

**JUDICIAL APPOINTMENTS COMMISSION (JAC) MEETING
13 JUNE 2013
MINUTES OF MEETING**

PRESENT Commissioners	Staff
Christopher Stephens (Chair) Jill Black Noel Lloyd Alexandra Marks Alison McKenna Stella Pantelides Andrew Ridgway Ranjit Sondhi Valerie Strachan John Thornhill Alan Wilkie	Director of Operations and Policy Director of Support Assistant Director, Human Resources (for item 4) Strategy & Policy Manager (for item 6) Assistant Director, Operational Policy & Complaints (for items 6 & 7) Assistant Director, Selection Process Review (for item 7) Assistant Director, Corporate Finance & Risk (for items 6 and 12) Private Secretary to the Chairman Board Secretary

1. Apologies and matters arising

1.1 Apologies were received from David Bean, Malcolm Birchall, Martin Forde, Deborah Taylor and the Chief Executive.

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 10 May meeting were agreed and the Board Action Register noted. In addition, a verbal report was provided to Commissioners on the current status of the action for the JAC to seek an exemption from the Rehabilitation of Offenders Act 1974 (Exceptions Order) 1975, as recently amended.

2. Chairman's Report

2.1 The Chairman provided an update on his activities since his last report at the May meeting. He had met with Lady Hale along with Alexandra Marks. He had also chaired meetings of the panel convened to select the next Lord Chief Justice, which included Noel Lloyd and Valerie Strachan.

2.2 In addition he had attended the Middle Temple Women's Forum; the Law Society Presidential dinner; the Diversity Forum held at the Law Society which launched the new Barriers to Entry report; and a seminar organised by University College London on Judicial Independence: The abolition of the office of the Lord Chancellor 10 years on.

2.3 The Chairman invited Commissioners to provide updates on key activities with which they had been involved.

2.4 Andrew Ridgway reported on a positive meeting he had attended with the President of the Queen's Bench Division to reflect on the recent High Court Judge exercise with which he had been involved. He fed back to the Commission some thoughts and suggestion arising from that meeting on some elements of the process for the next exercise.

2.5 Alexandra Marks reported on her continued involvement with meetings between Mr Justice Hickinbottom and some senior partners of City Solicitor firms. She informed the Commission she had also been invited to speak at a few of the top city firms. The Chairman expressed his gratitude to Alexandra for her work in this area and welcomed a meeting between them which would also include the Outreach team to discuss further.

2.6 Jill Black reported that she had attended the Chartered Institute of Legal Executives' lunch, which had been a successful event.

3. Chief Executive's Report

3.1 Due to the Chief Executive's absence from the meeting, it was agreed that his Board Report would be circulated to Commissioners out of committee.

4. Annual Review of Human Resources Activities

4.1 The Assistant Director, Human Resources (HR) presented a paper to the Commission which provided a summary of the key HR activities during 2012/13 and the planned initiatives for 2013/14.

4.1 He provided a report on the HR performance indicators which included the annual staff survey, with comparisons against performance during previous years; the new organisational structure which had been introduced at the beginning of June; learning and development, improving performance management and maintaining relationships with Ministry of Justice HR shared services.

4.2. The HR Director also provided an overview of the forward strategy for 2013/14.

4.3 The Commission discussed and noted the report and also expressed their gratitude towards the staff of the JAC. The HR Director would prepare a note on the Commission's behalf to post on the staff intranet.

5. Review of Good Character Guidance

5.1 The Private Secretary to the Chairman presented a paper to the Commission together with a revised version of the Good Character Guidance. The revised guidance incorporated all the changes that were agreed by Commissioners at a dedicated session on 25 April which the Commission were now asked to endorse as its policy.

5.2 The Chairman added that the revised guidance had been shared with key partners and responses had been supportive. The Commission offered further comments and requested a few small changes to be made.

5.3 Subject to the Private Secretary incorporating those changes provided at the meeting, the Commission endorsed the revised guidance. However it noted that, if an exemption for the JAC were made under the amended Rehabilitation of the Offenders Act 1974 (Exceptions Order) 1975 at a later point, then the guidance would be amended to reflect that change and this would be agreed by the Commission.

5.4. The implementation and transitional arrangements would be finalised with a view to introducing the revised Good Character Guidance at a suitable point within the Selection Exercise Programme over the next month. It would then be promulgated via the website for use in all exercises launched after that date.

6. 2012/13 Annual Report

6.1 The Strategy and Policy Manager introduced the 2012/13 Annual Report and Accounts to the Commission, inviting any high-level comments and asking the Commission to formally endorse the report.

6.2 The Commission reviewed the report and discussed the accounts, suggesting a few minor changes. Subject to those amendments and receiving any further comment out of committee by Monday 17 June, the Commission endorsed the 2012/13 Annual Report and Accounts and agreed they should be forwarded to the Ministry of Justice for laying before Parliament.

6.3 The Chairman thanked the Strategy and Policy Manager and also the Assistant Director, Corporate Finance and Risk, for their work on the production of the report.

7. Selection Process Review – Update

7.1 The Assistant Director for the Selection Process Review presented a paper which provided a note of the key points discussed and the actions arising from the Commission workshop held on 9 May. The paper also provided an update on the work being carried out to improve the selection process and also reported on the position regarding the external expertise required to support the review.

