

The Supreme Court of the United Kingdom

Management Board

Minutes of the meeting held on 23 May 2016

Attending: Mark Ormerod (Chair)

William Arnold
Louise di Mambro
Chris Maile
Olufemi Oguntunde
Martin Thompson
Ben Wilson
Stephen Barrett (Non-Executive Director)
Kenneth Ludlam (Non-Executive Director)

Paul Brigland (Secretary)

1. Apologies for absence

1.1 No apologies were received.

2. Approval of the minutes of the meeting of 21 March 2016

2.1 The minutes were approved.

3. Matters arising not covered elsewhere on the agenda

3.1 MO was still considering what changes should be made to the statistics on the Dashboard. These changes would be considered at future meetings. MO would also submit a paper to the next Justices meeting on judicial statistics.

3.2 The Board noted that it was not planned immediately to fill the vacancy created when Lord Toulson retired in July. Instead the Court would operate with 11 Justices and use the supplementary panel if needed. Lord Toulson and Lord Dyson would be joining the supplementary panel. There was a longer term strategy being developed around recruiting Justices as 6 were due to retire by 2018.

- 3.3 KL asked what notice had to be given to members of the supplementary panel if they were required to sit. MO said that discussions had already taken place with panel members and their sittings over the next term were already planned. SB asked if we had sufficient supplementary panel members to satisfy demand. LdiM confirmed that we did, although consideration was also being given to how PTA panels would be composed.
- 3.4 The Board noted that BW had lines ready to handle media queries and that preparations were in hand for the relevant appointment Commissioners to be brought together in the Michaelmas term to consider the arrangements for the 2017 vacancies.

4. Declaration of conflicts of interests

- 4.1 No declarations of conflicts of interest were made.

5. Monthly Information Dashboard

- 5.1 The Board noted the contents of paper MB16/18, and in particular the following points –
- Fees income was slightly lower than expected, as the number of applications received was down – this was due to Easter being early this year, making the term shorter. However, it was expected that this would pick up as the year progressed.
 - The figure for average number of sick days per member of staff taken at the end of the 2015/16 year was significantly lower than average for Government, comparing favourably with other departments.

6. Risk Register

- 6.1 The Board noted paper MB16/19, and in particular the following points –

Risk 3 (*Damage to Reputation*) – The Board noted the impact of coverage in the *PJS* case. The recent visit to China had gained some political coverage.

7. Finance and fees

7.1 The Board considered paper MB16/20 and noted the following points -

- OO had given a detailed analysis of UKSC finances to the Chair of the Audit & Risk Committee (KL).
- The annual audit had been completed and all was satisfactory.
- The end of year accounts had been considered by the Audit & Risk Committee in May and had been signed off by the Chief Executive on 18 May.
- HMT had written on 18 May and suspended the laying of accounts before Parliament until after the EU Referendum in June.
- Figures for April had been in line with budget estimates. There had been a small overspend of £2k, but this was not worrying and would correct itself as the year progressed.
- All contributions due had been received from the jurisdictions for the first quarter.
- WMI had generated £4k of income in April.

7.2 The Board confirmed it was content with the revised format of the finance report.

8. Press and communications

8.1 The Board noted the contents of paper MB16/21, and the following points –

- There had been significant coverage of *The Christian Institute and others (Appellants) v The Lord Advocate (Respondent) (Scotland)* and *PJS v News Groups Newspapers* cases. Judgment in the latter had been handed down in the previous week and coverage had not been positive. A media handling plan had been put in place and this had ensured greater accuracy in some coverage. The case would now return to the High Court unless the parties came to a settlement.
- WMI income was slightly down but future bookings looked positive with income from venue booking expected to rise.
- The Board noted the statistics for digital engagement (websites, YouTube, Twitter).

9. Human Resources

9.1 The Board noted the contents of paper MB16/22, and in particular the following points –

- Following the Deputy Librarian's promotion to Librarian a new Deputy had been recruited on a temporary 3-month contract and this seemed to be working well.
- The Building and Health & Safety Manager would be retiring later in the year and an advertisement would be issued for a Contracts Manager in June.
- A campaign would be run to fill the Finance Manager post on a permanent basis.
- The 1% pay increase would take effect from 1 August 2016.

10. Parliamentary Questions and Freedom of Information

10.1 The Board noted that 7 FOI requests had been received in March and 7 in April – this was up on previous months and also on the same time last year.

10.2 A number of the requests had asked for information on Justices expenses.

10.3 No PQs had been received.

11. Case update

11.1 There was a case being heard that day that raised significant issues over jurisdiction in child abduction cases.

11.2 The case involving the rights of ex-pats to vote in the EU referendum was due to be heard the following day.

11.3 SB said it would be helpful if the case update could be included in a report on what is going on, what is upcoming, possibly prepared by the CE. This could be considered in advance of the meeting.

Action point: MO and LdiM to consider and report back to September meeting.

12. Applications for Permission to Appeal

- 12.1 The Board considered paper MB16/23. It was noted that the grant rate for April was down. MO pointed out that the new statistics would reflect trends. OO said the new statistics would hopefully look at the 'stock' of PTAs in hand.

13. Business Continuity update

- 13.1 The Board noted the contents of paper MB16/24.
- 13.2 PB reported that a number of possible BCP venues had been reviewed, including the Institute of Civil Engineers, Church House Conference Centre and 1 Millbank which formed part of the Parliamentary estate and was managed by the House of Lords Facilities Department.
- 13.3 Of these 1 Millbank most closely met our requirements. The President, MO and WA had visited the site on 16 May and negotiations were now in hand to agree a Memorandum of Understanding and agree a date for a BCP test to be held during the summer vacation.
- 13.4 In addition, discussions had been initiated with the Royal Courts of Justice to act as a second relocation site.

Action point: PB to update at the July MB meeting.

14. Accommodation Report

- 14.1 The Board noted the contents of paper MB16/25.
- 14.2 The Board discussed the Forward Works Plan, with reference to what work was considered essential and what was deferrable.
- 14.3 It was noted that the proposed works now included replacing the floor in the lobby outside Court Room 1.
- 14.4 MO asked how much we had budgeted for the proposed works during this financial year. OO confirmed that £200k had been allowed for capital (including lighting and glass signs) and £370k for

resource. Some additional expenditure could be accommodated within the current budget.

- 14.5 SB noted that the Court was a very well maintained building but asked how essential all of the proposed works were.
- 14.6 MO also asked about the need for external redecoration. MT said that this was largely preventative maintenance, which was more cost effective than waiting for things to deteriorate or go wrong and had been recommended in the Quinquennial Report.

Action point: MO and MT to inspect the exterior of the building.

- 14.7 The Board agreed that items which could be deferred would include door ironmongery and 'Black Start' testing.
- 14.8 The Board considered the proposal to replace the floor in the lobby, and were in favour of undertaking the work within the current financial year. MT said there could be a problem with obtaining listed building consent and this would require further investigation.

Action point: MT to seek listed building consent to change the floor, but without committing to undertake the work at this stage.

15. Broadcasting upgrade proposal

- 15.1 The Board considered paper MB16/26.
- 15.2 Section A of the paper detailed the case for upgrading the broadcasting equipment, which was now approaching its end of life and was using outdated technology.
- 15.3 Section B contained the options to extend the Video on Demand service.
- 15.4 The Board agreed that the equipment upgrade should go ahead.
- 15.5 The Board agreed that the possibility of potential sponsors for the video on demand service should be investigated.