

**JUDICIAL APPOINTMENTS COMMISSION (JAC) MEETING**  
**13 November 2014**  
**Minutes of Meeting**

<b>Present</b>	
<b>Commissioners</b>	<b>Staff</b>
Christopher Stephens (Chairman) Martin Forde Emily Jackson Usha Karu Noel Lloyd Alexandra Marks Katharine Rainsford Andrew Ridgway Lucy Scott-Moncrieff Christopher Simmonds Valerie Strachan Phillip Sycamore Alan Wilkie	Chief Executive Director of Operations Assistant Director, Change Programme Assistant Director, Selection Process Review Senior Manager, Operational Policy Private Secretary to the Chairman Board Secretary
<b>Board Guests</b> The Right Honourable Lord Justice Gross, Senior Presiding Judge Head of Courts and Tribunals Judicial Appointments Team, Judicial Office <span style="float: right;">} for item 4 only</span>	

**1. Apologies and matters arising**

1.1 Apologies were received from Julia Macur and Debra van Gene.

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 9 October meeting were agreed and the Board Action Register noted.

1.4 The Chairman updated the Commission on work to consider the timing of Board and Selection and Character Committee (SCC) meetings to ensure the most effective use of Commissioners' time. It was agreed that the current meeting pattern would remain, but where an SCC agenda was expected to be particularly light, the start time would be pushed back.

**2. Chairman's Report**

2.1 The Chairman provided an update on his activities since his last report at the October meeting. He reported that he had attended further feedback meetings for candidates in the recent Court of Appeal selection exercise, and that he had met with the Lord Chief Justice for this and other purposes. In addition, he reported on a trilateral meeting with the Lord Chancellor and the Lord Chief Justice, as well as a meeting he had with the Senior President of Tribunals.

2.2 The Chairman reported on a meeting with Shailesh Vara MP, Parliamentary Under-Secretary of State for Justice, in which they had discussed the work of the Diversity Forum. The Chairman thanked the JAC's Equality and Fair Treatment Manager for her work in ensuring the smooth operation of the Forum.

2.3 The Chairman made reference to the recently published report, *Judicial Diversity: Accelerating Change*, produced by Sir Geoffrey Bindman and Karon Monaghan QCs and commissioned by Sadiq Khan MP, Shadow Secretary of State for Justice. The Commission was informed that the JAC planned to provide a full response to the report, and that an outline of this response would be presented at the December Board meeting for approval.

2.4 Last, the Chairman reported on his and the Chief Executive's attendance at the Public Bodies Summit 2014.

2.5 The Chairman then invited Commissioners to comment on relevant activities of particular interest with which they had been involved. Emily Jackson and Alan Wilkie provided an update on planning for the High Court selection exercise. Martin Forde and Lucy Scott-Moncrieff reported on their participation at the Bar Council's Annual Conference.

2.6 Noel Lloyd reported on his and the Chairman's attendance at the Legal Wales Conference in Bangor. Alexandra Marks informed Commissioners of her attendance at a conference, organised by the Law Society, for those returning to the legal profession after time away from work.

2.7 Alan Wilkie provided a summary of his recent visit to Macedonia for meetings with the Academy of Judges and Public Prosecutors regarding judicial appointments, supported by the British Embassy in Skopje and sponsored by the Slynn Foundation.

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

3.1 The Chief Executive provided an oral update on current activity at the JAC. He explained to the Commission that the JAC would be in a strong position to meet an anticipated budgetary reduction of ten per cent in 2015/16. The Commission was informed that savings would be made as a result of further organisational restructure and the implementation of the Judicial Appointments Recruitment (IT) System (JARS), which had been undergoing testing. Commissioners noted that approval would be sought from the Commission for the launch of the new system for use on a live exercise.

3.2 The Chief Executive then provided an update on the selection programme for the remainder of the current financial year. He reported that the project to reduce the end-to-end time of

exercises across the programme had now been fully implemented; the 20 week target had been met in 2013/14 and was due to be met in 2014/15.

3.3 The Chief Executive also reported on the development of the new JAC website and work to clarify the requirements for candidates seeking appointment to judicial offices based in Wales. He informed the Commission that the next bulletin of the JAC's official statistics was due to be published in December 2014. Commissioners noted also that the publication of the report of the Triennial Review of the JAC was anticipated in December.

