



**BOARD MEETING
MINUTES OF THE MEETING HELD ON
FRIDAY 23 MARCH 2018, AT 11.15
Y1/8 SPUR, SAUGHTON HOUSE,
EDINBURGH**

- Present: Mr Gerry Bann
Ms Linda Bendle
Mr Gerry McClay, Acting Chair
Sheriff Kathrine Mackie
Ms Glenys Watt
- In attendance: Mr James Blair, Policy Development Lead, **Item 7 only**
Mr Quentin Fisher, Unit Head, Community Justice,
SG (observer)
Mr Bill Fitzpatrick, Director of Operations
Ms Gemma Fraser, Improvement Lead, **Item 6 only**
Ms Laura Hoskins, Head of Policy, **Items 8 and 9 only**
Ms Karyn McCluskey, Chief Executive, up to **item 5 only**
Mr Dave Scott, Head of Learning and Innovation, **Item 10 only**
Mrs Dorothy Smith, Business Manager (minutes)
- Apologies: Mrs Jean Couper, Chair

1. Welcome and Apologies

1.1 Mr McClay welcomed the Board Members and staff to the meeting. There were apologies from Mrs Jean Couper, Chair. In the absence of the Chair, the Board agreed that Mr McClay would chair the meeting. The acting Chair extended a warm welcome to Sheriff Mackie who was attending her first meeting of the Board. He also welcomed Mr Quentin Fisher, SG who was observing the meeting.

2. Declarations of interest, gifts or hospitality

2.1 There were no declarations.

3. Minute of Board Meeting of 31 January 2018

3.1 The Board approved the minute of the Board meeting held on 31 January 2018, subject to slight rewording of para 6.2. The minutes were adopted as the version for the Publication Scheme.

4. Matters Arising – Action Tracker

4.1 The Board requested an update on the meeting with the Justice Committee on 6 February 2018. Mr Fitzpatrick report that the CE accompanied by Mr Keith Gardner attended the meeting. It was a positive meeting that provided CJS with an excellent opportunity to articulate its position on remand.

4.2 The Board requested an update on action 13 of the tracker, Mr Fitzpatrick reported that a discussion paper is due be submitted by 1 April 2018 from Prof Coyle and will be added to the April Board agenda.

Action: Mrs Smith to add discussion paper from Prof Coyle to the agenda for the April Board meeting.

5. Chair and Chief Executive updates

5.1 In the absence of the Chair, the acting Chair, Mr McClay advised that he was not aware of any new material by way of update.

5.2 The CE provided an update on CJS key areas of work, these included:

- The CE is due to meet with the Cabinet Secretary on 29 March 2018 and will update the Board following the meeting.
- Penelope Gibbs, from Transform Justice, is presenting a workshop to the team on 29 March 2018, the topic is on re-framing; the research on which it is based is about more effective communications across audiences, in person and in writing. The workshop will cover the topics below and the invitation is extended to board members :
 - - why reframing is the key to effective communications
 - - why we need to use different messages about crime and justice in order to change the debate and engage the public
 - - the most powerful beliefs people hold about crime and justice and hold to deal with them
 - - how the prison is expensive argument doesn't work
 - - how to persuade people to care about your crime and justice message
 - - how to use a narrative and metaphors to communicate
- The CJS national conference was held on 9 March in the Citizens Theatre, Glasgow. Feedback so far on the conference has been positive, with many welcoming the introduction of Jason Leitch and the improvement agenda.

- The CE spoke about the potential benefits of managed alcohol programmes, citing the positive outcomes achieved in Ottawa, Canada.

Action: Mrs Smith to send invite to the Board for re-framing event on 29 March 2018. The CE to prepare a paper for the Board on managed alcohol programmes. The CE to feedback to the Board following her meeting with Cabinet Secretary on 29 March 2018.

6. Diversion from Prosecution – Demonstration Project Aberdeen CJS/2018/05

6.1 Ms Fraser provided the background to the presumption for diversion from prosecution, demonstration project, in Aberdeen City. The Improvement team within CJS agreed to support this project, using recognised improvement methodology, which tracks changes over time with a view to achieving an overall aim. Progress is being measured by monitoring a number of actions with defined measures and milestones.

6.2 The Board noted that the focus will be on 16-25 year olds and that partners (listed below) will be required to consider how they can specifically identify the needs of this group and how best to support these during diversion from prosecution. Ms Fraser reported that there was initially a 10% target set but this will now be reviewed as the age group has now been identified.

- Crown Office and Procurator Fiscal Service
- Aberdeen Health and Social Care Partnership
- Education
- Barnardo's
- Victim Support Scotland
- NHS (Mental Health)
- Aberdeen City Council
- Police Scotland (including youth justice coordinator)
- Alcohol and Drug Partnership
- SACRO
- Centre for Youth and Criminal Justice

6.3 Mr McClay asked about resources and completion deadline. Ms Fraser reported that CJS's improvement team are the resource for this project and there is no specific end date or issue with funding. CJS will agree with Aberdeen a date when CJS will cease to have an active part in the project and Aberdeen will keep the project running. This will provide a model for other LA's to adopt, but CJS will not have the resources to roll this out nationally.

6.4 The Board noted the list provided by CJS of the diversion from prosecution schemes on offer, and felt that it appeared limited. Ms Fraser felt a better alternative would be a list of contacts for each area that would be able to provide details of what was available in their area.

