

Scottish Justices' Association

Executive Meeting

Monday 25th June 2018, starting at 10:45 a.m.
Room 2.14 Glasgow Sheriff & JP Court, Glasgow

Minutes

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

	<u>Agenda Item</u>	<u>Action</u>
1.	Welcome and Apologies The Chairman, Mr Tom Finnigan welcomed everyone to the meeting. The Chairman intimated that apologies had been received from Gordon Hunter and Marella O'Neill and the Secretary advised that Tom Davis had submitted his apologies. The Chairman also advised that Gordon Hunter is making good progress from his recent health issues and is expected to make a full recovery. The Committee all fully hope that Gordon will be fit to attend the next meeting.	
2.	Approval of the Minutes of the Previous Meeting held on 16th April 2018 The Chairman and Committee reviewed in detail the previous minutes and no amendments were noted. The minutes were unanimously approved. Proposed: Brian Wood Seconded: David Ferguson	
3.	Matters Arising from the Previous Minutes It was agreed that where there were matters arising in the previous minutes that related to an agenda item on the present meeting, then the action would be noted within the agenda item minute. (a) The Chairman confirmed that Colette Paterson was no longer the JP Training Co-ordinator for the Judicial Institute (JI) and had moved to become Head of Education at JI. She has however been replaced by the temporary appointment of David Meighan. Mr Meighan's appointment was believed to be until the end of October 2018 and it was hoped that the JI would make a permanent	

	<p>appointment as soon as possible thereafter. The Chairman confirmed that he planned to hold a meeting with Mr Meighan in the near future, but in the meantime Mr Meighan had agreed to write an article for the '<i>Scottish Justice</i>'. The Chairman also advised that a Training Co-ordinator had been appointed for Tribunal Judges.</p> <p>(b) The Chairman confirmed that the issue of correspondence with Scottish Women's Aid to establish whether they could provide further assistance and guidance on Domestic Abuse cases would be considered later in the meeting.</p> <p>(c) Brian Wood advised that he had follow-up discussions within GH&I to determine the Sherifffdom Training Budget for the current year. Due to budget constraints a residential course had not been included in this year's Training Plan for GH&I. The issue of changes to the appraisal scheme to allow the Appraiser and Appraisee to come from the same court was still of concern and the chairman advised that he would raise the matter at the next SJA/SCTS Liaison Meeting due to be held on 2nd August..</p> <p>(d) John Lawless confirmed that he had approached all the new JPs in G&S and this will be reflected in the Membership Report to be considered later in the meeting.</p> <p>(e) David Ferguson advised that he would take over the action to pursue those JPs in SSD&G who had not joined the SJA.</p> <p>(f) John Lawless and the Secretary confirmed that the draft letter encouraging JPs to join the SJA had been posted on the website and can be amended for use in any Sherifffdom.</p> <p>(g) The Chairman confirmed that the issue of minimum 5-year JP appointments and the matter of JP expenses would both be added to the SCTS/SJA agenda to be held on 2nd August.</p> <p>(h) The clarification from SCTS that Holyrood Garden Party invitations were controlled by Buckingham Palace staff was noted and confirmed, but it was clarified that this issue had been raised initially by John Burns.</p> <p>(i) The Secretary confirmed that he had provided an article on Fixed Penalty Notices for inclusion in the '<i>Scottish Justice</i>'. The Chairman also confirmed that he would contact The Lord President to thank him for his article in the same edition of the '<i>Scottish Justice</i>'.</p> <p>(j) David Donaldson advised that he was registered for the CMJA Annual Conference in Brisbane, to be held in September; and that flights and accommodation had been booked.</p> <p>(k) The Secretary advised that European Network of Associations of Lay Judges (ENALJ) had confirmed in writing that membership of the EU was not a requirement of membership. He also advised that the SJA request to join ENALJ was to be considered at their General Assembly to be held in May, but no update had been received. The Secretary agreed to pursue this.</p>	<p>Chairman</p> <p>David Ferguson</p> <p>Chairman</p> <p>Chairman</p> <p>Secretary</p>
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	<p>(l) The Secretary confirmed that he had submitted a formal response from the SJA to the Department of Transport in response to their consultation request on the introduction of Fixed Penalty Notices in Scotland. The response had been printed in full in the June edition of the '<i>Scottish Justice</i>'.</p>	
<p>4.</p>	<p>Chairman's Report</p> <p>The Chairman, Mr Tom Finnigan, advised that he had attended a meeting of the Advisory Council of the Judicial Institute (JI) where a report had been presented by Sheriff Craig, Deputy Director, on the European Judicial Training Network. The Scottish delegation had been made welcome at this Network group and had given full membership of the organisation. It was again noted that EU membership is not a pre-requisite for membership, and indeed all of the UK nations were represented individually at the meeting.</p> <p>At this same ACJI meeting it was confirmed that some of the barriers to domestic abuse cases being referred to the JP Courts had been removed. The problems mostly stemmed from a lack of resources to support vulnerable witnesses. It was now expected therefore that all Sheriffdoms would see a marked increase in the number of domestic abuse cases being heard in the JP Courts. As a result of this the Chairman advised that he and Grace MacLeod would identify the contact at Scottish Women's Aid, to establish whether they wished to meet with SJA representatives, Neil McKechnie and Marella O'Neill</p> <p>The Chairman advised that Gillian Thomson, the JP representative on the Scottish Sentencing Council was due to step down from this role in October this year. Her appointment was for a fixed three-year period and that she is not eligible for re-appointment. Accordingly, all JPs should be made aware of this forthcoming vacancy, and as appropriate consider applying for the role.</p> <p>Also with regard to the Scottish Sentencing Council, the Chairman advised that following his presentation to the Committee at the last meeting Mr David Dickson, Principal Legal Officer for the Council, had agreed to prepare an article on the work of the Council for the next edition of the '<i>Scottish Justice</i>'.</p> <p>Finally the Chairman mentioned that he and the Secretary had held a meeting with Valerie MacGregor, the new Head of Judicial Communications, and that more information on the meeting would be provided later.</p>	<p>Chairman/ Grace MacLeod</p>
<p>5.</p>	<p>Treasurer's Report</p> <p>The Treasurer spoke to his report on the current financial position of the SJA which he had circulated prior to the meeting. The Treasurer advised that at today's date cash in the bank amounted to £11,141, and this reflected the fact that the grant from SCTS of £6,000 had been received on 14th May.</p> <p>The Treasurer advised that he had paid Campbell Dallas £750 for their work in reviewing and verifying the accounts, and that the fee of £180 to Peacock and Carter for the web hosting of the SJA website had been paid.</p>	

