

MINUTES: BOARD TEAM MEETING

28 April 2025, RMA Office, Paisley

Present

Dr Geraldine O'Hare – Convener
Mr Jim Farish
Dr Joe Judge
Ms Michele Gilluley
Mr James Maybee (Via MS Teams)
Mr Stephen McAllister
Dr Alain Zysset

In Attendance

Mr Mark McSherry, Chief Executive
Mr Paul Keoghan, Director Corporate Services
Mr Eddie Kotrys, Head of Effective Practice
Ms Debbie Campbell, Head of OLR
Ms Lauren McClintock, OLR Team Manager
Mr Ali Malik, Finance and Governance Lead (Minute Taker)
Ms Allison Grubb, OLR Lead
Ms Elaine Ferguson, Policy Lead
Mr Craig Thomson, Researcher
Ms Margaret Smith, Communications Lead (Item 20 only)

Welcome

1. The Convener called the meeting to order at 10:00 am and welcomed all present.

Apologies:

2. The Convener noted apologies from Prof Kieran McCartan.

Declarations of Interest

3. The Board noted no declarations of interest.

Approval of Previous Minutes

4. The Board reviewed and approved the minutes from 17 March 2025 as a fair and accurate reflection of the meetings.

Matters Arising

5. The Board received updates on the following actions which were noted as completed – 23.1 (03/25).
6. The Board noted progress on actions 16.3 (06/24).

Agenda Items

7. Chief Executive Update – Verbal

- 7.1. The Chief Executive reported recent developments in engagement with Criminal Justice Services, highlighting growing pressures on the prison system. The CE informed the meeting custody capacity is projected to be insufficient by the summer and noted high-level LS/CMI (Level of Service/Case Management Inventory) data will be submitted to the Criminal Justice Board in June. Meanwhile, the Risk Management Authority (RMA) is conducting a review of challenges related to both short-term and long-term prisoners, with a report expected by the end of June. The CE also reported that the Criminal Justice Clerks' Office also noted that prison demand has nearly doubled over the past five years. In response, risk management strategies have been communicated to Sheriffs and Senators for consideration.
- 7.2. The CE updated the Board on ongoing engagement regarding OLR monitoring and human rights concerns raised by a family-led campaign named NOLR. The CE informed the meeting that discussions are underway with academics and stakeholders, following the public release of historic RMA staff quotes from a PhD study. The CE noted a meeting with the Human Rights Commission Scotland is scheduled this week, aiming to influence an upcoming review and potential legislative changes and further contact with Victim Support Scotland and actions with SPS and Ministers are planned over the next two weeks, with updates to follow.
- 7.3. The CE added that SPS provided an update on the work they are doing behind the scenes regarding the prisoner pathway. This includes a review of case management for prison and case management in a custodial setting. SPS are making ongoing efforts to progress this and further updates will be provided following the workshop on Wednesday.
- 7.4. The Board noted the CE's verbal update.

8. CJ Modernisation & Abusive Domestic Behaviour Bill – Board Paper 1129

- 8.1. The CE presented the CJ Modernisation & Abusive Domestic Behaviour Bill to the Board advising of the Scottish Government proposals to confer upon the Risk Management Authority a statutory duty to co-operate with a new abusive domestic behaviour review process. The CE confirmed Scottish Government has approached the RMA regarding potential involvement in the parliamentary process linked to forthcoming legislation on public protection. A discussion paper has been shared with colleagues currently engaged in this area of work and further discussions on a broader role are expected next week, with a view to possible formal involvement in the legislative process concerning domestic behaviour. The CE noted the bill remains at Stage 1 and as part of the proposed oversight and review arrangements, oversight bodies will have the power to nominate representatives to participate. It is important to note that the RMA is not currently a member of any of the proposed oversight bodies. The bill also addresses issues related to homicide and suicide where there is a connection to domestic abuse, as outlined in Section 20.
- 8.2. The Board discussed Point 19 and agreed that we should consider involvement in the proposed legislative process. While the Government is seeking to bring agencies into this work, it is important to ensure the RMA is not drawn into areas beyond its remit. The

resource implications remain unclear, and questions were raised about potential conflicts of interest, which will need to be carefully assessed. There may be value in the RMA participating from a different perspective, such as sitting on the other side of a committee, but ownership of the process must remain with the RMA. The Board agreed to revisit this after the next meeting, once there is greater clarity around resources and the organisation's level of comfort with engagement.

Action: HEP

8.3. The Board approved the CJ Modernisation & Abusive Domestic Behaviour Bill paper.

9. Convener Update – Verbal

9.1. The Convener informed Members concerns regarding the lack of diversity on the Board have been raised with Scottish Government and it is hoped the new appointments process expected in August will help address this. The Convener also noted that the RMA has been invited to present at the Scottish Sentencing Council event on 20 May.