7.2 The Commission agreed the note of the actions and noted the progress made.

8. Grading of Candidates

8.1 The Assistant Director, Operational Policy and Complaints, introduced a paper which had also built on discussions following the Commissioner workshop on 9 May. The paper proposed the re-introduction of a fifth grade; a common A-E grading system to replace existing arrangements; and revised wording to be provided to candidates when notified of the selection decision.

8.2 The Commission debated the issues at length and agreed that a fifth grade be introduced and agreed also to a single grading system. However, some further consideration as to the wording used to describe the grades was required. The Assistant Director suggested that it would perhaps be appropriate to take forward and seek the views of the Panel Members at a training event which would be held the following week.

8.3 A paper would come back to the Board for approval in the early Autumn and would also include a timeline of the steps towards introduction.

9. Panel Assessment Form and Selection Day

9.1 The Assistant Director, Operation Policy and Complaints presented a paper which provided an update on the pilot of a revised panel assessment form and also proposed changes to the interview process.

9.2 The Commission discussed the panel assessment form and subject to some suggestions it agreed to the overall changes to the form to be implemented as standard for all exercises. This included the combination of report forms where short-listing was by way of a sift.

9.3 The Commission also agreed the revised approach to questioning on selection day, including greater flexibility to tailor questions more towards the candidate's experience and to probe further on issues where it is appropriate to do so.

9.4 The Assistant Director would incorporate the changes suggested and feed back the views of the Commission to Panel members at the training event referred to at paragraph 8.2 above.

10. Selection Exercises

Recorder 2011 and 2013

10.1 The Assistant Director, Senior Appointments presented a paper which provided a closedown report for the Recorder 2011 exercise and introduced the next Recorder 2013 exercise due to launch in December.

10.2 The Commission noted the closedown report which included the qualifying test papers for the Recorder 2011 exercise.

10.3 The Commission was also asked to note the outline of the process currently being planned and considered for the Recorder 2013 selection exercise. However, confirmation of the total number of vacancies for both the crime and family jurisdictions had not yet been received. A further paper would come before the Board in July and would include proposals for the short-listing methods available for consideration and formal agreement by the Commission.

Review of Closedown Report for Deputy District Judge (Magistrates' Courts) exercise 2012

10.4 The Director of Operations presented a paper to the Commission, inviting them to review the decision taken on the process applied for the Deputy District Judge (Magistrates' Courts) 2012 exercise.

10.5 The Commission noted the outcome of the exercise and endorsed the amendments proposed to the original closedown report, which had been reviewed and presented to the Advisory Group on 31 October and also agreed by the Assigned Commissioner for this exercise.

Section 94 lists for Salaried Judge of the First-tier Tribunal, Social Entitlement Chamber (2011) and District Judge (Civil) 2011

10.6 The Director of Operations presented a paper which sought agreement to the treatment of both the section 94 lists for the Salaried Judge of the First-tier Tribunal, Social Entitlement Chamber (2011) and the District Judge (Civil) 2011 exercises.

10.7 The Commission discussed both lists and the options available at length. The Commission agreed that it would continue to consider candidates on the s94 lists until any new exercise to select for the same roles reported to the Lord Chancellor, or at the point at which the lists had been in existence for two years, whichever was the earliest. At this point it agreed that both lists should be closed. Any candidates who had not been selected from the s94 at the point of closure, or when a similar new exercise was launched, if earlier, would be encouraged to apply for any new exercise.

11. Report back from Working Groups

11.1 Stella Pantelides, Chair of the Advisory Group, provided an update on the work of the Group which had last met on 5 June to discuss: the qualifying test for District Judge (Civil) 2013; and the Situational Scenario and Technical Questions for Circuit Judge of the Employment Appeal Tribunal and Fee-Paid Disability Member, First-tier Tribunal (SEC). The Group had also been provided with updates on the Equal Merit provision, the selection process review and the Fee-Paid Employment Tribunal online test.

11.2 Noel Lloyd, Chair of the Judicial Appointments Recruitment System Replacement Project Board, reported on the work of the Group which had met on 12 June to discuss procurement, hosting, funding and support issues. He noted that while progress remained satisfactory, a number of issues particularly around eventual procurement and meeting the requirements of the Government's digital agenda remained to be resolved. The Group had also agreed the long list of suppliers, whose suitability would now be assessed to provide a shortlist of 4-6 candidates and noted the timeline towards the eventual placing of a contract with the preferred supplier. A further report would be made at the next meeting

12. Management Information Pack

12.1 The Assistant Director, Corporate Finance and Risk, presented a paper introducing the new style Management Information Pack, which provided a summary of key information on the overall performance of the JAC and which would replace the former Directors' Reports .

12.2 The Commission discussed the pack and considered that the information provided was helpful and at a suitable level of detail. The Board agreed that it would wish to receive the Management Information Pack on a monthly basis, with a full update being presented at the end of each reporting quarter.

12.3 The Director of Operations provided an update on the selection exercise summary in relation to the forthcoming exercises for Fee-Paid Employment Judge and Fee-Paid Disability Member of the Social Entitlement Chamber.

13. Any other Business

13.1 The Commission was informed that a letter had been received from the Judicial Appointments and Conduct Ombudsman in relation to a complainant's application for Judicial Review. A synopsis of the judgment from the Treasury Solicitor's Department would be circulated to them out of committee.

13.2 Commissioners were also informed that Secretariat would circulate to them shortly a note confirming the quorum and timings for the additional Selection and Character Meeting to be held on 11 July.

Date of next meeting

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