



**BOARD MEETING**  
**MINUTES OF THE MEETING HELD ON**  
**WEDNESDAY 27 SEPTEMBER AT 10:30 AM**  
**P1 SPUR, SAUGHTON HOUSE,**  
**EDINBURGH**

- Present: Mrs Jean Couper CBE, Chair  
Mr Gerry Bann  
Ms Linda Bendle  
Ms Lillian Cringles  
Mr Gerry McClay  
Ms Glenys Watt
- In attendance: Ms Karyn McCluskey, Chief Executive  
Mr Bill Fitzpatrick, Director of Operations  
Mrs Dorothy Smith, Business Manager (minutes)  
Ms Laura Hoskins, Transition Manager  
Ms Mairi Clare Rodgers, Head of Communications  
Ms Kerry Morgan, Head of Policy, Community Justice,  
Scottish Government (Items 1-9)
- Apologies: Mr Michael Matheson, Cabinet Secretary for Justice
- Presentation: Ms Catherine Bisset, Principal Researcher, Scottish  
Government, Justice Analytical Services

The Chair thanked Ms Bisset for attending and presenting on “What works to reduce reoffending and effective practice”. The Board, in noting the data, would welcome further research on the impact on those on remand who subsequently had not been convicted. It also felt it would be helpful to have data on those on supervised bail and how their needs were addressed. The Board asked if research was available which identified the support and services in the community which would be required to accommodate and effect the changes resulting from implementation of the presumption against custodial sentences of less than 12 months, and how this matched with those currently available. The Board considered this would be necessary. Ms Cringles advised that analysis had been requested for the Dumfries and Galloway area.

**1. Welcome and Apologies**

1.1 The Chair welcomed the Board Members and staff to the meeting. There were apologies from the Cabinet Secretary, Michael Matheson, who was unable to attend due to other commitments.

## **2. Declarations of interest, gifts or hospitality**

2.1 The Chair reported that she had taken up an appointment as a member of the Audit and Advisory Committee, Scottish Public Sector Ombudsman. Her register of interests had been updated to reflect this appointment.

2.2 There were no more declarations.

## **3. Minutes of Board Meetings of 26 July and 17 August 2017**

3.1 The Board approved the minute of the Board meeting held on 26 July 2017, subject to a rewording of para 8.3 to read: Ms Watt undertook to liaise with Ms Hoskins on the outcomes and strategic themes as discussed by the Board.

3.2 The Board approved the minute of the Board meeting held on 17 August 2017.

3.3 Both minutes were adopted as the version for the Publication Scheme.

## **4. Matters Arising**

4.1 The Board requested an update on para 5.2 of the minute of 26 July 2017 on feedback to Local Authorities. The Chief Executive reported that 25/30 community justice plans will have had individual feedback by the end of October 2017.

4.2 The Board requested an update on para 6.4 of the minute of 26 July on the TDO recruitment. Mr Fitzpatrick reported that a recruitment campaign was due to be advertised this month.

## **5. Chair and Chief Executive updates**

5.1 The Chair reported that the Lord President had agreed that Sheriff Kathrine Mackie be appointed as an advisor to the Board. She would not be a Member and, therefore, could not be involved in any decisions made by the Board.

5.2 The Chief Executive provided an update report for the Board. In noting the report the Board acknowledged the key items from the recently announced Programme for Government; the Presumption against short term sentences and the intention to progress the building of the Bill for Electronic Monitoring.

5.3 The Chief Executive reported that she had presented to the Health and Justice Integration Board on the shared outcomes for community Justice and Health. The presentation has been uploaded onto Diligent board to be reviewed by members.

5.4 Ms Bendle submitted a feedback report on the Lived Experience event supported by CJS, held on 14 August 2017. The report was circulated to Members for their information.

## **6. Business Plan Performance reporting CJS/2017/32**

6.1 Mr Fitzpatrick reported that the delivery of the business plan was on track. A further performance report will be presented at the December Board meeting.

## **7. Update Consultation Corporate Plan CJS/2017/33**

7.1 Ms Hoskins presented the corporate plan consultation update. The Board noted the comments received so far (detailed in Appendix A). The Board agreed the proposed recommendations with some slight amendment.

7.2 The Board noted the key policy and legislative development proposal from the Programme for Government, which will impact on CJS activities (detailed in Appendix B). The Board felt it would be helpful to have the timing of some of the policy/legislative development proposals when these are identified by the Government in due course.

7.3 Ms Hoskins undertook to 'track the changes' to the draft Corporate Plan for ease of reference for the Board when it comes to finalising the plan.

**Action: Ms Hoskins to update on the Programme for Government proposed timescales for relevant policy and legislative developments in due course and to track changes to the corporate plan for ease of reference for the Board when the plan is submitted for final approval at the November Board meeting.**

## **8. Resourcing Update CJS/2017/34**

8.1 Mr Fitzpatrick provided the resourcing update. The Board noted that the positions for the Learning, Development and Innovation Leads would be advertised this month. The Chief Executive reported that the recruitment exercise would be fair and open and there would be no TUPE for the existing TDOs. Mr Fitzpatrick undertook to keep the Board updated on this recruitment exercise.

## **9. Engagement Strategy CJS/2017/35**

9.1 Mr Fitzpatrick introduced the Engagement Strategy document that had been produced by Mr David Gallagher, SG fast stream assigned to CJS.

