



**BOARD MEETING
MINUTES OF THE MEETING HELD ON
WEDNESDAY 1 JULY 2020, AT 10.00
VIA ZOOM VIDEO CONFERENCING**

Present: Ms Pauline Aylesbury
Ms Linda Bendle
Mr Adam Burley
Ms Linda de Caestecker
Mr Steve Kirkwood
Sheriff Kathrine Mackie (Advisor to the Board)
Mr Lindsay Montgomery, CBE, Chair
Mr Graham McNeil Bell
Mr Neil Rennick, Director for Justice, SG **(presentation only)**
Mr Alec Spencer
Ms Glenys Watt

In attendance: Ms Helen Boath, Head of Finance
Mr Keith Gardner, Head of Improvement
Ms Laura Hoskins, Head of Policy **(items 10,11&12 only)**
Ms Karyn McCluskey, Chief Executive
Ms Rose McConnachie, Policy Lead **(items 10, 11&12 only)**
Mr Dave Scott, Head Learning, Development and Innovation **(item 14 only)**
Mrs Dorothy Smith, Business Manager (minutes)

Presentation: Mr Neil Rennick, Director for Justice, Scottish Government

The Chair welcomed Neil Rennick to the meeting. Neil Rennick thanked the Board for the invitation to come and present to the Board and commended CJS on their response and adaption to current circumstances impacted by COVID. He was pleased that the two new members had been able to join the Board at this time. He acknowledged that CJS had responded quickly to health advice and emergency legislation including community sentences. He reported that the focus is now to get

the justice system back up and running. The newly formed Criminal Justice Board has been set up to manage recovery and will meet every 2 weeks. He informed the Board of the appointment of Cat Dalrymple as Deputy Director for justice, she comes from COPFS and will have an introductory meeting with Karyn McCluskey this week and will come to a future Board meeting. Neil Rennick thanked CJS for the draft Justice System Recovery discussion paper and the vast amount of work that has gone into it. There is a need identify the short-term priorities and timescales for the next three months noting that some of the medium term priorities may need a change in legislation. He acknowledged that there is a requirement for longer term structure changes across the CJ system. He reported that the prison population currently stands at 6,900 down from 8,000 pre COVID and those numbers will undoubtedly go back up with the restart of the justice system.

Following discussion Neil Rennick concluded that SG are committed to making progress on this agenda and need to be bold and take actions. The Chair thanked Neil and the need to meet again in the near future to discuss further. Neil said that the Cabinet Secretary for Justice would like to come to meet the Board and discuss options.

Agenda

1. Welcome and Apologies

1.1 Lindsay Montgomery welcomed the Board Members and staff to the meeting, there were no apologies.

2. Declarations of interest, gifts or hospitality

2.1 There were no declarations.

3. Minute of Board meeting 6 May 2020

3.1 The Board minute was agreed. The minute 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. Some actions are on hold due to the pandemic.

5. Chair update

5.1 The Chair reported that he is undertaking a series of virtual meetings with stakeholders around Scotland. He will meet with Social Work Scotland- Criminal Justice Standing Committee in September following invite from James Maybee.

5.2 The Chair has completed Board Member appraisals and it was noted that members indicated that they would welcome more training on finance and governance.

5.3 The Chair intends sending a letter to CP Chairs to update on current position and offering to meet via zoom in near future.

Action: Meeting with CP Chairs to be arranged.

6. Chief Executive update

6.1 Karyn McCluskey presented her update to the Board. She reported on:

- CJS accommodation – On latest plans CJS will not back in Saughton House before August 2020. Some CJS staff are shielding and have childcare responsibilities, their return to the office will be further delayed.
- A meeting with the cabinet secretary for justice on 24 June, discussed amongst other things the Justice System Recovery proposal paper.
- Criminal justice board – a new leadership team meeting from 2 July and every 2 weeks to progress the restart of the courts and to share resources.

6.2 Following discussion the Board reiterated that CJS needs to progress its role in strategic commissioning and noted that we have funding for a commissioning lead post.

Action: Contact SG re throughcare commissioning

7. Governance Matters (CJS/2020/27&28)

7.1 Lindsay Montgomery reported that the Governance Review is ongoing.

HRRC terms of reference

7.2 The Board noted the revised terms of reference for the HRRC and that the Board Chair may choose to attend the Committee in an Ex Officio capacity.

7.3 The Board noted the revised terms of reference for ARC.

7.4 There were some inconsistencies in the committees' terms of reference the Board requested that these should be corrected.

Action: Mr Spencer to review and amend the ARC terms of reference to ensure consistency.

8. Risk Register (CJS/2020/29)

8.1 Karyn McCluskey presented the updated Risk Register. The Board comments included:

- Risk 5 - Board governance to be reduced from 3 to 2 for likelihood. 2019/20 draft Annual Report and Accounts to be sent to the ARC.

- Risk 15 – Sheriffs info will be out of date and there is a need to request updated info.
- Risk 15 – Prison population - CJS asked by Justice Division to provide discussion paper.