6.5 The Board thanked Ms Fraser for her interesting presentation.

7. Management of Offenders Bill – Consultation CJS/2018/06

7.1 Mr Blair provided for discussion a draft response that represented CJS's initial views of the Management of Offenders Bill as published at stage 1. It raised some key issues which CJS wish to highlight to the SG at this stage based on CJS role as the national body for community justice.

7.2 Mr Blair highlighted the inconsistent language continued in the Bill and accompanying documents. He suggested that terms like 'offender' should be replaced by either 'person with convictions' or 'person subject to monitoring'. The Board noted that the term 'offender' or 're-offender' were subject to much parliamentary scrutiny and debate when passing the Community Justice Scotland Act 2016. Sheriff Mackie felt this terminology within the judicial system has a different focus with 'offender' and 'accused' being used in the court setting. The Board agreed that in a rehabilitation context it may not be helpful. The Board agreed that the terminology should be raised as an inconsistency.

7.3 The Board were unclear what the Act will add to the existing system, what will improve and it also raised concern that the Bill does not cover those on bail or remand. The Board requested that a para be added to the response, highlighting that the Board has grave concerns about the use of EM in the context of bail and remand not being covered.

7.4 Mr Blair reported that he and Ms Hoskins are due to meet with the Bill team and it may help with the CJS response as points raised by the Board may be clarified at the meeting with the Bill team.

7.5 The Board thanked Mr Blair for the hard work put into this initial draft response and to raise the issue of bail and remand with the Bill team. The Board requested that a revised response be submitted for Board approval in due course.

Action: Mr Blair to make amendments and following meeting with Bill team on points of clarification to send revised response to Board for approval.

8. Business Plan 2018/19 – CJS/2018/07

8.1 The Board approved the business plan subject to some minor amendments.

Action: Mrs Smith to arrange for the 2018/19 Business Plan to be published on CJS website

9. Scottish Government's Homelessness and Rough Sleeping Action Group CJS/2018/08

9.1 Ms Hoskins advised the Board on the recent publication of the interim recommendations from the SG Homelessness and rough sleeping action group. The Board noted the recommendations.

10. Learning, Development and Innovation Strategy – Consultation CJS/2018/09

10.1 Mr Scott provided feedback on the consultation response to the LD&I strategy. Key points for consideration include:

- To include victims and their role in LD&I
- Inclusion of trauma skills framework
- Requirement for who the document is aimed at CJSW
- CJS – make clear, more links with other relevant strategies

10.2 The Board approved the changes to the LD&I strategy following the consultation and noted that the strategy will be reviewed after one year.

11. Budget 2018/19 CJS/2018/10

11.1 The Budget for 2018/19 was noted and approved by the Board.

Action: Mrs Smith to forward the budget for 2018/19 to SG sponsor team.

12. Commissioning Framework (verbal update)

12.1 Mr Fitzpatrick provided an update for the Board on the Commission strategy and informed members that a meeting has been arranged with the SG for 27 March 2018 to discuss the next steps. Mr Fitzpatrick raised the possibility that CJS might be asked to take on the role of commissioning. If that were to be the case a number of issues including, the likely impact on CJS's relationship with its stakeholders would have to be considered.

12.2 The Board noted that if a commissioning framework requires to be produced by CJS, it would welcome an update from the meeting on 27 March, before the next Board meeting.

Action: Mr Fitzpatrick to update the Board after the meeting with SG on 27 March.

13. Audit and Risk and Remuneration Committee meetings (verbal update)

13.1 Mr McClay reported that the Board had failed to hold the required number of ARC and remuneration meetings in 2017/18. The Board noted that meetings have been scheduled for 2018/19 and it should endeavour to hold these. Mr McClay requested that the Remuneration Committee meeting be arranged in the immediate future. Ms Bendle reported that requirements in the ToR many on the items are covered by the shared services with SG and that only item that would require consideration by the Committee would be the CE salary.

Action: Ms Bendle to consider if a Remuneration Committee meeting is required to be convened in 2018.

14. Policy and Procedures review dates CJS/2018/11

14.1 The Board noted the list of CJS policies and review dates, noting that many of the policies had only been in place for less than a year. Mr Fitzpatrick reported that he had looked at the policies and did not think they needed to be revised at this stage, with the exception of the Data Protection policy which will require to be updated as the new GDPR requirements require to be in place by 25 May 2018.

Action: Mrs Smith to add review dates to the policy documents and add Data Protection policy review to April Board meeting agenda.

15. Any other business

15.1 Mr McClay informed the meeting that following the meeting with Neil Rennick, Director for Justice, he will undertake to review the Board Terms of Reference (ToR) for discussion at the April Board meeting. He also requested that publication of Board minutes be added to the April Board agenda.

15.2 Ms Watt suggested that as many of the policies and procedures are now in place and CJS has been established a year from launch, the Board may wish to consider moving to 6 weekly Board meetings. The Board agreed that this should be added to the agenda for the April Board meeting when the revised ToR would be discussed.

15.3 The Board consider a request from an individual to attend a Board meeting with a view to applying to be on the Board. The Board agreed that as the meetings are open to the public an invite can be issued.

Action: Board ToR, publication of minutes and frequency of Board meetings to be added to the April Board meeting agenda. Mrs Smith to invite individual to a future board meeting.

Next meeting Wednesday 25 April 2018

26 March 2018