	<p>The Treasurer further advised that he costs amounting to £1,522 had been incurred for conference fees and flights associated with attendance at the CMJA Conference in Brisbane in September. Further accommodation and subsistence costs were still expected.</p>	
6.	<p>Review of 2018 Financial Statements</p> <p>Prior to the meeting the Treasurer had circulated to all members the Annual Financial Statements for the SJA for the period up to 31st March 2018, as prepared by Campbell Dallas, Chartered Accountants.</p> <p>Overall the accounts showed a deficit for the year of £233, which given that the grant from the Scottish Government had reduced from £12,000 in 2017 to £8,000 in 2018 was a creditable financial performance. In addition the SJA still has financial reserves amounting to £7,518.</p> <p>The Chairman and Committee felt that this was a sound financial performance for the Association and the Chairman and Committee thanked the Treasurer for all of his hard work in managing the finances.</p>	
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 - 18 SSD&G – 66 TC&F – 49 NS – 46 GH&I – 53 L&B – 30</p> <p>Giving a total membership of 262.</p> <p>It was agreed that we do need to compare the list of members against the full list of JPs in Scotland. It was agreed that John Lawless would produce a list of SJA members by Sherifffdom, and that these would be compared with the lists held by Sherifffdom Legal Advisors of the total number of JPs.</p> <p>The Chairman advised that he had been told that a total of 306 JPs had registered on the Judicial Hub, we should therefore seek to increase our membership by at least 10%, and that all members should actively encourage membership of the SJA within their Sherifffdom.</p>	<p>John Lawless/ All members</p>
8.	<p>SJA/SCTS Liaison Committee Report</p> <p>The Chairman reported that there had been no further meetings of the SJA/ SCTS Liaison Committee since the last one held on 12th March 2018. He advised that the next meeting would be held in Edinburgh on 2nd August 2018. As it was not likely that Gordon Hunter, Vice-Chairman would have recovered sufficiently to attend this meeting he advised that he had asked the Secretary to attend this meeting with him.</p>	<p>Chairman/ Secretary</p>