Action: Bill Fitzpatrick to undertake amendments to the Risk Register. Helen Boath to send Draft 2019/20 Annual Report and Accounts to the ARC Chair and Members

9. Interim Business plan (CJS/2020/30)

9.1 The Board noted the interim business plan had been published on the CJS website 30 June 2020.

10. Scottish Sentencing Council consultation on Youth Sentencing guidelines (CJS/2020/31)

10.1 Rose McConnachie presented the draft response to the Scottish Sentencing Council consultation on the draft sentencing guideline ‘Sentencing young people’ subject to some minor amendments the Board agreed the draft response.

11. Submission of evidence on Hate Crime Bill– CJS/2020/32

11.1 Laura Hoskins informed the Board of the publication of the Hate Crime and Public Order (Scotland) Bill, and the Scottish Parliament’s Justice Committee has issued a call for evidence; to consider the key elements of the Bill as they relate to community justice to be submitted by 27 July 2020. The Board provided some amendments and agreed the response to be submitted.

12. Pre- budget scrutiny - CJS/2020/33

12.1 Laura Hoskins informed the Board of the Scottish Parliament’s pre-budget scrutiny for 2021/22. The Scottish Parliament Finance and Constitution Committee has already published a call for views on the Scottish Government’s budget for 2021-22, with a deadline for responses of Friday 7 August 2020. The Board agreed that a response should be submitted and should timescales permit the proposed CJS response will be submitted to the Board for approval, otherwise as in previous years, it will be signed off by the Chair.

13. Finance - CJS/2020/34

13.1 The Board noted the finance update. A more detailed report of the 2020/21 budget profile will be circulated to the Board.

Action: Helen Boath to circulate a detailed report of the 2020/21 budget profile to the Board.

14 LD&I - update on training delivery impacted by COVID (CJS/2020/35)

LD&I training delivery

14.1 Dave Scott provided an update for the Board on activities undertaken by the Learning, Development & Innovation (LDI) and Caledonian teams since the start of COVID lockdown.

14.2 Dave Scott reported that there is a significant lack of consistency with local authorities as what digital platforms are accessible. A quick survey done by LDI showed that (of 24 respondents) Zoom was the most prohibited platform and Microsoft Teams is the least prohibited (and the most preferred). However, Teams does not give a good quality connection (especially on Scottish Government (SG) laptops) and is not the best medium for creating a high quality learning environment.

14.3 The LDI team have undertaken extensive research and testing to try to identify a suitable platform accessible across the Public Services Network (PSN) which will therefore be suitable for use by local authorities. The current preferred option would be to utilise Nextcloud for the secure hosting and delivery of learning products with a view to expanding the native applications within NextCloud to create a bespoke platform at a later date.

Caledonian

14.4 The Caledonian team have issued two sets of guidance notes for all justice social workers including those which don't have access to the Caledonian, one on working with men convicted of domestic abuse offences on community orders and one on working with released prisoners released during lockdown and working safely with their partners. Following on from these guidance notes the Caledonian team have had many consultation calls with social workers around Scotland.

14.5 A new practice manual and supporting documentation on a 1:1 version of the Caledonian men's programme has been written which was submitted to the Scottish Advisory Panel on Offender Rehabilitation (SAPOR) accreditation panel for consideration on the 24th June. Although the need for a 1:1 programme for men not able to undertake groupwork was identified before the pandemic the need has become more urgent to enable local authorities to continue to deliver services when groupwork is not possible.

15. OPIF update (CJS/2020/36)

15.1 Keith Gardner reported that an initial Terms of Reference (ToR) is being written to outline the focus of the OPIF review work – it is likely that this will need to evolve as the work progresses and there is a requirement for more sector-wide engagement.

15.2 The initial stage of the work will involve a reflection on not only the history of the OPIF and the issues currently being faced trying to use it (by all parties), but also to begin to flesh out what a revised OPIF might look like in terms of serving both the

local arrangement and informing the national picture in terms of measuring/ reporting change and impact.

15.3 It was noted that SG colleagues have not put forward a lead to work on this as the OPIF is a Scottish Government-owned document and, as such, mandates a collegiate approach.

15.4 The Board requested that contact be made with SG to provide a lead to progress this review. It was also agreed to keep the Board informed about progress on this significant project and to involve the Board in the development of the proposed new system.

Action: Keith Gardner to contact SG and request a SG appointed lead to jointly progress the review of the OPIF. The Board to be kept informed about progress and to be involved in the development of the proposed new system.

16. HRRC draft minute of meeting held on 20 May 2020 (CJS/2020/37)

16.1 Glenys Watt presented the minute of the HRRC meeting held on 20 May 2020. Key points from the meeting included:

- Review of the equality and diversity policy
- Health and safety policy developed and Bill Fitzpatrick appointed as HSLO
- CJS values agreed as; Respect, Compassion, Integrity, Fairness, Effective and Understanding.
- Staff wellbeing – Nina Rogers, Head of People, has been in touch with the team and all are coping well with lockdown. Glenys Watt also checked in with Board Members on their wellbeing.

16.2 Linda Bendle requested that the HRRC actions be added to the Board action tracker.

Action Mrs Smith to add HRRC actions to the Board action tracker.

Next meeting Wednesday 2 September 2020

3 July 2020