#### **4. Guests: The Rt Hon Lord Justice Gross, Senior Presiding Judge; and Head of Courts and Tribunals Judicial Appointments Team, Judicial Office**

4.1 The Chairman welcomed Lord Justice Gross and the Head of the Courts and Tribunals Judicial Appointments Team to the meeting and introductions were made.

4.2 Lord Justice Gross reflected on his experience of judicial appointments during his career. He said that the JAC had come a long way since its creation in 2006, and he was appreciative of the flexibility the JAC had increasingly shown when working with Judicial Office to fill vacancies that arise.

4.3 Lord Justice Gross then spoke of his positive experience of chairing the Judicial Appointments Steering Group, which had overseen progress on the 'end-to-end' project. He made reference to the challenges faced when filling vacancies arising in specific offices and jurisdictions, and the joint steps taken to mitigate associated risks.

4.4 Lord Justice Gross spoke of the importance of selection panels having a thorough knowledge of the candidates they consider. He then reflected on the success of a recent pilot to appraise Recorders and looked forward to the introduction of a system of appraisal for all holders of this office in the near future.

4.5 There was then a general discussion which covered a number of issues, including working patterns, prospects for those with specialist rather than generalist legal experience, and the responsibilities of judicial office holders in leadership positions. Commissioners emphasised the value of evidence-based comments in references and statutory consultation responses, among the evidence used to assess each candidate.

4.6 The Head of Courts and Tribunals, Judicial Appointments Team stated that Judicial Office had a good working relationship with the JAC.

## **5. Video Interviewing Pilot**

5.1 The Senior Manager, Operational Policy, provided an oral update setting out the results of a preliminary pilot of video interviewing. Commissioners noted that another, more extensive pilot would be undertaken to further explore the possible use of video interviewing as a shortlisting tool.

## **6. Selection Process for 2015 Recorder Exercise**

6.1 The Assistant Director, Selection Process Review, presented a paper asking the Commission to consider the selection process to be used in the forthcoming Recorder selection exercise. The Commission noted that another more detailed paper would be presented to the December meeting in order for a final decision to be made on the process to be applied.

## **7. Partial Exemption from Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975**

7.1 The Senior Manager, Operational Policy, presented a paper updating the Commission on progress made by the JAC in seeking a partial exemption from the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended.

7.2 The Commission indicated that it was content with the progress made.

## **8. Working Group Reports**

8.1 Alexandra Marks, Chair of the JAC Advisory Group, provided the Commission with an update on the Group's meeting held on 5 November, which had been her last as Chair. She reflected on the importance of the balance in membership of the Group, which had a vital role in considering selection tools such as qualifying tests drafted by experienced judges. She confirmed to Commissioners that she would be succeeded in this role by Emily Jackson. The Chairman thanked Alexandra for her work as Chair and welcomed Emily to her new role.

8.2 Alexandra Marks reported that at its 5 November meeting, the Group had discussed the role-play for use in the forthcoming Deputy District Judge (Civil) exercise. It also considered situational scenario/technical questions to be used in the following exercises: Regional Employment Judge, Employment Tribunals (England and Wales); Salaried Judge, First-tier Tribunal, Health Education and Social Care Chamber (Mental Health); Fee-paid Deputy and Salaried Judges, Immigration Appeals Chamber; Salaried Principal Judge, Property Chamber (Land Registration); and s9(1) authorisations for the office of Deputy High Court Judge (Intellectual Property Enterprise Court). The Group had also considered video interviewing. Commissioners noted the update.

8.3 Valerie Strachan, Chair of the Audit and Risk Committee, provided the Commission with an update on the Committee's meeting held on 23 October. She reported that the Committee had discussed the JAC's accounts for the second quarter of 2013/14, the JAC's assurance framework, the internal audit report on sickness absence and the replacement of the current independent Committee member due to stand down at the end of December 2014.

8.4 Noel Lloyd, Chair of the Judicial Appointments Recruitment System (JARS) IT Project Steering Group, provided an update on the last meeting held on 22 October and on progress made on the project since the meeting.

## **9. Management Information Pack**

9.1 The Commission considered the monthly Management Information Pack. The Pack provided an overview of JAC activity up to the end of the second quarter (October 2014).

### **Date of next meeting**

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

The Chairman indicated that there would be an opportunity for Commissioners to thank JAC staff, for their work throughout 2014, at the end of the meeting on 11 December.