

JUDICIAL APPOINTMENTS COMMISSION (JAC) MEETING
10 December 2015
Minutes of Meeting

Present	
Commissioners	Staff
Christopher Stephens (Chairman) Ian Burnett (Vice Chairman) Martin Forde Emily Jackson Usha Karu Noel Lloyd Alexandra Marks Andrew Ridgway Lucy Scott-Moncrieff Christopher Simmonds Valerie Strachan Phillip Sycamore Debra Van Gene	Chief Executive Head of Operations Head of Policy and Change Head of Digital and IT Systems Senior Communications Manager Policy Officer, Operational Policy Private Secretary to the Chairman Board Secretary
Guest (Item 6 only) Jonathan Smithers, President of the Law Society Catherine Dixon, Chief Executive of the Law Society	

1. Apologies, and matters arising

1.1 Apologies were received from Katharine Rainsford and Alan Wilkie.

1.2 All Commissioners confirmed that they had no personal interest in any matters to be discussed on the agenda.

1.3 The minutes of the 12 November meeting were agreed, subject to minor amendments.

1.4 The Board Action Register was noted.

2. Chairman's Report

2.1 The Chairman provided an update on his activities since his last report at the November meeting. He reported that he had met with the Chief Executive of the Supreme Court. He also reported that he had met with the incoming Senior Presiding Judge and the Chancellor of the High Court. He also met with Shailesh Vara MP, Parliamentary Under-Secretary of State for Justice, to discuss the work of the Diversity Forum.

2.2 The Chairman then invited Commissioners to comment on relevant activities of particular interest with which they had been involved. Noel Lloyd informed the Commission that the public consultation on the Welsh Language Scheme had now closed, and the responses were being analysed.

Alexandra Marks reported that she had spoken on a panel with young female solicitors.

3. Chief Executive's Report and Management Information Pack

3.1 The Chief Executive provided an oral update on current activity at the JAC. He reported on the JAC's financial position, informing the Commission that the JAC's budget for 2015/16 had been provisionally indicated as being £4.4m.

3.2 The Chief Executive then reported on staffing levels at the JAC, stating that key replacements for some staff vacancies were continuing to arrive.

3.3 The Chief Executive then provided an update on the selection exercise programme for the remainder of the current financial year.

3.4 The Chief Executive informed the Commission that the JAC have been approached by the Ministry of Justice (MoJ) public appointments team regarding the possibility of assistance with an exercise to recruit parole board members under s98 of the Constitutional Reform Act 2005.

3.5 The Commission considered the monthly Management Information Pack. The Pack provided an overview of JAC activity up to the end of November 2015.

4. JARS update

4.1 The Head of Digital and IT Systems presented a paper requesting that the Commission note the developments to be undertaken under the new JARS contract, and some of the arrangements for the project to deliver further improvements and functionality to JARS and the JAC website.

4.2 The Commission welcomed the paper, noting that the JARS contract had been signed on 1 December 2015 and that the first sprint was complete. The focus in the first few sprints will be to improve performance, stability, security and the JAC website navigation and usability.

4.3 The Chairman congratulated the Head of Digital and IT Systems for successfully facilitating the new JARS contract through the Cabinet Office and MoJ approval process.

5. Review of Policies on Section 94 and Revisiting Previous Exercises

5.1 The Policy Officer presented a paper seeking the Commission's agreement to review the current policy in relation to lists created under section 94 of the Constitutional Reform Act 2005, and to agree a formal approach to the consideration of 'near miss' candidates to fill urgent, additional vacancies that arise following the completion of an exercise.

5.2 The Commission agreed to maintain the current policy in respect of section 94 lists. It further agreed to formalise the approach to be taken to the consideration of 'near miss' candidates, subject to minor amendments to the proposals to add flexibility to the process and to reflect the need to ensure that the equal merit zone is considered fully.

6. Guests: Jonathan Smithers, President of the Law Society and Catherine Dixon, Chief Executive of the Law Society

6.1 The Chairman welcomed Jonathan Smithers and Catherine Dixon of the Law Society to the meeting and introductions were made.

6.2 Jonathan Smithers thanked the Commission for inviting him to attend the meeting with Catherine Dixon and began by providing a brief overview of his role, the Law Society's priorities and his recent international engagements to promote the work of the Law Society. He also discussed the challenges faced by solicitors in entering the judiciary and the initiatives the Law Society had developed to encourage and facilitate solicitors applying for judicial appointment. These included the Solicitor Judges Division – a division of the Society which enables solicitor judges to communicate and network with each other. The Society also promotes judicial opportunities through a judicial appointments page on their website, the publicising of judicial vacancies in the Law Society newsletter, holding regular 'meet the judges' events, and a close working relationship with the JAC.

6.3 Catherine Dixon discussed the Law Society's three year strategy plan. She highlighted its strategic aims which included representing the interests of solicitors through policy and regulatory changes, promoting solicitors domestically and abroad, and supporting solicitors through a range of services, including training and events.

6.4 The Chairman then opened up the discussion to Commissioners. A wide range of issues were discussed which centred on the challenges faced by solicitors considering entry to the judiciary. Catherine Dixon agreed to take forward some of the issues raised and provide a response as to what the Law Society were doing to address the concerns.

6.5 The Chairman concluded by expressing his appreciation to the Law Society for making the time to meet with the Commission.

7. Initial Review of Recorder Competition

7.1 The Head of Policy and Change presented a paper to the Commission which provided an overview of the Recorder 2015 selection exercise and outlined the broader issues the JAC planned to take forward for consideration.

7.2 The Commission noted that the review covered the broader issues for wider selection policy and future selection exercises, not just future Recorder exercises.

7.3 After careful consideration, the Commission agreed to the actions under way and planned in order to further develop and improve the selection process.

8. JAC Commissioners as Applicants

8.1 The Private Secretary to the Chairman presented a paper seeking clarification on the Commission's current policy that a Commissioner should be invited to resign if they apply for judicial appointment in a JAC-run exercise or for a senior judicial appointment (even if it is not directly run by the JAC). The Commission confirmed that the current policy should also be applied in circumstances where the JAC is asked to make authorisations under s9(1) and s9(4) of the Senior Courts Act 1981. The Commission agreed that applying the policy in this way was important in order to maintain public confidence in the impartiality and integrity of the appointments system.

9. Report Back from Working Groups

9.1 Emily Jackson, Chair of the Advisory Group, provided the Commission with a brief update on the Group's meeting held on 2 December, with reference to the changes of the format of the Group's meetings.

Date of next meeting

The Chairman confirmed that the next Board meeting would be held on **Thursday 11 February 2016**.