<p>9.</p>	<p>The ‘Scottish Justice’ – Sub-Committee</p> <p>David Ferguson and Brian Wood reported that the last edition of the ‘Scottish Justice’ was published at the beginning of June, and they both felt it was a good edition especially as it contained the article from the Lord President.</p> <p>The Chairman advised that he had been promised an article on the Judicial Hub from Jackie Carter of the JI IT Department, and that with the other articles already promised there should be adequate material for the next edition.</p> <p>The Secretary asked if space could be allocated in the next edition to fully promote the AGM as it would be the last edition before November. The Secretary agreed to prepare an article for this purpose.</p> <p>David confirmed that the next edition would be published in September.</p>	<p>Secretary</p>
<p>10.</p>	<p>2018 Elections – Sub-Committee Report</p> <p>The Chairman advised that he had held a meeting with John Whyte and John Lawless the other members of the Election Sub-Committee and had issued a report to all committee members which had been circulated prior to the meeting.</p> <p>The Chairman also confirmed that as in previous years the JI had agreed to provide administrative support for the election process.</p> <p>The agreed position for each of the Sheriffdoms is as follows:-</p> <p><u>GH&I</u> – Tom Davis will have completed his term in office therefore his position is due for election, he may wish to stand for re-election.</p> <p><u>TC&F</u> – There is currently one vacant position on the committee.</p> <p><u>G&S</u> – Neil McKechnie will have completed his term in office therefore his position is due for election, he may wish to stand for re-election.</p> <p><u>NS</u> – Grace Macleod will have completed her term in office therefore her position is due for election, she may wish to stand for re-election.</p> <p><u>L&B</u> – There are currently two vacant positions on the committee.</p> <p><u>SSD&G</u> - There is currently one vacant position on the committee.</p> <p>The Chairman reminded all committee members that it was important to have as wide a representation as possible on the committee and he particularly asked those members where vacancies exist in their Sheriffdom that they encourage their fellow JPs to stand for election to the Executive Committee.</p> <p>John Lawless confirmed that the election paperwork had been prepared and was available for issue. The timetable had been agreed by the sub-committee and is as follows:-</p> <p>Nomination forms to be issued by Friday 6 July 2018</p>	

	<p>Nomination forms to be returned by Friday 27 July 2018 Voting papers to be issued by Friday 17 August 2018</p> <p>Voting papers to be returned by Friday 14 September 2018</p> <p>Votes counted and election results to be announced by Friday 28 September 2018</p> <p>Elected Members to take up positions at the SJA AGM on Sunday 18 November 2018</p>	
<p>11.</p>	<p>Judicial Council Committees</p> <p>(a) ITC Committee – John Lawless advised that the Committee had not met since the last SJA meeting but that the next meeting was due to be held on 4th July 2018. The Chairman did advise however that he had spoken with Claire Taylor the IT Director for SCTS and that she had indicated that no progress had been made with the provision of a secure e-mail facility for JPs. He also confirmed that SCTS were planning to move to Microsoft Windows 10 by February 2019.</p> <p>(b) Welfare & Support Committee – In the absence of Marella O’Neill the Chairman reported that this Committee had not met for several months and there was no further update from this Committee at present.</p> <p>(c) Conduct Committee –John Burns similarly reported that this Committee had not met for several months and there was no information to provide.</p> <p>(d) Judicial Council – The Chairman advised that the scheduled Judicial Council meeting for 25th May 2018 had been cancelled, and no alternative date had been arranged. He did advise however that he and some other members of the Judicial Council had been invited by the Lord President to form a sub-committee to review the policy on Judicial Ethics for the Scottish Judiciary.</p>	
<p>12.</p>	<p>Meeting with the Head of Judicial Communications</p> <p>The Secretary reported that he and the Chairman had held a meeting with Valerie MacGregor, the newly appointed Head of Judicial Communications. The meeting which was held in Edinburgh had been requested by Valerie. The meeting had been very positive and the role and functions of a JP were explained in detail. The activities of the SJA were also covered in some detail and copies of the more recent ‘<i>Scottish Justice</i>’ e-newsletters had been provided to her.</p> <p>She did express considerable interest in the work of the SJA and in particular the recent work on revising the guidelines and procedures for the handling of utility warrants. This did lead to an article on our work featuring in the Weekly Update provided by the Judicial Communications Team.</p> <p>Valerie also asked if she could attend a SJA Executive Committee meeting and the Chairman advised that he would invite her to a future meeting. The committee fully agreed that it would be extremely beneficial to have a good working relationship with the Head of Judicial Communications, as it would be an effective route to promote our work.</p>	<p>Chairman</p>

