



**BOARD MEETING  
MINUTES OF THE MEETING HELD ON  
WEDNESDAY 21 AUGUST 2019, AT 9.30  
R1 SPUR, SAUGHTON HOUSE,  
EDINBURGH**

Present:

- Mr Gerry Bann
- Ms Linda Bendle
- Mr Adam Burley
- Mr Steve Kirkwood
- Sheriff Kathrine Mackie (Advisor to the Board)
- Mr Lindsay Montgomery, CBE, Chair **(up to Item 8)**
- Mr Gerry McClay
- Mr Graham McNeil Bell
- Mr Alec Spencer
- Ms Glenys Watt

In attendance:

- Mr Bill Fitzpatrick, Director of Operations
- Ms Laura Hoskins, Head of Policy **(Item 8 only)**
- Ms Karyn McCluskey, Chief Executive
- Ms Sarah McCullough, Commissioning Framework Lead **(Item 9 only)**
- Ms Deborah Mia, Finance Manager **(Item 5 only)**
- Mrs Dorothy Smith, Business Manager (minutes)

**1. Welcome and Apologies**

1.1 Lindsay Montgomery welcomed the Board Members and staff to the meeting. He extended a warm welcome to Heather Brandon, Grant Thornton, External Audit. There were no apologies. Lindsay informed the meeting that he would need to leave around 10.45 he had another commitment in Dundee, Glenys Watt, Deputy Chair, would Chair the meeting following his departure.

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

2.1 Karyn McCluskey reported that she had attended the Royal Edinburgh Military Tattoo as a guest of the tattoo director. There were no other declarations.

### **3. Chair update**

3.1 The Chair reported that in the last month he had met with the Cabinet Secretary for Justice, SG officials and some key stakeholders. These were useful in helping him understand others' views of the agenda for community justice as well as providing an opportunity to discuss the need for a shared approach to delivery of community justice and a shared narrative for the public.

3.2 The Chair informed the meeting that the strategy day will take place on 2 October 2019. He along with the Deputy Chair and the Chief Executive will be meeting with Donna MacKinnon and Neil Rennick, SG, on 17 September to discuss their expectations for CJS to feed into the strategy day.

### **4. Draft Annual Report and Accounts 2018/19 – CJS/2019/39**

4.1 Heather Brandon was invited to present the Annual Report and Accounts 2018/19, she had attended the ARC meeting on 7 August and reported the Auditors opinion to the accounts. She informed the Board that there were a couple of outstanding queries and amendments otherwise it is an unqualified set of accounts.

4.2 The Board noted the comments on the report from Scottish Government and Karyn McCluskey undertook to add some narrative on the CJS achievements so far.

4.3 Alec Spencer in noting the Board fees table requested that the figures be checked to ensure that all expenses for 2018/19 had been accrued.

4.4 Linda Bendle requested that Adam Burley be added to the HRRC membership.

**Action: Karyn McCluskey to provide narrative on CJS achievements so far. Mrs Smith to check Board members fees and add Adam Burley to HRRC membership.**

### **5. Q1 – Financial Report 2019/20 – CJS/2019/40**

5.1 Deborah Mia presented the Q1 financial report. The Board noted the position and the breakdown provided. Budgets for the year continued to be very tight.

### **6. Annual Performance Report 2018/19 – CJS/2019/41**

6.1 Bill Fitzpatrick presented the Annual Performance Report 2018/19. The Board noted that 74 of the 91 priorities for 2018/19 were delivered. In noting the activities not delivered the Board requested an update on research that identified good practice and learning for youth justice systems approach.

**Action: Bill Fitzpatrick to provide an update for the Board on research that identified good practice and learning for youth justice systems approach.**

## **7. Q1 – Performance Report 2019/20 – CJS/2019/42**

7.1 Bill Fitzpatrick presented the Q1 performance report. The Board noted that 25 of the 27 projects are on track. Bill Fitzpatrick informed the Board that a team day on 29 August will re-visit the workload, a business case for resources to be discussed for in year budget process.

