

Scottish Justices' Association

Executive Meeting

31st January 2017 starting at 10:45 a.m.
Room 2.14, Glasgow Sheriff Court, Glasgow

Minutes

Present:	Tom Finnigan, (NS) - Chairman	Gordon Hunter (SSD&G)– Vice Chairman
	John Whyte, (TC&F) - Treasurer	Grace MacLeod (NS)
	Dennis Barr (G&S) - Secretary	David Ferguson (SSD&G)
	David Donaldson (TC&F)	John Burns (L&B)
	Neil McKechnie (G&S)	John Lawless, (G&S)
	Brian Wood (GH&I)	
Apologies:	Marella O'Neill (NS)	Tom Davis (GH&I)

	<u>Agenda Item</u>	<u>Action</u>
1.	<p>Welcome and Apologies</p> <p>The Chairman, Mr Tom Finnigan welcomed everyone to the first full meeting of the new committee. In particular the Chairman welcomed the new members of the Committee, and all members gave a brief introduction of themselves. The Chairman also intimated that apologies had been received from Marella O'Neill who was unwell. Tom Davis subsequently submitted his apologies to the Secretary.</p>	
2.	<p>Minutes of the Previous Meeting held on 10th October 2016</p> <p>The Chairman advised that the minutes of this meeting would be considered at this meeting as there had been insufficient time to review them at the Executive Committee meeting held immediately after the AGM. It was noted that this meeting had been called primarily to ensure that all actions relating to the SJA Survey of members and preparatory work for the AGM had were in hand. It was noted that all actions had been completed and that the action on the COPFS report would be covered in the Chairman's Report.</p> <p>On this basis the Committee unanimously approved the minutes of the meeting held on 12th October 2016.</p> <p>Proposed: John Lawless Seconded: John Whyte</p>	
3.	<p>Minutes of the Previous Meeting held on 20th November 2016</p> <p>The minutes of the SJA Executive Committee meeting held immediately following the AGM were considered. There were no amendments to the minutes and they were approved unanimously.</p>	

	<p>Proposed: Brian Wood Seconded: John Lawless</p>	
4.	<p>Matters Arising from the Previous Minutes</p> <p>(a) John Lawless advised that he wished to raise the issue of the SJA Survey Action Plan under AOCB.</p> <p>(b) The Chairman advised that a representative of OFGEM had addressed the North Strathclyde JP Annual Conference and had discussed the issues of utility warrants. It was recognised that this was still an issue with some JPs across Scotland and that the SJA should take a lead in developing a standardised approach with the increasing number of utility companies. It was agreed therefore that the Chairman would contact OFGEM and invite them to meet with the SJA Executive Committee and address us on their perspective on utility warrants.</p>	Chairman
5.	<p>Chairman's Report</p> <p>The Chairman reported that the SJA had provided a written response to Scottish Government's Justice Committee on our recent experiences of dealing with COPFS, which was based on the comments received from our members. It was agreed that the SJA would not send a representative to the verbal public consultation on the matter.</p> <p>The Chairman also advised that he had received comments from both SJA members and members of the public that the SJA Executive Committee minutes should be in the public area of the SJA website rather than in the member's area which required a password to access the area. It was generally agreed that as we are a publicly funded body that we should make our minutes available. It was also noted that we would be subject to a request under the Freedom of Information provisions. It was agreed therefore that all SJA Executive Committee meeting minutes would be published in the general area of the SJA website once they had been approved.</p> <p>In connection with any issues with publicity or press or media interest the Chairman advised that he had held a meeting with Elizabeth Cutting, Press Liaison Office at the Judicial Institute and Baktosch Gillan in the Communication Section of the Judicial Institute, and they had offered their full support to the SJA and advised that they would be happy to handle any media issues which may arise. It was felt that it would be useful for Elizabeth Cutting to address the Executive Committee on her role and the Chairman was actioned to issue an invitation to her.</p> <p>The Chairman also advised that he had a meeting with the Lord President, with the Lord Justice Clerk and Steven Humphreys of SCTS in attendance. The Lord President had felt it worth the SJA developing closer relations with the Sheriffs Association. Accordingly it was agreed that in the first instance the Secretary should approach the Secretary of the Sheriffs Association to make contact and hopefully arrange a meeting. The Chairman also advised that the Lord President operated an 'open door' policy and was willing to provide his support to the SJA.</p> <p>It was also agreed that we should invite the new Lord Advocate to address the SJA Executive Committee.</p>	<p>Secretary/John Lawless</p> <p>Chairman</p> <p>Secretary</p> <p>Chairman</p>