<p>13.</p>	<p>AGM and Annual Report 2018</p> <p>The Secretary confirmed that he had included this agenda item for the purpose of confirming the timetable and the responsibilities for content for the Annual Report.</p> <p>The date of the AGM was confirmed as Sunday 18th November 2018 at 2:00pm, in the Golden Jubilee Hotel and Conference Centre at Clydebank. This venue has been used for the two previous AGMs. It was also confirmed that the SJA would fund the travelling expenses of up to two representatives from each of the other Sheriffdoms to attend the AGM, and that this had been detailed in the last edition of the '<i>Scottish Justice</i>'.</p> <p>It was then confirmed that responsibility for providing the content for the Annual Report would be allocated as follows:-</p> <p>Chairman's Report- Tom Finnigan SJA Objectives and Committee Details – Dennis Barr 2018 Election Results – Tom Finnigan/John Whyte/John Lawless Scottish Justice Sub-Committee Report – David Ferguson/Brian Wood Conduct Committee – John Burns SJA/SCTS Liaison Committee – Tom Finnigan/Gordon Hunter ICT Committee – John Lawless Welfare & Support Committee – Marella O'Neill G&S Sheriffdom Report – Neil McKechnie TC&F Sheriffdom Report – John Whyte NS Sheriffdom Report – Grace MacLeod GH&I Sheriffdom Report – Phil Cropper L&B Sheriffdom Report – John Burns SSD&G Sheriffdom Report – David Ferguson Membership Secretary's Report – John Lawless CMJA Conference Report – David Donaldson Treasurer's Report – John Whyte</p> <p>The Secretary, Dennis Barr would be responsible for compiling the Annual Report and preparing it for printing and publishing. It was agreed that we would continue to use Solway Printers for printing as they were familiar with our lay-out and style, and their costs were kept low.</p> <p>John Lawless confirmed that he would produce address labels for use by Solway Printers to post individual copies to members.</p> <p>It was noted that the Annual Report is required by the SJA Constitution to be available to members 28 days prior to the AGM. Therefore in order to allow sufficient time for the Annual Report to be compiled and published all content for the Annual Report was required to be submitted to the Secretary no later than Friday 28th September.</p>	<p>Secretary</p> <p>John Lawless</p> <p>All Members</p>
<p>14.</p>	<p>AOCB</p> <p>David Ferguson advised that the '<i>Scottish Justice</i>' sub-committee were always seeking content and whilst a number of articles had been promised it was important that there regular flow of articles and he requested that all members consider making contributions to the e-Newsletter.</p> <p>The Secretary reported that he had been contacted by the Magistrates Association for England & Wales (MA), requesting approval for their use of</p>	

	<p>our guidelines and information regarding the handling of utility warrants that fully reflect the new Ofgem Directive. The MA indicated that they would give full acknowledgement to the SJA. The Secretary had discussed the possibility of a joint meeting between the SJA and MA to discuss items of common interest and concern. The committee were asked for their views on such a meeting and it was unanimously agreed that it would be a positive step forward and promote the work and activities of the SJA. The Secretary was then advised to progress a meeting with the MA where the SJA would be represented by the Chairman and Secretary.</p>	<p>Secretary</p>
<p>15.</p>	<p>Date of Next Meeting</p> <p>It was agreed that the next meeting would be held on Wednesday 12th September 2018 in Room 2.14 of Glasgow Sheriff Court. The meeting would start at the usual time of 10:30, to allow a commencement of business at 10:45 am.</p> <p>It was noted that David Donaldson would have to submit his apologies for this meeting as he would be attending the CMJA Conference in Brisbane, Australia on that date.</p>	

Dennis Barr JP
Secretary
15th July 2018