## **8. Scottish Parliament Justice Committee pre-budget scrutiny: call for evidence – CJS/2019/43**

8.1 Laura Hoskins informed the Board that the Scottish Parliament Justice Committee have published a call for evidence to inform their pre-budget scrutiny of the SG' draft budget for 2020/21. The deadline for response is 27 September.

8.2 In noting the parameter of the suggested CJS response Linda Bendle suggested that third sector investment be included. The Chair and CE would sign off final response, if the timeline allows, the Board to see response.

**Action: Chair and CE to sign off response to justice committee circulate to the Board if timeline allows.**

## **9. Strategic Commissioning Framework Update- (CJS/2019/44)**

9.1 Sarah McCullough updated the Board on progress with the Strategic Commissioning Framework. She reported that 5 responses to the commissioning consultation had been received so far, mainly on the guidance.

9.2 Key areas for feedback have been:

- Leadership and accountability
- Alignment with planning
- How will we know if we are doing it right?
- Importance of data collated

9.3 Sarah McCullough felt there was a need to re-introduce the Smart Justice reference, Sarah undertook to discuss with the Chair.

9.4 The Board noted that SG had provided guidance on the requirements for the business case for support to implementation of effective strategic commissioning in community justice.

**Action: Sarah McCullough to contact the Chair re reintroducing smart justice reference.**

## **10. Minute of Board Meeting on 10 July 2019**

10.1 The Board approved the minute of the Board meeting held on 10 July 2019, subject to slight rewording of para 6.1. The minute was adopted as the version for the Publication Scheme.

## **11. Audit and Risk Committee meeting minute of 7 August 2019 – CJS/2019/45**

11.1 Gerry Bann provided a verbal report of the ARC meeting held on 7 August 2019.

11.2 The ARC agreed to hold 4 meetings this financial year and to review at the end of the year whether to revert to 3 meetings per year.

11.3 Gerry Bann reported that Internal Audit had given a limited assurance and that Graham Hill, Director of Corporate Services and Accounts, SLAB, would be co-opted onto the ARC.

11.4 External Audit have given an unqualified set of accounts for 2018/19.

11.5 Bill Fitzpatrick provided a verbal report on a nil return on fraud/security at the ARC meeting. Following the meeting he provided an update of a security incident that had not been reported to ARC, but had been reported to the Acting Chair. In noting the update the Board requested a note of the date of the incident being reported. Gerry Bann felt there was a need for trigger for notification of such incidents to the Board

**Action: Bill Fitzpatrick to inform the ARC of the date of the security incident.**

## **12. Matters Arising – Action Tracker**

12.1 The Board noted the status of the actions from the action tracker. Action 2 and 3 target date to be reviewed.

**Action: Mrs Smith to review dates for actions 2 and 3 on the action tracker**

## **13. Chief Executive Update**

13.1 Karyn McCluskey reported that Sheriffs have consistently highlighted the dearth of alternatives to imprisonment available to them in sentencing. CJS has attempted to get this information from a range of sources without success.

13.2 The Board noted that the Care Inspectorate report on West Dunbartonshire Social Work has been published. It reports a range of weaknesses. CJS has been

asked by the Scottish Government to support Criminal Justice Social work in their improvement journey.

13.3 Karyn McCluskey reported that the Community Justice Leadership group will meet for the first time today. The Group will be co-chaired by the Cabinet Secretary and COSLA and the group has brought senior leaders together to address some of the fundamental issues and challenges with additional numbers of people who may end up on community sentence through PASS. She will update the Board following the meeting

#### **14. AOB**

14.1 Bill Fitzpatrick tabled the latest version of the Risk Register. The Board noted the revised register and agreed that it should be used as a working document for the strategy day on 2 October.

**Next meeting Wednesday 2 October 2019**

**27 August 2019**