

# JUDICIAL APPOINTMENTS COMMISSION (JAC)

13 December 2018

## Minutes of Board Meeting

<b>Present</b>	
<b>Board Members</b>	<b>JAC Staff</b>
Ajay Kakkar (Chairman) Anne Rafferty (Vice Chairman) Mathangi Asokan (MA) 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) Valerie Strachan (VS) 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 Senior Selection Exercise Manager Panel Executive
<b>Apologies</b>	<b>Observing</b>
None	Training Team Officer

### 1. Apologies and matters arising

- 1.1. No apologies were received.
- 1.2. The minutes of the 8 November 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. Chairman's Report

- 2.1. The Chairman reported that since the previous Board meeting in November he had met with the Chairman and new Chief Executive of Northern Ireland Judicial Appointments Commission (NIJAC) and met with the Lord Chief Justice and Lord Chancellor for the final tri-lateral of the year.
- 2.2. The Chairman also reported that he had chaired the Judicial Diversity Forum meeting where the deep dive analysis was presented and held a meeting with two solicitors following on from the round table discussion he attended at the Law Society last month.

### **3. Chief Executive's Report**

#### 3.1. The Chief Executive reported on:

- The indicative Forward Programme for 2019/20-20/21 including the more flexible approach being taken in respect of senior posts in order to accommodate the resourcing required to meet the increased volume of vacancy requests expected over the next two years;
- The results of the People Survey including the impact of having an almost entirely new team over the past nine months and the measures being taken forward to address the matters raised within that survey. The Chairman requested that the Board receive regular updates on the progress made on action being taken in response to the People Survey results; and,
- Management Information Pack incorporating the JAC finances, risk register and new presentation of diversity data.

### **4. Report back from Committees and Working Groups**

4.1 The Chairman invited Board members to report back on committees and working groups who had met since the last Board meeting.

4.2 Jane Furniss (JF) reported on the Advisory Group meeting which took place on 12 December 2018. JF advised that the group considered a role play for the Road Users Charging Adjudicators exercise (RUCA) including a discussion on piloting a pre-recording role play on this exercise; the online scenario test for the Salaried First-tier Tribunal Judges exercise and situational questions for the following exercises: High Court 2018-19; District Judge, Salaried Upper Tribunal Judge, Lands Chamber; Senior Circuit Judge and London Circuit Criminal Court.

4.3 Noel Lloyd (NL) reported on the JARS Programme Board ("Programme Board") which met on 21 November 2018. NL advised that it had been agreed that the Programme Board should be renamed the Digital Board given the move from JARS towards the new digital platform.

4.4 NL reported that the error rates from the JARS qualifying tests had been rated 'acceptable' and that the Programme Board discussed the plans to take a qualifying test off JARS for RUCA as set out in later in the agenda.

4.5 NL updated the Board on the last Welsh Matters Committee (WMC) held on 8 November 2018.

4.6 NL reported that he updated the WMC on the Legal Conference Wales held on 12 October 2018 and confirmed that the new MoJ Welsh Language Scheme 2018 had been launched as well as the publication of the concordat between the MoJ and Welsh Government which sets out the working arrangements between these organisations. NL also advised the Board that the WMC were updated on the Commission for Justice in Wales Consultation and Discussion paper on the establishment of a Law Council of Wales and on the Terms of Reference for that Commission.

## **5. Name-blind Sifting.**

- 5.1. The Chairman invited the Selection Policy Advisor to present a paper proposing name-blind sifting.
- 5.2. There were two proposals: (1) to seek in principle approval to roll out name-blind sifting following a digital solution capable of automating removal of names from sift material and (2) to seek an interim solution of name-blind sifting through a manual process on exercises forecast with applicant numbers of under 50.
- 5.3. The Board were advised that the implementation proposal was driven by the fact that JARS was incapable of supporting an automated name-blind sift that it was too resource intensive to be conducted manually for exercises above a certain size at the present time.
- 5.4. Following a discussion, the Board requested further evidence of the research conducted on the effectiveness of name-blind sifting which should be returned to the Board at its next meeting, which would inform a decision on implementation.

## **6. Proposals for Deputy District Judge and First-tier Tribunal and Employment Tribunal competitions 2019**

- 6.1. The Chairman invited the Head of Operations to present a paper on the proposal to undertake a single qualifying test for the Fee-paid First-tier Tribunal and Employment Tribunal and Deputy District Judge competitions in early 2019.
  - 6.2. The Head of Operations explained that the purpose of combining the qualifying test was to reduce the volume of work for candidates in taking multiple tests and to encourage the diversity of candidate progression and more efficient use of judicial resource.
  - 6.3. The Board were also reminded that one of the recommendations from the Work Psychology Group's review of JAC shortlisting tools in October 2018 was an agreement in principle to exploring the opportunity to run a combined qualifying test on these exercises and that doing so would also assist in the development of a bank of questions utilised for the Situational Judgement Test element of the qualifying test.
- .. Following a broad discussion, the Board approved the principle of combining the qualifying test and with a view to the test being off JARS.

## **7. Proposal for Road User Charging Adjudicator exercise**

- 7.1. The Chairman invited the Senior Selection Exercise Manager to present a paper on the proposal to conduct a qualifying test for the RUCA exercise off JARS and use a pre-recorded role play as part of the selection day assessment tools.
- 7.2. The Senior Selection Exercise Manager presented a paper setting out how the proposal to pre-record the role play would provide consistency for all candidates and was proposed as streamlining both the cost and time of resources required for the process.
- 7.3. Following an in-depth discussion, the Board approved the use of an off JARS qualifying test and the use of the tools set out in the proposal, recognising that further work was needed on the form that the pre-recorded role play should take.

## **8. Update on Recorder: Panel Executive Diversity Project**

- 8.1. The Chairman invited the Head of Diversity and Engagement and a JAC Panel Executive to present a paper updating the Board on a project to deliver enhanced panel assurance throughout the selection day stage of the Recorder exercise for 2018.
- 8.2. The Head of Diversity and Engagement provided a briefing on the background and rationale for the project including a project plan setting out how the Panel Executives are being involved to identify trends during calibration and moderation within the process.
- 8.3. The Panel Executive updated the Board on the progress of the project since the selection days had commenced at the start of the month.
- 8.4. The Board noted the progress and confirmed that it was content with the approach being taken.

## **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 14 February 2019.