



# The **Scottish Justices** Association

## *The Scottish Justice – eNewsletter*

*March 2017*

Welcome to the first edition this year of the Scottish Justice, the in-house publication of the Scottish Justices Association (SJA).

As advised in the December 2016 issue of *'The Scottish Justice'* there is a new editorial board and the two main concerns the new editorial board wished to address in this issue are; firstly, to welcome new Justices into the Association, and secondly, to address the issues raised in the recent survey of members regarding how they saw the role of the Executive developing to meet the needs of members. Many members, for example, were unaware of the role of the SJA, despite the fact that the objectives of the SJA, along with the Constitution, are published on the SJA website [www.scottishjustices.org](http://www.scottishjustices.org).

The contents of this first edition of 2017 are as follows:-

- 1) A Letter from the new Chairman Tom Finnigan**
- 2) An Update from the SJA Executive Committee**
- 3) Update on the Action Plan following the SJA Survey of Members**
- 4) Communications - for new JPs (and infrequent visitors)**
- 5) Notification of The Justices of the Peace (Training and Appraisal) (Scotland) Order 2016 - training requirements**
- 6) Contacts**

## **1. An Introduction from our new Chairman - Tom Finnigan**



Dear Colleagues

Following our recent Annual General Meeting, I was pleased to accept the nomination to become Chair of the Scottish Justices' Association. I have been a JP for 18 years and have been a member of the SJA Executive for 5 years. I also sit on the Advisory Council of the Judicial Institute. During my time on the SJA Executive I have been aware that the organisation has not always been seen to meet the requirements of its members. Last year the Executive conducted a survey of members and from the results of that we have formed an action plan and will strive to be more responsive to our members' needs. I have already had meetings with the Lord President, the Lord Justice Clerk and the Executive Director of the Judicial Office and been assured of their full support. I have also met with Elizabeth Cutting, Head of Judicial Communications, who has offered to assist and advise us on all communications and media relations. So far we have committed to sending a delegate to the forthcoming conference on "Tackling Violence Against Women and Girls." We have been invited to respond to the Sentencing Council Consultation and to send delegates to its Stakeholder Event in April. It is our intention to respond to all relevant consultations and to make sure that the SJA has a voice in all matters affecting its members. We shall endeavour to keep our website updated so that members can follow the Association's activities at [www.scottishjustices.org](http://www.scottishjustices.org) If you have any issues you wish to raise please contact one of your Sheriffdom's representatives or email [secretary@scottishjustices.org](mailto:secretary@scottishjustices.org)

**Tom Finnigan JP DL**

## **2. An Update from the SJA Executive Committee**

The SJA Executive Committee held its first meeting of 2017 at the end of January. There were several items discussed that the Executive Committee would like all members to aware of.

- (a) **Meeting with Ofgem** – In December we reported on progress with concerns that had been raised by several JPs with regard to the signing of Utility Warrants. We did indicate that we planned to hold a meeting with Ofgem to explore ways in which the process of raising and managing Utility Warrants could be improved, both for JPs and energy companies. It had been noted that there were discrepancies of how and when energy companies raised warrants, and that this situation had been exacerbated by the increase in the number of utility companies and in the growing use of third-party debt recovery agencies. The SJA Executive is pleased to report that a meeting with Ofgem has been organised for the beginning of April, with a view to exploring the best approach.
  
- (b) **CMJA Annual Conference** – The Executive Committee voted to continue to send a representative to the Commonwealth Magistrates and Judges Association Conference, which this year will be held in Dar-Es-Salaam in Tanzania during September. The theme of this year's conference is 'Building an Effective, Accountable and Inclusive Judiciary'. Our continuing representation at this conference will ensure that all levels of the Scottish Judiciary will have an active participation in the conference.
  
- (c) **JP Presentation Material** – A number of JPs have from time-to-time contacted the SJA to advise that they have been asked to speak to a group or society on the Role of a JP in Scotland, and have asked if we had any standard presentation material that they could use or adapt. As there is no current material or information material available the SJA have contacted the Judicial Institute to establish whether they can assist in the preparation of core information on the role of a JP that can be adapted and used for individual local presentations. We shall advise all members when this material becomes available.

## **3. Update on the SJA Action Plan:-**

In 2016 the SJA undertook a survey of members in order to make the Association more relevant to members. A number of issues were raised and the Executive are seeking ways to

address these. It was felt that one of the ways to achieve relevancy would be to encourage communication from members. There are of course some options already open to JPs, for example via local legal advisors, or via Sherifffdom representatives. While all Sherifffdoms hold regular training, of necessity these are comparatively infrequent, albeit they do provide some opportunity for JPs to raise matters. Attached is an action plan devised by outgoing chairman John Lawless, with some additional comments. You will see that items 1) and 2) were addressed in the 2016 Annual Report. You may also access these at "http://bit.ly/2mWpPZV" (Open a new tab on your browser and copy and paste this URL into the address line).

To expand on the Chairman's comments regarding updates to the website, we would welcome any suggestions from members as to how it could be improved. Please note also that at present the website is maintained by one individual. If there are any of our members with the requisite skills who would like to assist in keeping the website current we would be happy to hear from you. Contact the Editorial group or your local SJA representative.

The plan in table format is appended in landscape format at the end of this document.

