

The Supreme Court of the United Kingdom

Management Board

Minutes of the meeting held on 24 November 2014

Attending: Jenny Rowe (Chair)

William Arnold
Chris Maile
Louise di Mambro
Olufemi Oguntunde
Ben Wilson
Alex Jablonowski
Kenneth Ludlam (Non-Executive Director)

Paul Brigland (Secretary)

1. Apologies for absence

Apologies were received from Martin Thompson.

2. Approval of the minutes of the meeting of 20 October 2014.

2.1 The minutes were approved, subject to two minor amendments.

3. Matters arising not covered elsewhere on the agenda

3.1 Risk 13 – The paper on Litigants-in-person had been deferred until the December meeting.

3.2 Interviews for the vacancies mentioned at 9.1 were being held that week.

4. Declaration of conflicts of interests

4.1 No declarations of conflicts of interest were made.

5. Monthly dashboard

5.1 The Board noted the contents of paper MB14/58.

5.2 The red flag on case statistics was due to papers still being outstanding in a JCPC case. A response from the lower court in the local jurisdiction was still awaited.

5.3 BW noted that the amber flag related to a complaint received about the caterers in the café. The Board discussed whether complaints against contractors should be recorded on the Dashboard.

Action point: PB to add a section on contractor services to the Dashboard.

5.4 KL queried the figures for ‘Actual sitting days’ compared to ‘Possible sitting days’ and asked whether the purpose behind recording these was that we were aiming to achieve a higher percentage of sitting days. WA explained that the recording was purely for information and that gaps were usually left in the listings to allow for emergency sittings.

5.5 AJ asked if there were performance measures in place, for example SLAs, covering ICT. PB explained that there were and this would be addressed in the paper he would be presenting at the December meeting.

6. Risk Register

6.1 The Board noted the contents of paper MB14/59.

6.2 The Board noted the following points

Risk 1 – We were still awaiting sight of the draft Bill following the policy statement made by the Conservative Party.

Risk 2 – JR circulated a copy of the letter to the Smith Commission. The details of the letter would be circulated by the Commission as part of their wider consultation exercise.

Risk 7 – There had been a problem with providing Ushers to cover two Court rooms. This had been temporarily solved by having an experienced ex-Usher come in to provide cover. Efforts were being made to establish a pool of temporary ushers to call upon in the future. Internal Audit were looking at Registry operations and it was expected their recommendations would feed into future succession planning.

Risk 8 and Risk 9 – The Board noted that Internal Assurance had conducted their review of IT network security and resilience in November. Their report was expected in December.

Risk 10 – PB was speaking to Chris Needham-Bennett to arrange a full BCP test in 2015.

Risk 12 – There had been further reports that the government of Jamaica was considering leaving the JCPC.

Risk 13 – A paper on Litigants in Person would now be considered at the December Board meeting.

7. Finance and fees

7.1 The Board noted paper MB14/60 and the attached spreadsheets. The Board in particular noted the following points -

- Annual Spend was broadly in line with expectations. There was a current underspend of around 2% (about £300k).
- Fees income continued to exceed the estimates for both the UKSC and the JCPC.

7.2 The Board noted that the paper discussed the sale of gift items, now that this had been taken over by the catering contractor, and considered how this might affect revenue streams.

7.3 The Board noted that publication of the next Annual Report and Accounts was likely to be delayed by the dissolution of parliament for the General Election on 7 May 2015.

8. Press and communications

8.1 The Board noted the contents of paper MB14/60, and the following points –

- October had been a busy month. Two pro-active feature pieces had been produced by the Independent on Sunday and the Times, both of which had been positive. They marked the 5th anniversary of the opening of the Court without over emphasising it. The two main issues focussed on by the media had been the Scottish referendum and the role of the ECHR. Newspapers had referenced the role of the UKSC when covering both issues.
- The proposed withdrawal from the ECHR continued to attract media coverage and the UKSC was mentioned several times.

8.2 Visitor numbers continued to be high and were up on the same period last year. The number of paid for tours was also up.

8.3 AJ said that the press coverage and the live streaming were excellent and served as an example to other courts.

8.3 KL asked if the evening tours were successful and asked if they were something that could be expanded. BW said that there were costs associated with mounting these but he would be discussing the possibility with the new Events Manager when appointed.

9. Human Resources

9.1 The Board noted the following points –

- Interviews were being held this week for the Events and International Visits Co-ordinator post and the Information and Communications Officer (ICO) posts. Fixed term contracts were being considered for any future ICO vacancies.

- The annual staff survey had achieved a 97% response rate. The engagement score was 77% but a full report would be made to the December meeting.
- MyCSP had now taken over responsibility for existing pensions from Capita, although this had led to delays in other areas.

9.2 The Board discussed the future provision of pension and payroll services, and considered any potential risk or problems that would need to be factored in.

10. Parliamentary Questions and Freedom of Information

10.1 The Board noted that 1 FOI request had been received in October. No PQs had been tabled.

11. Case update

11.1 An extra case had been added to the list for next term and the number of Justices sitting on it had been raised to 7.

11.2 LdiM would circulate the list for next term to the Justices in early December for comment.

11.3 *Coventry v Lawrence* – the Secretary of State for Justice was now an intervener, along with seven other interveners. There continued to be a lot of interest in the case and it was expected to generate a lot of coverage.

11.2 A further test case would be coming to the Court, this one relating to children and the deprivation of liberty. It had implications for local authorities.

12. Equality & Diversity

12.1 The Board noted the contents of paper MB14/62.

13. Review of the Business Plan for 2014-14

- 13.1 The Board considered the contents of paper MB14/63.
- 13.2 WA pointed out that the current year was the final year of the 2010 SR settlement.
- 13.3 JR said that plans to establish the Arts Trust mentioned at p.15 of the plan were now well advanced. She would update the Board in the New Year.
- 13.4 WA reminded the Board that the Strategic Priorities would be reviewed in December.
- 13.5 The Board noted that all of the KPIs in annex C were being met. JR said they would be reviewed when producing next year's plan.

14. The work of the JCPC and the UK Economy.

- 14.1 The Board noted the contents of paper MB14/64.
- 14.2 Members noted the sums involved in some of the commercial cases coming to the JCPC and considered how this related to the fees charged in such cases.
- 14.3 It was noted that the JCPC also contributed towards making London an international venue for justice.
- 14.4 JR pointed out that the JCPC fees structure for commercial cases was now based on a percentage of the sums involved. A consultation exercise was currently under way on UKSC fees.
- 14.5 JR said that the paper would be kept updated and would form part of any future business case made to HMT.

15. Spending Review Strategy.

- 15.1 The Board noted the contents of paper MB14/65.

- 15.2 The Board noted that further reductions in public expenditure were likely following the next Spending Review in 2015.
- 15.3 The business case being prepared for the UKSC would detail the efforts made so far, including the re-tendering of contracts for security guarding, catering, facilities management and the new ICT arrangements). It would also detail the high proportion of fixed costs that the UKSC had.
- 15.4 The Board considered the impact of any further reduction in budgets and the possible impact this would have on operations and the provision of services.

Action point: The Board agreed to consider this issue again at the February 2015 meeting

16 AOB

- 16.1 No points were raised.

UKSC
December 2014