

# JUDICIAL APPOINTMENTS COMMISSION (JAC)

11 October 2018

## Minutes of Board Meeting

<b>Present</b>	
<b>Board Members</b>	<b>JAC Staff</b>
Ajay Kakkar (Chairman) Mathangi Asokan (EA) Anuja Dhir (AD) Emir Feisal (EF) Jane Furniss (JF) Andrew Kennon (AK) Sarah Lee (SL) Noel Lloyd (NL) – via skype Fiona Monk (FM) Phillip Sycamore (PS) Simon Wessely (SW) Philippa Whipple (PW) Brie Stevens-Hoare (BSH)	CEO Head of Strategy and Policy Head of Operations Head of Secretariat/Board Secretary Head of Selection Policy Head of Senior Appointments Head of Diversity and Engagement Senior Digital Manager Senior Selection Exercise Manager
<b>Apologies</b>	<b>Observing</b>
Anne Rafferty (Vice Chairman) Valerie Strachan (VS)	Senior Appointments Selection Exercise Manager Statistical Support Officer

### 1. Apologies and matters arising

- 1.1. Apologies were received from Anne Rafferty.
- 1.2. The minutes of the 13 September 2018 meeting were agreed.
- 1.3. No interests were declared by any Board member in respect of any matter under discussion in the agenda.

### 2. Chief Executive's Report

2.1. The Chief Executive reported on:

- The JAC finances and forward project for 2018/19. This included recognition of an overspend due to the JAC facilities approaching maximum capacity and therefore being required to allocate a significant proportion of resources to external accommodation required for the increased volume of work.
- Current staffing including the appointment of a new Deputy Head of Operations.

### 3. Report back from Committees and Working Groups

- 3.1. The Chairman invited Noel Lloyd to report back on the JARS Programme Board (Programme Board) held on 26 September 2018 NL reported that the Programme Board focussed on the report provided by external contractors on the future digital solution for JAC. The Programme Board agreed that the proposals should be presented to the Commission Board of endorsement.

- 3.2. The Chairman invited Jane Furniss to update the Board on the last Advisory Group (AG) meeting held on 20 September 2018 and to introduce the corresponding paper addressing the revised AG terms of reference and proposals to expand its membership.
- 3.3. JF, reported that the AG welcomed District Judge Gray as a new member. The AG considered the online qualifying test and the online scenario test for Deputy District Judge (Magistrates Courts) and also considered the situational questioning for the Salaried Upper Tribunal, Immigration and Asylum Chamber. The overview of the proposed role play for Recorder was also taken to the Group for an early steer. JF reported that the AG also responded positively to replacing live role plays with recorded role plays followed by situational questions and a judgement.
- 3.4. JF introduced Colin Barker, Policy Officer to present the paper setting out the revised terms of reference and proposed expansion of the Advisory Group membership for approval by the Board.
- 3.5. Following discussion, the Board approved the proposed expansion of the AG to 15 members and nominated Emir Feisal to join the AG from next month.

#### **4. Chairman's Report**

- 4.1. The Chairman reported that since the previous Board meeting in September he had attended a round table discussion on 25 September hosted by The Law Society aimed at judicial diversity and barriers facing solicitors. Sarah Lee also attended the event. The Chairman reported that a follow up meeting was also being arranged for three of the attendees at that event at the invitation of the Chairman.

#### **5. Update on JUSTICE Report on increasing Judicial Diversity**

- 5.1. The Head of Diversity and Engagements presented a paper updating the Board on work undertaken in support of the JUSTICE recommendations published in April 2017 on increasing judicial diversity.
- 5.2. The Board were reminded that in April 2017 a summary of recommendations relevant to the JAC within the JUSTICE report was presented to the Board. The Board noted those areas where work was already underway in relation to issues raised by the report, and areas where further activity was due to be explored.
- 5.3. The Board recognised that much of the future work designed to further support the JUSTICE recommendations is connected to the themes within the Work Psychology Group (WPG) review as discussed under Item 8 below.
- 5.4. The Board further noted that there were no new or additional policy proposals being made.

#### **6. Guest Speaker: Baroness Hale of Richmond - President of the Supreme Court of England and Wales**

- 6.1. The Chairman welcomed Baroness Hale (BH) who addressed the Board on her observations of the successes and challenges facing judicial appointments during her tenure as President of the Supreme Court of England and Wales of Justice.

6.2. Following a broad discussion building on the outreach work already being undertaken by the JAC to attract applicants from a wider pool, the Chairman expressed his gratitude to BH for sharing her views and expressing her support for the work of the JAC.

## **7. External review of JAC's future digital solution**

7.1. The Chairman asked the CEO to introduce the Digital Director, of the external digital solutions company to present his report summarising their review of the JAC's future approach to a digital solution.

7.2. Upon conclusion of the presentation, the CEO advised the Board of the implications of the review and sought the Board's approval of the initial work required to prepare, plan and resource a programme to transition to a new, replacement service to the current digital platform with the assistance of MoJ Digital and under the Government Digital Service (GDS) framework.

7.3. Following an in-depth discussion, the Board approved the plan for a replacement digital solution to the current digital platform based on the options identified in the review. The Board agreed that the programme would be the focus of the JAC's digital capacity and resources over the next two years and therefore a major keystone in the JAC forward strategy.

## **8. A programme of work to take forward recommendations from Work Psychology Group (WPG)**

8.1. The Chairman invited the Head of Selection Policy to present a paper updating the Board on the independent review of the effectiveness of the JAC shortlisting tools conducted by the WPG.

8.2. WPG concluded that the JAC were broadly following a best practice approach in the development of shortlisting materials and made recommendations for further improvement. A number of the short-term recommendations were to be taken forward as business as usual. The Board were asked to approve a future programme of work to take forward the more substantial of the WPG recommendations over the next two years that also addressed feedback from key stakeholders on our approach to candidate testing, as follows:

- In the short term (over the next 3 months) the Board approved the assistance of external expertise to support the drafting of situational judgement tests for the online qualifying tests (QT) in order to strengthen the process.
- In the medium term (3-12 months) the Board agreed to explore further the scope for moving to a model of running combined QTs for certain levels of the judiciary, for example, all entry-level (fee-paid) appointments and to consider whether elements of the QTs might be based on a bank of questions that could be rotated and adapted as necessary for re-use. The Board also agreed to explore opportunities in the forward programme to trial an alternative to role play and to explore the opportunity to develop a bank of situational questions that could be re-used and rotated in future exercises.

- In the long term (12-24 months) the Board noted that the programme of work set out above is likely to take two years to complete and roll out fully into the exercise programme.

8.3. Following discussion, the Board approved the programme of work as key priorities for the next two years.

## **9. AOB and date of next meeting**

9.1. This concluded the business of the Board.

9.2. The Chairman confirmed the next meeting would take place on 8 November 2018.