



BOARD MEETING
MINUTES OF THE MEETING HELD ON
WEDNESDAY 31 JULY 2024,
AT 10.30
R1 SPUR, SAUGHTON HOUSE

Present: Ms Pauline Aylesbury
Mr Graham Bell
Ms Linda de Caestecker
Ms Catherine Dyer, Chair
Mr Steve Kirkwood
Mr Alec Spencer (**MS Teams**)
Ms Glenys Watt

In attendance CJS: Ms Freya Brock, Improvement Lead (**Item 9 only**)
Ms Hannah Dickson, Commissioning Project Lead (**Item 8 only**)
Ms Laura Hoskins, Head of Policy and Improvement (**Item 9 only**)
Ms Karyn McCluskey, Chief Executive
Ms Hilary Ramsay, Head of Corporate Services
Mrs Dorothy Smith, Board Secretary (minutes)

Apologies: Ms Linda Bendle
Mr Adam Burley
Sheriff Kathrine Mackie
(Advisor to the Board)

Agenda

1. Welcome and Apologies

- 1.1 Catherine Dyer, Chair, welcomed the Board Members and staff to the meeting. There were apologies from Linda Bendle, Adam Burley and Kathrine Mackie. As this would have been Adam Burley's last day as a Board member,

the Board noted thanks for his contribution to CJS and wished him well in the future.

2. Declarations of interest, gifts, or hospitality

2.1 The Board noted that Kathrine Mackie and Linda Bendle have previously declared interest in the CJS Commissioning Strategy, as a consequence of their involvement in third sector organisations that would have an interest in the voluntary throughcare and mentoring contract. This was noted by the Board and it was also noted that Kathrine Mackie and Linda Bendle had not been circulated the Commissioning update and associated papers as detailed in item 8 on the agenda.

2.2 Alec Spencer informed the Board that he was founder of Families Outside which is one of the organisations applying as part of a consortium for the throughcare and mentoring contract. He informed the Board that he has not had any contact with the organisation for over 20 years, therefore he did not require to declare a conflict of interest.

2.3 Karyn McCluskey informed the Board that she had just been made aware that the Simon Community is one of the organisations which makes up a partnership applying for the throughcare and mentoring contract. As a member of the Board of the Simon Community she had not been involved in any of the decision making around that and on learning of it had advised the Simon Community that she would recuse herself from any further discussion, decision or any other action that the charity may have in respect of the process.

2.4 Alec Spencer informed the Board that the ARC reviewed the Register of Interests policy at its meeting on 24 July and recommended that members be asked to review their register submissions quarterly. In discussion it was agreed that it would be appropriate instead for members to be reminded to update their entry on the Register by adding it as a declaration on the agenda at each Board meeting under standing item 2 which will be amended to read:

“2. Declarations of interest, gifts, or hospitality; and any change to the Register of Interests”

3. Minute of Board meeting 22 May 2024

3.1 The Board minute was agreed and was adopted as the version for the Publication Scheme.

4. Matters arising – action tracker

4.1 The Board noted the status of the actions from the action tracker and updates were provided for some outstanding actions.

5. Papers circulated for information, comment, and approval.

5.1 The Board approved the following documents:

- Updated Governance Handbook
- Revised Governance Handbook schedule of appendices
- Register of Interests Policy
- Board and CJAC ToR

5.2 The Board noted the CJPF data provided by Richard Thomson in a format suitable for reporting under section 26 of the Community Justice Scotland Act 2016 and agreed that the layout and data provided was very helpful; it provides detail at an individual CJP level and will enable understanding of the picture across Scotland to be enhanced.

5.3 Alec Spencer requested an update on the Framework Document which sets out the various roles and responsibilities for CJS and Scottish Government had been with the SG Sponsor Team for some months awaiting sign off. Bill Fitzpatrick reported that the Cabinet Secretary had approved the document and it can now be published on the CJS website.

Action: The Framework Document to be published on the CJS website.

6. Chair update

6.1 The Chair reported that she had useful meetings with Gemma Fraser and Vic Guthrie regarding the work being done by CJS for the Justice Board group which focusses on delivery of Community Justice, regarding the impact of execution of outstanding warrants on the size of the prison population. She also had an introductory meeting with new Head of Corporate Services Hilary Ramsay who was attending her first meeting of the Board.

6.2 She also advised that as a result of being invited, with the Chief Executive, to attend the Board of Scottish Courts & Tribunal Service in March when there had been confirmation that Sheriffs wished access to all options available locally when considering sentencing an individual to a Community Justice disposal as opposed to custody. She had received a follow up enquiry from a Sheriff on what Community Justice services were available in their Sheriff Court District and the jurisdictions neighbouring that. The Sheriff had been provided with the contact details of the local CJP coordinator and the link to the prototype Community Interventions and Support Directory which is the new information tool. It is hosted on the CJS website and contains details provided by Local Authorities and CJPs of interventions and services to which people can be referred, as part of a community- based sentence or early intervention. The [Directory](#) is now live and will be updated when any new or change to local information is submitted.

7. Chief Executive update

7.1 Karyn McCluskey provided the Board with an update on matters of note which included:

- Early release – this has progressed for male prisoners but not for women prisoners as suitable release services are not available. This is raising issues of potential discrimination and ECHR concerns.