6.	<p>Treasurer's Report</p> <p>Prior to the meeting the Treasurer had circulated his report on the current financial position of the SJA. It showed that as at 24th January 2017 the SJA had funds totalling £9,838.63p in the bank. The report also detailed the budget for the coming year which indicated that as in previous years the largest item of expenditure was expected to be on members travelling expenses. In addition budget provision had been made for a delegate to attend the CMJA Conference which was to be discussed later on the agenda.</p> <p>The Treasurer also advised that there were no issues with the SCTS regarding the provision of the annual grant of £12,000. A meeting had been arranged with SCTS in April 2017 to discuss the grant, to which the Treasurer and Chairman would attend. This is in keeping with the normal provision of six-monthly meetings with the SCTS Financial Team.</p> <p>The Treasurer also reported that he had still to resolve the transfer of signatory rights with the SJA bank account. This would require a meeting with the Royal Bank of Scotland for the Treasurer and Chairman.</p>	Treasurer/ Chairman
7.	<p>Membership Secretary's Report</p> <p>John Lawless reported that the current membership numbers by Sherifffdom are as follows:-</p> <p>G&S - 15 SSD&G – 78 TC&F – 50 NS – 52 GH&I – 67 L&B – 33</p> <p>Giving a total membership of 295.</p> <p>John Lawless also noted that some JPs were now having their engagement extended beyond the normal retirement date of 70. In addition some Sherifffdoms were actively recruiting new JPs and it is important that we advise new JPs of the SJA and seek to recruit them as soon as possible.</p> <p>It was agreed that there should be an individual appointed who would act as a liaison point for collecting and collating numbers within each Sherifffdom, and who would also act as a local point of contact for recruiting new members. John Lawless advised that he would fulfil this role for G&S Sherifffdom and the undernoted members agreed to act as the liaison contact for their Sherifffdom:-</p> <p>SSD&G – Gordon Hunter TC&F – John Whyte NS – Grace MacLeod GH&I – Brian Wood L&B – John Burns</p>	
8.	<p>SJA/SCTS Liaison Committee Report</p> <p>Gordon Hunter, Vice-Chairman reported that he and the Chairman had a regular liaison meeting with SCTS on 23rd January 2017. The SCTS were</p>	

	<p>represented by Steven Humphreys. It was noted that JP court statistics were still outstanding but were due to be circulated. It is expected that they will show a downward trend in volume of business.</p> <p>It was also confirmed at the meeting that some low severity domestic dispute cases were to be handled by the JP courts from later this year. To ensure that JPs were suitably trained to handle these cases the Judicial Institute would be preparing specific training. Further information on this training would be circulated when available, but it is believed that a Stage 1 on-line toolkit for this training will be available by 1st March, with a Stage 2 training comprising of case studies and scenario training being available, within each Sherifffdom, in June/July.</p> <p>The SCTS advised that there would be no increase in the rates for expenses for JPs; these cover both travel and subsistence allowances.</p> <p>Concern was raised with SCTS about the length of time taken for new JPs to sit on the bench following their appointment. At present this can take up to two years, which clearly impacts on JP availability. It was noted that Sheriff Principals had the ability to extend the appointment of JPs if the workload demanded, and that the legislation allows for the extension up to the age of 75 if necessary, although six month or annual extensions are more likely.</p> <p>It was noted that Steven Humphreys is due to retire from SCTS in June but a replacement has not yet been appointed. Further SJA/SCTS Liaison Meetings are scheduled for June and October this year.</p>	
<p>9.</p>	<p>Judicial Council Committees</p> <p>(a) ICT Committee – John Lawless reported that a new system for the remote access of SCTS mail was being considered. It had been identified the this new 'Egress' system was difficult to work with and that Stephen D'Arcy of SCTS was due to contact John Lawless and the Chairman on progress. Further information would be provided at the next meeting</p> <p>(b) Welfare & Support Committee – Due to the absence of Marella O'Neill there was no report from this Committee. However, the Chairman advised that he did not think that there had been a recent meeting of this Committee.</p>	<p>John Lawless</p>
<p>10.</p>	<p>SJA Executive Elections 2017 – Sub-Committee Appointments</p> <p>The Chairman highlighted the fact that all three of the existing members of the Executive Election Sub-Committee (himself, John Whyte and Dennis Barr) were due to stand down in 2017 and were therefore not eligible to be on the Sub-Committee. The Chairman also expressed his desire to increase SJA Executive membership up to the maximum 18, rather than the exiting numbers which total 13. The Chairman requested volunteers to sit on the Election Sub-Committee.</p> <p>As a result of this request the SJA Executive Election Committee for 2017 will comprise of John Lawless, John Burns and Brian Wood. Due to his previous experience on this Sub-Committee John Lawless was asked to be the Chairman of the Sub-Committee, and arrange such meetings as are necessary.</p>	<p>John Lawless</p>

