

**JUDICIAL APPOINTMENTS COMMISSION (JAC) MEETING**

**10 MARCH 2011**

**MINUTES OF MEETING**

**PRESENT**

**Commissioners:**

Christopher Stephens (Chairman)  
Roger Toulson (Vice-Chairman)  
David Bean  
Jill Black  
Lorna Boreland-Kelly  
Hazel Genn  
Ed Nally  
Sara Nathan  
Charles Newman  
David Pearl  
Francis Plowden  
Harriet Spicer  
Jonathan Sumption

**Staff:**

Interim Chief Executive  
Director, Courts Appointments  
Director, Tribunals Appointments and Operational Policy  
Director, Operational Services  
David McIntosh (for workshop – Item 10)  
Private Secretary to the Vice-Chairman

**1. Chairman's Update**

1.1 The Chairman welcomed Commissioners to his first Board meeting and provided an update on the following points:

- In the past month he had met over 50 senior figures in the Judiciary (both Courts and Tribunals), Ministry of Justice (MoJ) and Key Interested Parties. He had also met staff at all levels and was due to observe selection days in the coming weeks.
- He is planning to sit with Judicial Commissioners in court, would visit Presiding Judges on circuit and would meet each of the Tribunal Presidents. Visits to the Scottish and Northern Irish Boards were also planned.
- He had received feedback from these meetings which demonstrated that the value of the JAC was well appreciated, but improvement to processes was always possible.
- His priorities were: the appointment of new Commissioners by the end of January 2012; the appointment of a permanent Chief Executive; relationship building with the MoJ and Judicial Office; continued emphasis on diversity in all JAC processes; focus on a number of Senior Appointments. He also recognised his need to understand the technical issues behind the JAC processes.

1.2 In discussion, he acknowledged the potential loss of corporate memory surrounding the reappointment of Commissioners and would be considering the matter with the Interim Chief Executive, with the aim of agreeing the way forward 1 May. He invited Commissioners to advise him of their views.

1.3 Commissioners noted the achievement of the Interim Chief Executive and his staff during a period of change and reducing resources.

## **2. Apologies and matters arising**

2.1 Apologies were received from Sir Geoffrey Inkin.

2.2 All Commissioners confirmed they had no personal interest in any matters to be discussed on this agenda.

2.3 The minutes of the February board meeting were approved subject to one minor amendment.

## **3. Future of JAC Advisory Group (JAC/11/12)**

3.1 The Commission considered a paper on the future of the JAC Advisory Group and agreed to the recommendation that it should be retained to review all qualifying tests for the purpose of shortlisting and also role plays.

3.2 Membership of the group was discussed and it was agreed that tribunal representation would be strengthened and a new nomination would be sought to represent the interests of the High Court Judiciary.

3.3 It was also agreed that drafting judges for qualifying tests would only be invited when the test is first reviewed.

## **4. Conflicts of interest (JAC/11/13)**

4.1 The Commission considered a paper on guidance and consistency in terms of handling declaration and conflicts of interest with respect to Selection and Character Committee(SCC) and Board business.

4.2 Commissioners were asked to forward any specific drafting along with examples for the precedence log to the Secretariat. It was agreed that further clarification would be provided to set the context particularly in which SCC decisions were taken.

4.3 Commissioners agreed the broad thrust of the paper and further agreed to report any conflicts to the Secretariat on receipt of papers and to make their own declarations at meetings.

4.4 It was agreed that the guide and precedent log would be reviewed annually by the Board.

## **5. Closure of Section 94 call off list (JAC/11/14)**

5.1 The Commission agreed to the closure of the Section 94 call off list for Fee Paid Deputy Chairman of the Copyright Tribunal (2008).

## **6. Summary of Closedown Reports – Q3 and Q4 (JAC/11/15)**

6.1 A paper was presented providing an update on issues raised in closedown reports on exercises completed between September 2010 and February 2011, along with key learning points.

6.2 The Board noted this paper and raised the issue of the timeliness of reports, while recognising that this was much improved. It was agreed that this would be considered as part of a paper on Board and working group meetings, which was planned for the May Board meeting.

## **7. Reports from working groups**

7.1 The Advisory Group last met on 16 February to review tests and role plays for forthcoming exercises. There was also a specific discussion on elements of testing and role plays. The particular value and dedication of the group in the overall context of diversity was noted by Commissioners.

7.2 The Outreach Working Group met earlier that day. It agreed a trial of social media as an advertising tool and the advertising strategy for the year ahead. It also considered the style of the next Annual Report.

## **8. Director's Reports (JAC/11/16)**

8.1 The Director of Courts Appointments and Director of Tribunals Appointments provided updates on key selection exercises.

8.2 The Director of Operational Services informed the Commission that action planning regarding the outcome of the staff survey was underway and he provided an update on IT and the planned floor moves. He also noted that the JAC had received a 'green' rating from a recent internal audit of character checking processes.

## **9. Interim Chief Executive's report (JAC/11/07)**

9.1 The Interim Chief Executive updated Commissioners on staffing arrangements, current budget position, Public Bodies Bill, Constitution Committee and the People Processes and Performance (PPP) programme.

9.2 He circulated a programme of future work including priorities for the year ahead and sought Commissioners' views out of Committee. He also circulated a revised staffing model, upon which staff were being consulted.

9.3 It was agreed that an Annual Strategic Review would be arranged for late May/early June.

## **10. Workshop**

10.1 Commissioners took part in an informal workshop to consider the relative merits of different methods of shortlisting. Deliberately, decisions were not taken, but debate and results of the workshop provided staff with material to consider and produce a paper for presentation at a later date.

## **11. Any other business**

The Chairman acknowledged it would be the last Board meeting for Commissioner, Ed Nally. He congratulated him on his new role as a member of the Legal Services Board and thanked him for all he had done throughout the life of the JAC.

## **Date of next meeting**

The next meeting would take place on 12 May 2011.