- Homeless and rough sleeper numbers remain high and are a continuing cause of concern given the proportion who enter custody.
- Drugs services are oversubscribed and difficult to access.
- Sheriff Principal Pyle in Grampian, Highland & Islands is putting in place a court-based project to use community justice options to support women in chaos to engage with appropriate services locally and avoid custody.
- Caledonian System – Moray is scheduling Caledonian training in October but CJS has not been given funding to resource this request for training.
- The Community Interventions and Support Directory which is now live on the CJS website includes a search facility in the drop-down menu for services specifically aimed at Veterans and the Veteran Commissioner is supportive of this. It remains the case that some local areas have provided a paucity of information compared with others who have submitted extensive listings of availability of all services in their area. While CJS hosts the Directory, has designed it and populated the initial version it is for local areas to ensure all available services, statutory and third sector, are added to it and the information on it kept up to date. This amounts to a reasonable request from CJS in terms of section 6 of the 2016 Act which states that a community justice partner must comply with any reasonable request from CJS to provide information, advice or assistance to it.
- Outstanding Warrants - currently sit at around 10,200. The subsequent arrest and often resulting remand in custody awaiting trial, is part of what is adding to the already high prison population. Both COPFS and SCTS send letters advising of court dates to those who have to enter a plea or attend a court hearing, but in too many instances there are failures to appear in response, and a warrant is taken. CJS has been working with SCTS to establish use of texting reminders to accused persons as COPFS does for witnesses. This will require mobile telephone numbers to be collected and entered on justice systems. If even a relatively small proportion of those texted attend court the impact on lowering remand numbers could be substantial.
- CJS has recently provided Justice of the Peace training delivered via the Judicial Institute for Scotland.

7.2 Karyn McCluskey undertook to provide further information on all the strands of work CJS is involved in in respect of reducing the number of warrants being executed.

Action: Karyn McCluskey to circulate information on all aspects of the work CJS is leading on in respect of warrants to the Board.

8. Commissioning update (CJS/2024/27) papers not sent to Kathrine Mackie and Linda Bendle

8.1 Hannah Dickson provided an update for the Board, this included the latest staffing changes. She reported that advance drafting of communications which will be needed when the contract award is announced are being prepared.

CJS principles and approach to monitoring and evaluation

8.2 She reported that the SMT, SG and the two governance groups have agreed the monitoring principles and approach to be taken and the Board thanked Samantha Reekie for her paper on the monitoring approach. Hannah said that CJS will explore with the successful contract provider when identified how they will report and CJS will monitor delivery.

8.3 The Board noted the papers provided on Future Development of Commissioning and Feasibility of CJS potentially holding and distributing grant monies in the future.

9. Link Improvement lead update CJS/2024/28

9.1 Freya Brock presented the Board with a case study on how CJS is collaborating with local partners to support improvement in delivery of community justice in one of the Community Justice Partnership areas that she covers as LIL.

9.2 The presentation included some contextual information about the area, a summary of the locally identified community justice priorities, and some initial observations about how the partners are working together to deliver community justice. This CJP has opted to concentrate on doing work on increasing bail supervision and have introduced a Bail Officer and the Board wished to be updated as to how this is working after sufficient time has passed to assess results.

9.3 The Board asked if there was opportunity to share best practice across CJP's. Freya informed the Board that the CJS is encouraging CJPs to share good practice.

10. Corporate Risk Register - CJS/2024/29

10.1 The Board noted the revised risk register.

11. 2024/25 Q1 Performance Report CJS/2024/30

11.1 The Board noted the Q1 performance report.

11.2 Mr Fitzpatrick thanked Rebecca Proctor and Hilary Ramsay for producing the Q1 report in his absence.

12. 2024/25 Q1 finance Report CJS/2024/31

12.1 Hilary Ramsay presented a report on CJS's financial position at the end of the first quarter of 2024/25.

12.2 Hilary highlighted that the Restorative Justice (RJ) budget for 2024/25 has been provided on the basis of funding 10 test cases within the year. Due to the person-centred nature of RJ cases, there is uncertainty in relation both to how many

cases it will be possible to progress in year and to the duration and timing of the cases that do progress. The Board noted that this translates into uncertainty over the level of expenditure that will be realised within year.

13. HRRC draft minute 24 July 2024 CJS/2024/32

13.1 The Board noted the HRRC draft minute of 24 July 2024. Glenys Watt reported the following key points:

- Equalities training - Discussion took place on training for EQI and the potential to utilise other NDPB and partner organisations. Initially CJS will work with Diversity Scotland to provide training for all staff, to create a good foundation, and knowledge on EDI.
- Data analyst – the HRRC were provided with an overview of the work that the newly appointed Data Analyst would undertake.

13.2 Glenys reported that the HRRC had discussed 360-degree appraisal quotes that had been received and it was noted that HRRC had been advised of the SMT wish to also implement a Leading and Managing Change programme, which has already been started with senior staff and it is hoped that will be rolled out across the organisation this financial year.

13.3 This programme had not previously been raised with the HRRC and the HRRC members were concerned that the 360-degree appraisal which had already been approved by the HRRC and Board might be postponed.

13.4 There was discussion on the benefit at this time to the 360-appraisal proceeding and potential costs for follow up work in some instances. The Board were of the view that it was sensible to have the Change Management programme to proceed but asked for a timetable for the change management training programme to allow members to consider further if it was possible to go ahead with both in year. It was agreed that Chief Executive and Head of Corporate Services would look at the timing of the Change Management programme and submit a paper to the Board.

Action: Karyn McCluskey and Hilary Ramsay to look at proposed timing of the Change Management programme and circulate a paper on that to the Board.

14. ARC draft minute 24 July 2024 CJS/2024/33

14.1 The Board noted the ARC draft minute of 24 July 2024. Alec Spencer reported the following key points:

- Annual Report and Accounts 2023/24 – the ARC reviewed the accounts and the report section would be circulated to the Board for comment.
- Audit Scotland will undertake fieldwork in September and report its findings to ARC in October.

Forthcoming meetings: Board meeting 18 September 2024

6 August 2024