9.2. The Board noted the Convener's verbal update.

10. Scottish Government Governance Hub – Verbal

10.1. The Board noted the Scottish Government Governance Hub as a standing item with no updates to date.

11. Head of OLR Update - Verbal

11.1. Head of OLR (HOLR) provided several updates, including the accreditation of a new assessor and ongoing improvements to the OLR process. The HOLR reported that while efforts to maintain an active and accessible pool of assessors for the courts continue, challenges remain in attracting new assessors. The HOLR also reported the RMA is holding weekly meetings with Life Liaison Officers with the aim to improve the quality of submissions.

11.2. The HOLR highlighted that the OLR Manager recently met with the Deputy Governor at HMP Edinburgh. Efforts are being made to meet with all Deputy Governors who hold the most OLR cases, with feedback from these meetings being highly positive.

11.3. The Board noted the update.

12. OLR Statutory Regime – Board Paper 1130

- 12.1. The CE presented the paper to the Board, updating on ongoing discussions between the RMA, the Parole Board for Scotland, and Justice Social Work. The CE confirmed an initial meeting was held with a joint group, including counsel from King's Counsel, where local parties were tasked with reviewing and enhancing key areas. It was noted a significant decision was made to classify social work and parole staff as emergency workers, with plans for this to become a permanent arrangement. Social Work has also requested the inclusion of both the RMA and SPS in the workgroup. Efforts to assess and manage risk within the OLR regime are continuing to influence release decisions, though there is still the possibility of individuals being released without a fully developed risk management plan. A meeting with the Parole Board is scheduled for next Tuesday to discuss the case of an individual who was released last year and recalled within a week.
- 12.2. Members discussed the responsibility to assess community risk, noting that in the seven cases under review, the assessments were conducted under pressure and in the absence of a clearly defined process. The Board requested an update be provided at the next Board meeting.

Action: CE

- 12.3. The Board noted the OLR Statutory Regime.

13. Head of Effective Practice Update – Verbal

- 13.1. The Head of Effective Practice (HEP) informed Members that the Criminal Justice Board is reviewing individuals serving sentences of one year or less. The HEP noted that historically, sentencers have been able to impose sentences of under one year without the need for any reports, based on legislation dating back up to 13 years, specifically the Criminal Procedure (Scotland) Act 1995. The HEP reported approximately 70% of individuals are currently serving sentences of less than a year, although short-term sex offenders are excluded from this group. The use of Home Detention Curfew (HTC) for these individuals has been formally raised, with a business case developed in response to the growing prison population crisis. The HEP noted that the HTC resource requirements could have an impact on the RMA's workload.
- 13.2. The Board noted the update.

14. Head of Research and Development Update – Verbal

- 14.1. The Head of Research and Development (HRD) reported on ongoing projects including the OLR psychopathy study which is currently with the graphic designer. The HRD reported the SAFFER website went live last month, and an intern is supporting the development of entries. The HRD also noted the OLR project has been handed over to Research and Development, with active work progressing on 30 of the 50 cases identified. Finally, the HRD confirmed work on the RATED project is currently on hold.
- 14.2. The Board noted the update.

15. Draft Annual Report & accounts 2024-25 - Verbal

15.1. The Director of Corporate Services (DCS) presented the draft Annual Report and Accounts for 2024–25. Members were advised the auditors are scheduled to begin their field work on 19 May, with the aim of presenting the accounts to Parliament by the end of October. The DCS noted this year's annual report highlights the organisation's 20-year anniversary by reporting on key achievements over that period. The DCS also noted pension data from UK Cabinet office remains outstanding and is likely to delay the planned signing of the annual report and accounts in June.

15.2. The Board noted the verbal update on the draft Annual Report & Accounts.

16. Audit & Assurance Committee Self-evaluation Results

16.1. The Board reviewed and noted the Audit & Assurance Committee self-evaluation results.

17. Accreditation Committee Self-evaluation Results

17.1. The Board reviewed and noted the Accreditation Committee self-evaluation results.

18. Research & Ethics Committee Self-evaluation Results

18.1. The Board reviewed and noted the Research & Ethics Committee Self-evaluation Results.

Other Competent Business

19. Conference Planning - verbal

19.1. The CE led the Board in a discussion on the planning for the RMA's upcoming conference, noting that a seminar is also being organized to mark the RMA's 20th anniversary. The CE confirmed the anniversary event will feature the Cabinet Secretary, the Director of Justice, and a selection of invited guests. A "Save the Date" notice has already been prepared for this occasion.

20. Communications Lead Session

20.1. The Communications Lead (CL) lead a session which follows up on the Board Development Day in March 2025.

Date of next meeting

21. The Board members noted the next meeting is scheduled for 1 August 2025.

22. The Convener thanked everyone for attending and drew the meeting to a close at 14:45.