<p>11.</p>	<p>CMJA Conference 2017</p> <p>The Secretary reported that he had received details of the CMJA Conference for 2017. It was due to be held in Dar-Es-Salaam, Tanzania between 24th to 28th September. The theme of this year's conference is 'Building an Effective, Accountable and Inclusive Judiciary'.</p> <p>It was noted that the SJA had sent a representative to this annual conference for a number of years and had joined both Sheriffs and Senators to represent Scotland at all levels of the Judiciary. It was agreed that a vote would be held to determine whether or not to send a delegate to this conference.</p> <p>The result of the vote for the motion to send a delegate was:- For – 8 Against – 2 Abstention – 1</p> <p>It was agreed therefore that we would send a delegate. Two members gave immediate notice that they would be interested in attending, however it was agreed that a delegate would be selected at our next meeting when other members would have had the opportunity to consider attendance.</p> <p>It was agreed that the SJA delegate should try and become actively engaged in the conference and sit on a Panel Session if available. In addition the delegate should be available to address JPs in all Sheriffdoms on the lessons from and the issues raised at the conference.</p>	
<p>12.</p>	<p>Utility Warrants</p> <p>This issue was covered in the actions from the previous minutes and it was confirmed that the Chairman would contact OFGEM for them to send a representative to discuss the matter with the Executive Committee.</p>	
<p>13.</p>	<p>Sentencing Council – Stakeholder Event 28th April 2017</p> <p>The Secretary advised that in response to the circular issued by the Sentencing Council for delegates to attend their workshop on Young Offenders to be held in Falkirk on 28th April a total of five Executive Committee members indicated that they wished to attend. The initial allocation for places had provided for three representatives from the SJA. The Secretary had consequently contacted the Sentencing Council requesting two additional places. The Council advised that the allocation of additional places could not be given until all stake-holder bodies had responded. The Secretary advised that he would contact Executive Committee members once the Sentencing Council had responded to our request, however it may be necessary to allocate places at the next Committee meeting.</p>	<p>Secretary</p>
<p>14.</p>	<p>The 'Scottish Justice' – March Edition</p> <p>The Secretary confirmed that he had relinquished the role of co-ordinator for the quarterly 'Scottish Justice' electronic newsletter and wished to confirm which of the four members of the Sub-Committee would act as the main point of contact for the collection of articles and the compilation of the newsletter.</p>	

	Despite her absence it was confirmed that Marella O'Neill would fulfil this role, but that Grace MacLeod would arrange an initial meeting of the new Sub-Committee to prepare the March edition.	Marella O'Neill/ Grace MacLeod
15. AOCB	<p>(a) The Secretary advised that he had been contacted by Johan Findlay to request that the SJA response to the proposed, but subsequently rejected, Assisted Suicide Bill be put up on the SJA website. The Secretary advised that this response pre-dated his appointment to the Executive Committee and therefore was unaware of the document. John Lawless advised that he had an electronic copy of the response which was marked as being the second draft. As no other member of the Committee was aware of a later draft John Lawless was requested to put this on the website and the Secretary would advise Johan Findlay.</p> <p>(b) The Secretary requested that an electronic copy of the SJA Constitution be provided to him in order that he could ensure that all recent amendments had been included. John Lawless advised that he could provide an electronic copy and the Secretary advised that once fully up to date the Constitution document would be passed back to John Lawless for up-loading onto the SJA website.</p> <p>(c) John Lawless circulated an Action Plan in response to the issues raised in the Survey of SJA members. This document was considered by the Committee and all proposed actions were agreed. A copy of the Action Plan is appended to these minutes.</p> <p>(d) It was noted that Dennis Barr had electronic copies of all the documents used for the SJA Executive Election process. It was agreed that these should now be passed across to John Lawless.</p> <p>(e) It was agreed that John Lawless would benefit from some on-going technical assistance with the maintenance of the SJA website. It was agreed therefore that a volunteer to assist John in the role of Web Master would be sought through an article in the March edition of the '<i>Scottish Justice</i>'.</p> <p>(f) A number of members indicated that JPs in their Sheriffdom had been contacted with a view to giving a talk about the role and work of a JP in Scotland. It was agreed that a standardised approach would be beneficial and it was felt appropriate that the Judicial Institute should produce a 'Power Point' presentation to assist all JPs. The Chairman agreed to raise this issue with the JI.</p>	<p>John Lawless/ Secretary</p> <p>John Lawless/ Secretary</p> <p>All Executive Committee Members</p> <p>Secretary</p> <p>Marella O'Neill</p> <p>Chairman</p>
16. Date of Next Meeting	It was agreed that the next meeting will be held in Room 2.14 of Glasgow Sheriff Court on Wednesday 5 th April 2017. The meeting would commence at the usual time of 10:30am, to allow a 10:45 start of business.	

Dennis Barr JP
Secretary
20th February 2017

Appendix 1

SJA Action Plan

Goal – Implement Survey recommendations

Recommendation	Responsible	Deadline	Resources	Result
Ensure SJA Executive clear on role and remit of SJA	SJA Executive	31/1/2017	SJA Constitution	Common understanding of role and remit
Communicate role and remit to members	J Lawless	28/2/2017	Website Mailchimp	Members are clear on role of SJA
Identify key issues and challenges members wish the Executive to take forward	Communications Committee	Next Issue Scottish Justice	Scottish Justice	The Executive is aware of and responsive to the needs of members
Review website design and content	J Lawless	Jun 2017	Website Mailchimp Peacock Carter	Website meets needs of members
Regularly update website content	J Lawless A N Other?	As required	Webmasters	Website content up to date
Raise profile of SJA and JPs	SJA Executive	2017 AGM	?	The Public and other members of the Judiciary are aware of the role of the JP
Include information on SJA in training programmes for new JPs	SJA Executive	Apr 2017	SJA Executives Legal Advisors	Prospective JPs are aware of the SJA role and join on appointment