

### **Update on stakeholder engagement**

1. The secretariat issued a press release on 17 January 2014, announcing the establishment of the Committee and its initial membership. This was placed on the Scottish Government website.

A copy of the press release is attached to this paper (annex A)

2. An article will be placed in the next edition of Just News, highlighting the establishment of the committee, its remit and its initial activity.

3. The Chair has met with the following stakeholders during December and January:

- The Hon Lady Smith - Chair of the Scottish Tribunals Forum
- Richard Henderson – ex Chair of the now abolished Scottish Committee of the Administrative Justice and Tribunals Council
- Martín McKenna - Chief Executive , Scottish tribunal Service
- Ms Jessica Burns - Regional Tribunal Judge for Social Security in Scotland

4. The Chair has written to the Chair of the Justice Committee of the Scottish Parliament, and to the Lord President (replies are attached to this paper (annex B)), and to the Scottish Civil Justice Council.

5. The Chair will meet with the Convener of Accountability Scotland and with the lord President in February. It is also intended to arrange a meeting with the Scottish Civil Justice Council. Further meetings are also intended with the Law Society, the Chair of the mental Health tribunal and the Scottish Legal Aid Board.

6. The Chief Executive of the Scottish Tribunals Service has suggested the possibility of a visit to the STS headquarters in Hamilton. If this were of interest to Committee members, this could perhaps be organised for a small group.

## **Administrative Justice and Tribunals**

Friday, January 17, 2014 12:15

### **Scotland**

#### **Law, Order and Public Safety**

#### **New Interim Advisory Committee set up.**

A new interim advisory committee has been created to provide external, expert scrutiny of the devolved administrative justice and tribunals system in Scotland.

The new Committee Chair has selected six initial members with a wide range of experience in areas such as issuing advice, decision making and representing users. Legal Affairs Minister Roseanna Cunningham said:

“I wish the Committee and its members every success in their work. I am sure it will help improve access to justice in particular for some of the more vulnerable people in our society.”

Committee Chair Marieke Dwarshuis said:

“I am delighted to have been asked to chair this new committee. This is a crucial time for administrative justice and tribunals in Scotland with developments in many different areas that we will be able to contribute to and I hope the committee will be able to champion the needs of users from across all parts of the system in Scotland. I very much look forward to the committee starting its work - there is much to do.”

The first meeting of the committee was held on December 17.

### **BIOGRAPHIES:**

#### **MARIEKE DWARSHUIS**

Marieke Dwarshuis' career in Scotland spans over 20 years in the public and voluntary sector in a wide range of roles including Director of Consumer Focus Scotland and positions at the Office of the Scottish Charity Regulator, Citizens Advice Scotland, the Scottish Government and Shelter Scotland. In each of these roles she has worked to improve access to justice in particular for more vulnerable members of society and she has developed extensive knowledge of the administrative justice landscape in Scotland. She is currently a member of the Board of the Scottish Fire and Rescue Service and sits on the Committee of Management of Hillcrest Housing Association Ltd. Born and educated in the Netherlands, Ms Dwarshuis' graduated in law from the University of Utrecht.

#### **SARAH O'NEILL**

Sarah O'Neill is a non-practicing solicitor, with experience in the private, public and voluntary sectors. She is currently an independent consultant specialising in legal and consumer policy and has many years' experience of working on civil and administrative justice issues. She was formerly Director of Policy at Consumer Focus Scotland, was a member of the

Administrative Justice Steering Group chaired by Lord Philip and wrote its 2008 report on options for the future administration and supervision of tribunals. Ms O'Neill is also an accredited mediator and a member of the board of trustees of the Scottish Mediation Network.

### **PROFESSOR TOM MULLEN**

Tom Mullen is Professor of Law at the University of Glasgow and a non-practicing solicitor. His research and teaching interests include constitutional law and administrative law and topics including judicial review, human rights legislation, tenancy rights, housing and anti-social behavior and the impact of the Housing (Scotland) Act 2001. He is currently writing a book on administrative justice. Professor Mullen was also Convener of the Board of the Legal Services Agency and has acted as expert adviser to a House of Commons Select Committee on Scottish Affairs. He was also a member of the Administrative Justice Steering Group and more recently worked with the Scottish Committee of the Administrative Justice and Tribunals Council on tribunal reform.

### **JOHN STURROCK**

The founder and CEO of the Core Solutions Group providing mediation and training in business, the professions and commerce, Mr Sturrock is also the independent facilitator of the 2020 Climate Change Delivery Group. He became a Queen's Counsel in 1999, is a Visiting Professor at Strathclyde University and was also Director of Training and Education in the Faculty of Advocates where he designed and led the Scottish Bar's award-winning advocacy skills programme. Mr Sturrock trained in negotiation at Harvard University and was named Specialist of the Year at the Scottish Legal Awards in 2003 and Mediator of the Year at the Law Awards of Scotland in 2009. He also received the Honorary Degree of Doctor of Laws from Edinburgh Napier University in 2010.

### **SHABEN BEGUM**

Shaben Begum is the Director of the Scottish Independent Advocacy Alliance (SIAA). With an Advocacy background stretching back many years, she previously worked for the Advocacy Service in Rampton Hospital before moving to Scotland in 2000 when appointed as Manager of the Patients Advocacy Service in the State Hospital, Carstairs. During her time at the organisation, Ms Begum helped the SIAA develop a strong national voice for independent advocacy organisations, helping to influence services and legislation. She has supported the growth of existing independent advocacy organisations and helped ensure that all independent advocacy organisations in Scotland work to the same rules and guidelines. Ms Begum has overseen the publication of the Principles and Standards for Independent Advocacy and the associated Code of Practice among other influential documents and has received an MBE for services to health care in 2011.

### **PAUL MCFADDEN**

Paul McFadden is a member of the SPSO's Senior Management Team and heads up its Complaints Standards Authority (CSA) which was established to take forward the responsibilities provided to the SPSO by the Public Services Reform (Scotland) Act 2010.

The CSA recently implemented a programme of reform to standardise, simplify and improve complaints handling by public bodies across Scotland. He oversaw the transfer of prisons and water complaints to the Ombudsman's office from the Scottish Prison Complaints Commission and Waterwatch Scotland respectively. Mr McFadden also helped establish the Police Complaints Commissioner for Scotland (PCCS), leading the development of the complaints handling and corporate services functions. He has also worked with the UK Home Office where he helped establish the office of the Chief Inspector of the UK Border Agency.

## **LAUREN WOOD**

Lauren Wood is Access to Justice Policy Officer at Citizens Advice Scotland. She is responsible for influencing decision makers and opinion formers in government, the public and private sectors and the media to ensure access to justice policy and legislation is framed in the best interests of consumers. Her role also involves developing and co-ordinating information on projects that enhance access to justice across the Citizens Advice Bureaux in Scotland. She holds a Master of Laws in Law and Governance from Dundee University and volunteered at Family Mediation Scotland while completing her studies