David Ferguson

#### **4. Communications:-**

##### **Do you know that....**

- We are very interested in publishing your letters or summaries of interesting cases (suitably anonymised) that you have dealt with.
- We would also like to hear about any exciting adventures, activities or charitable events that you are involved in. Details of suggested format appear later in this newsletter.
- The Judicial Hub (<https://www.judicialhub.com/>) To gain access you will need your SCTS email address and your password. You can access the Hub from any computer or device with internet access. You do not require to be in court or using a court computer to access the Hub. If you forget your password for accessing the Hub or need it reset for any reason, then please contact the SCTS IT help desk on 0131-444-3333, and they will be able to assist you.

The Hub contains a section specifically for JPs, but also contains sections of general interest such as:

- guidance and policy, including technical and IT support
  - judicial Institute courses for JPs
  - eLibrary Bench Books (eg Equal Treatment, Criminal Bench Book, Sentencing Checklist)
  - news updates, including transcripts and video footage of recent lectures
  - a search facility – useful if you are short of time.
- The Judicial Communications Office at the Judicial Institute provides advice, assistance and support to all judicial office holders in relation to both media handling and general external communications. The office handles requests for interviews or comment, clarification of facts and general information requests in relation to procedure, cases or specific incidents. It can assist with the preparation and release of sentencing statements and manage both the judicial website and the judicial hub. Contact in confidence at any time:

Head of Judicial Communications

Elizabeth Cutting - 0131 240 6854 ([ecutting@scotcourts.gov.uk](mailto:ecutting@scotcourts.gov.uk))

Judicial Media and Communications Officer

Baktosch Gillan - 0131 240 6707 ([bgillan@scotcourts.gov.uk](mailto:bgillan@scotcourts.gov.uk))

See the Judicial Hub at

<https://www.judicialhub.com/course/view.php?id=26&section=7> (Guidance and Policy section)

- Communication from the SJA can be sent to all judicial office holders via the Judicial Hub.
- Direct communications to JPs are currently sent via the Scottish Court and Tribunals Service (SCTS) email system, but to access these emails you must be in court and logged in. This means that for those of us not in court on a regular basis we must rely on communication via our Sheriffdom or else actively access the Judicial Hub for news. The SJA is in discussion on your behalf regarding this.

## **5. Notification of Justices of the Peace (Training and Appraisal) (Scotland) Order 2016 - Training Requirements.**

The Justices of the Peace (Training and Appraisal) (Scotland) Order 2016 is now in force.

From 1 January 2017 there is a new statutory requirement to undertake 12 hours of training annually. Once every three years, 6 of those hours must comprise training delivered at the Judicial Institute.

There are four JI courses which we anticipate will be repeated over 2017-2019:

- Road Traffic
- The Unrepresented Accused
- Courtroom Communication
- Decision Making and Sentencing

JJ courses are designed to enhance, reinforce and complement local training you undertake regularly. JJ training is not designed to be a substitute for local training. The courses also aim to:

- facilitate peer to peer learning across Sheriffdoms
- provide the perspective of the professional judiciary
- be highly participative and interactive, where possible focussing on bench simulation
- provide relevant social context and incorporate relevant equal treatment matters

Each Sheriffdom is allocated a number of places on each course that is proportionate to the total number of Justices in that Sheriffdom. In this way, we are able to guarantee all Justices the equal opportunity to attend their preferred course and comply with the new statutory training requirement.

Further information is available on a [dedicated page of the Justices' Hub](#) which includes a series of [Frequently Asked Questions](#) on this topic.

I look forward to welcoming you to the Judicial Institute soon.

Collette Paterson

Head of JP Programmes

## **6. Contacts**

Emails and articles may be sent to any of the editorial team, which comprises

David Ferguson ([david\\_ferguson@inbox.com](mailto:david_ferguson@inbox.com))

Grace MacLeod ([grace.macleod@btinternet.com](mailto:grace.macleod@btinternet.com))

Marella O'Neill ([marella.oneill@btinternet.com](mailto:marella.oneill@btinternet.com))

Brian Wood ([brian.j.wood@btinternet.com](mailto:brian.j.wood@btinternet.com))

# SJA ACTION PLAN

## Goal - Implement Survey Recommendations

	Recommendation	Responsibility	Due By	Resources	Result	Comments
1	Ensure SJA Executive is clear on role and remit of SJA	SJA Executive	31/01/17	SJA Constitution	Common Understanding of role and remit	Addressed in SJA Annual Report
2	Communicate role and remit to members	J Lawless	28/02/2017	Website/ Mailchimp	Members are clear on the role of the SJA	Addressed in SJA Annual Report
3	Identify Key Issues and Challenges members wish the Executive to take forward	Scottish Justice Team	Next Issue Scottish Justice	Scottish Justice, local representatives	The Executive is aware of and responsive to the needs of members	The current (March 2017) issue solicits views and contributions from members, and Members are also encouraged to contact their Sheriffdom representatives to raise such matters
4	Review Website design and Content	J Lawless	June 2017	Website Mailchimp Peacock Carter	Website meets needs of members	Members will be asked for suggestions on enhancements to the website
5	Regularly update website content	J Lawless + A.N.Other	As required	Webmasters	Website content is up to date	At present such updating is done by one individual, so volunteer/s with the relevant skills are sought.
6	Raise profile of SJA and JPs	SJA Executive	2017 AGM	Ongoing review	The Public and other members of the Judiciary are aware of the role of the JP	Various proposals are under consideration, not yet finalised
7	Include information on SJA in training programmes for JPs	SJA Executive	April 2017	SJA Executive Legal Advisors	Prospective JPs are aware of the SJA role and join on appointment	Local Representatives also have a role, eg during training days