

**The Supreme Court of the United Kingdom
Management Board**

Minutes of the meeting held on 29 June 2011

Attending: Jenny Rowe (Chair)

William Arnold
Louise di Mambro
Sian Lewis
Olufemi Oguntunde
Philip Robinson (Non-Executive Director) - by conference call
Caroline Smith

Ann Achow (Secretary)
Paul Brigland (observing)

1. Apologies for absence

1.1 Apologies for absence were received from Alex Jablonowski and Martin Thompson.

2. Approval of amendments to the minutes of the MB meeting held on 20 April 2011

2.1 The amendments were approved.

3. Approval of the minutes of the Management Board meeting on 25 May 2011

3.1 The minutes were approved

4. Matters arising not covered elsewhere in the minutes

4.1 WA reported that interviews had been arranged for the security guarding procurement process. AJ would be on the panel which would convene for four days in August.

4.2 JR reported that the letter of appointment for Audit Committee members clarified the role as a personal one with no requirement to report back to their relevant jurisdictions. The letter of appointment for the new Scottish member reflected this position.

4.3 The Annual Report and Accounts had been published ahead of deadline. Congratulations were due to all those staff involved in its production. A meeting to discuss lessons learnt and the timetable for the 2011 Annual Report and Accounts had been scheduled.

4.4 LdiM updated the Board on the use of retired judges. The sad and sudden death of Lord Rodger at the weekend meant that there would be a need to use more judges from Scotland until such time as his post was filled.

4.5 CS reported that it was likely that staff would have access to Civil Service Learning courses via the MoJ free of charge for the current and next financial year. Confirmation was expected from MoJ imminently.

5. Relationships with government

5.1 JR reported on recent talks with officials within the devolved administrations. There had been extensive press coverage in Scotland of the comments made by the First Minister and the Scottish Justice Secretary on the relationship with and role of the UKSC. The independent review chaired by Lord McClusky, had delivered its interim report which will now be debated in the Scottish Parliament. The final report was expected in the autumn. It was anticipated that media interest in the issue would continue, especially as officials have identified further cases from Scotland and Wales which are likely to attract press attention. PR suggested that the risk register be amended accordingly, which JR agreed.

Action: JR to update risk 5 on the risk register

6. Scorecard report

6.1 The Board considered paper MB11/32 which contained scorecard figures including case figures for the JCPC up to the end of the May 2011. May had been a sparse month for training and development activity although CS commented that activity had increased in June and spend for the first quarter of the financial year was on track against profile.

7. Finance and fees

7.1 OO presented paper MB11/33 which contained financial information to the end of May 2011.

7.2 The key points for the Board to note were as follows:

- the figures for May were broadly as expected.
- the financial contributions from the devolved authorities for the first quarter had been received. Invoices for the second quarter were being prepared.

8. Press and communications

8.1 SL presented paper MB11/34. The coverage of the comments made by the First Minister and Justice Secretary had dominated most of May. The other big issue had been the launch of live streaming of UKSC's broadcasts by Sky News and SL reported positive feedback had been received. There had been some problems with the feed which provided the text showing which case was being screened and this was being monitored.

8.2 The number of individual visitors to the Court had dropped to 5,896 in May from the April total of 6,654. However, this figure showed a marked increase against May 2010. Visits by educational groups had also dropped, but this seemed to be the trend after Easter in the run up to exams and then summer holidays. The number of unique visitors to the website

was up to 38,307 compared to 26,007 in April – the highest ever figure. SL thought this reflected the live streaming launch.

8.3 The Board congratulated SL and her team for their work on the introduction of paid tours.

9. Human resources

9.1 CS reported that the selection and recruitment process of the 7 Judicial Assistants had been completed. All had accepted and a start date of 12 September had been agreed. She was now looking at lessons learned following the process to improve on the 2012 round.

10. Parliamentary Questions monthly report

10.1 AA reported there had been one PQ received in May. The subject matter concerned fee agreements and a disproportionate costs reply had been given.

11. Case update

11.1 LdiM reported that cases were now being listed for June/July 2012. In addition room may have to be made this year for emergency cases which would impact on next year's lists. The high refusal rate of the last batch of PTAs was unlikely to be reflected in the set currently under consideration. Decisions on these were expected by the end of July.

12. Risk

12.1 The Board considered paper MB11/35 which comprised the current risk register. The Board's detailed discussions considered each risk in turn.

12.2 Risk 1 and 5 were covered earlier in the meeting. It was considered too early to reduce risk 1. The same applied to risk 2 where, once the enhancements were in place, the risk would be re-assessed.. JR would amend risk 5 as discussed.

12.3 Risks where the text or scores would be considered for amendment in next month's register were :

- risk 3 where we were demonstrably not suffering any perceived loss of independence, consequently the score might be reduced.
- risk 4 where the description would be amended
- risk 6 where the likelihood score may have been raised to too much
- risk 7 where the score must be coming down. However, a new risk relating to any untried new contractor should be added to the register.
- risk 8 where the score was coming down, but subject to MoJ action.

- risk 9 where the trend was rising as it was not known if the BCP was viable until it had been tested. JR/WA are meeting with the Director of the RCJ to take this forward.
- risk 11 where the trend was improving
- risk 13 where it would be made more specific to cover shared services risks in 2012/13
- risk 15 where the trend may be worsening. Consideration to be given to splitting the risk to cover Scotland separately.

12.4 No changes were considered necessary for risks 10 and 12. Risks 14 and 16 would be deleted..

Action: Risk owners to consider the amendments discussed.

13. Any other business

13.1 JR reported that the House of Lords Constitution Committee had launched its inquiry, scheduled to last a year, into the judicial appointment systems for England, Wales, Northern Ireland and UKSC. Lord Phillips, Lord Kerr and Lady Hale had been invited to give evidence. JR had discussed with Lords Phillips and Hope the fact that the UKSC would have to replace 5 Justices by 2013, including the President and Deputy President. In addition to expected vacancies one vacancy had arisen because of the untimely death of Lord Rodger. The expectation was that both Lord Hope and Lord Rodger would be replaced by Scottish Judges/lawyers.

13.2 AA said that dates for the 2012 Management Board meetings were being identified and would be put forward at the next meeting on 25 July.

These minutes were approved by the Management Board on 29 September 2011.

UKSC
July 2011