**

### **8.1 Sheriff 2022**

8.1.1 Interviews commenced on 23 May and will conclude on 23 June, the panel decision meeting will be in the afternoon of 23 June and the full Board decision meeting will be virtual on June 30<sup>th</sup>.

8.1.2 On present plans we intend to let Scottish Government and candidates know the outcome on Friday 8 July.

### **8.2 LTC Member (Valuation Experience)**

8.2.1 The application window for this round has now concluded and shortlisting is underway. Discussion was had about the number of applications received for this round. The Chairing Member agreed to write to the Cabinet Secretary about this.

**BMU Action (8) – CM to write to Cabinet Secretary.**

**BMU Action (9) – IHOO to continue to engage with LTC Valuation Panel to confirm the new panel.**

### **8.3 Parole Board**

8.3.1 The Board are happy with the general approach as set out and confirmed we are potentially looking at 15 August as a launch date.

## **9. Future Rounds**

9.1 The Board discussed potential details of future rounds.

9.2 The board discussed issues arising relating to reserve lists for future rounds.

**BMU Action (10) BMU to look at draft letters to reserve candidates.**

## **10. Governance Review**

10.1 The Board is content with the review approach as set out in the paper shared with the Board prior to the meeting.

## **11. Reform Programme Plan**

11.1 The Board is content with the activity tracker and agree to the proposed working groups.

## **12. Compare and Contrast Exercise**

12.1 Mr Peter McGrath, Lay Appointment Assistant joined us for this section of the meeting and answered questions from the Board on his paper. Peter would require further time with JAC to fill in gaps in knowledge with them. The Board thanked Peter for his report.

## **13. Board Training**

13.1 The Board had been given an outline training plan for members. The Board have been asked to write to the BMU if they can do either 16 September or 21 November for the ONBOARD training day.

## **14. Profile Characteristics**

14.1 Due to lengthy discussions in other areas, the Board did not have time to come to this item today. The BMU will issue dates to the Board for another session, which will be virtual and issue the paper which was done in 2019 relating to this. Liz Burnley agreed to provide a note to inform the meeting.

**BMU Action (11) – Issue a doodle poll to the Board for further Profile Characteristics date and issue with paper from 2019 which relates.**

## **15. AOB**

No other business.

## **16. Meeting Closed**

The Meeting closed at 13:06. The next meeting is Monday 8 August 2022.