9.2 The Board approved the Engagement Strategy noting the following key points/changes:

- That this is read in conjunction with the Communications Strategy.
- To remove the reference to the five key performance activities set out in Corporate plan.
- To change the deadline for feedback to LAs to November 2017.
- Meetings with criminal justice social work managers to be changed to meetings with Chief Social Work Officers.
- To list who will be on the Learning, Development and Innovation working group.
- To consult the Chair on how CJS will engage with members of the judiciary.

## **10. Audit and Risk Committee minutes 16 August 2017 CJS/2017/26**

10.1 The Audit and Risk Committee minutes of 16 August 2017 were approved subject to some minor amendments.

10.2 Mr Bann, as Chair of the Audit and Risk Committee (ARC), highlighted key matters discussed at the meeting and, in particular, the Committee's consideration of the draft Annual Report and Accounts. He advised that the Committee had not been able to conclude that it could provide the necessary assurance to the Board that the Report and Accounts were suitable for signing and submission, due to the following:

- The Letter of Representation was not yet available;
- The Committee identified a number of corrections and amendments which required to be made.

## **11. Annual Report and Accounts 2016/17 CJS/2017/27**

11.1 The Board reviewed the Letter of Representation. The Chief Executive confirmed she was content to sign it. The Chair provided advice to the Chief Executive that for the purposes of the signing of the final Letter of Representation, to protect the Chief Executive from being held accountable for more than is appropriate, the Chief Executive should seek deletion of reference to the Board in paragraph 2, as, for the accounting period in question, the Board had only been formed on 1<sup>st</sup> March 2017 and there had not, therefore, been sufficient opportunity for the relevant discussions to take place between the Chief Executive and the Board.

11.2 The Board noted the External Audit Annual Report provided by Grant Thornton and , in particular, the auditor's stated intention to issue an unqualified opinion. The Board noted a number of matters of presentation in the auditor's report and asked that these be relayed to the auditors

11.3 The Board reviewed the documents in detail and identified changes required to the text and layout. Subject to these changes being addressed, the Board agreed the Annual Report and Accounts. It was noted that the Accounts, duly amended, required to be submitted to Scottish Ministers for issue to the Auditor General Scotland (AGS) by 30 September 2017. The Board agreed that thereafter, the Accounts will be laid before the Scottish Parliament and then published

**Action: Mrs Smith to submit signed accounts to Grant Thornton for signature, to be submitted to Scottish Ministers for issue to AGS by 30 September 2017. Thereafter, to ensure that the Accounts are laid before Scottish Parliament and then published.**

## **12. CJS Communications Strategy CJS/2017/28**

12.1 Ms Rodgers presented the Communications strategy document. In discussion, the Board acknowledged that there was a requirement for local buy into community payback and the use of positive language. However, there is still some confusion outwith CJS around what community justice is - terms used in the media have led to some of this confusion.

12.2 The Board agreed it might be helpful to have a case study on the use and value of unpaid work, possibly through a national event which operates in local communities. Ms Cringles reported that this had happened in the past and had proved very successful in generating positive local press coverage and community responses.

12.3 The Board approved the strategy and asked that a review date be added and to include a reference to Senior Managers as a primary audience in objective 2 of the strategy. Ms Rodgers undertook to prepare a quarterly update report for the Board. She also undertook to provide a list of key messages/language to be used going forward.

## **13. CJS Roadshow "A series of unfortunate events" Evaluation Report CJS/2017/29**

13.1 Ms Rodgers presented the Roadshow evaluation report. She reported that feedback from delegates and speakers was very positive. She reported that the concept of Smart Justice has been well received by partners. The Board noted that CJS has engaged with its partners and started to connect with those outside its statutory and non-statutory partners,

including the academic sphere. The Board considered that future such events should be structured to allow active participation by attendees to encourage and enable sharing of good practice.

#### **14. Financial Report – spend to August 2017 CJS/2017/30**

14.1 The Board noted the financial report.

#### **15. CJS Framework Document CJS/2017/31**

15.1 The Board noted the proposed revised Framework document provided by the SG. The Board were unclear if there had been any changes other than the adjustments proposed and described in the Explanatory Note provided by Pamela Russell, Sponsorship Manager. The Board agreed the changes highlighted but requested that the SG review the document and advise of any other changes proposed but not highlighted to date before final agreement and publication on the CJS website.

**Action: Mrs Smith to request the SG sponsor team to review the framework document and highlight to CJS any other changes included in it before it is finalised and published on the CJS website.**

#### **16. Any Other Business**

##### Policy Documents

16.1 Mr McClay requested that the policy documents on the CJS website should have review dates added.

##### Risk Register

16.2 Mr Fitzpatrick informed the Board that he had produced a revised format of the risk register. The Board agreed to add this matter to the October Board agenda for further consideration. Mr Bann informed the Board that the ARC was awaiting correspondence from Mr Heijmer-Mason on the subject.

##### Resignation

16.3 Ms Cringles tendered her resignation from the Board as of 30 September. Ms Cringles felt that her position on the Social Work Standing Committee would conflict with her work on the Board. The Chair thanked Ms Cringles for her contribution and input over the last six months, her contribution has been of the highest quality and of great value to the Board and the organisation.

**Action: Mrs Smith to add review dates to the policy documents on the CJS website. Also to add the risk register to the October Board agenda.**

**29 September 2017**