

# UDICIAL APPOINTMENTS COMMISSION (JAC) MEETING

14 March 2019

## Minutes of Board Meeting

<b>Present</b>	
<b>Commissioners</b>	<b>Staff</b>
Ajay Kakkar (Chairman) Anne Rafferty (Vice Chairman) Mathangi Asokan Anuja Dhir Emir Feisal Jane Furniss Andrew Kennon Sarah Lee Fiona Monk Brie Stevens-Hoare Valerie Strachan Phillip Sycamore Philippa Whipple	Chief Executive Deputy Chief Executive Head of Selection Policy Deputy Head of Operations Head of Secretariat/Board Secretary
<b>Apologies:</b> Noel Lloyd Simon Wessely	<b>Observers:</b> Senior Selection Exercise Manager Judicial Statistics Team Manager

### 1. Apologies and matters arising

- 1.1. Apologies were received from Noel Lloyd and Simon Wessely.
- 1.2. The minutes of the 14 February 2019 meeting were agreed.
- 1.3. No interests were declared by any Commissioner in respect of any matter under discussion on the agenda.

### 2. Chairman's Report

- 2.1. The Chairman reported on his activities since the last report at the February meeting. He reported that he had met with the Lord Chief Justice (LCJ) for his regular bi-lateral meeting and had also held an introductory meeting with the new Chairman of the Bar Council, Richard Atkins QC. The Chairman advised that he had participated in the interviews for the President of the Queen's Bench Division and the sift for the new Commissioner Recruitment process earlier this month.
- 2.2. The Chairman also reported that he had chaired the Judicial Diversity Forum where he welcomed the Legal Services Board and discussed how to develop a fuller picture of the diversity of the eligible pool. In respect of the ongoing 'deep dive' analysis of the progression of target groups, the Forum had noted the volatility of the

findings and agreed to consider the issue again in the autumn when a larger dataset would be available.

2.3. The Chairman also confirmed that his re-appointment for a further term had been announced until October 2022.

2.4. The Chairman invited Board members to comment on relevant activities of particular interest with which they had been involved since the last meeting. Brie Stevens-Hoare reported that she had attended an event hosted by the Property Litigation Association on Judicial Recruitment and worked jointly with Fiona Monk on producing videos focussing on leadership for International Women's Day. Fiona Monk also reported that she had attended a number of outreach events hosted by the Employment Law Association for forthcoming employment tribunal competitions.

### **3. Chief Executive's Report and Management Information Pack**

3.1. The Chief Executive reported on:

- the agreed two-year programme with HMCTS and the work conducted to date;
- an update on the progress of activity in response to the People Survey;
- the Board Strategy Discussion.

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

4.1. The Chairman asked Commissioners to report back on recent meetings of committees and working groups.

4.2. Andrew Kennon reported on the Digital Board on behalf of Noel Lloyd. Andrew reported that the Digital Board had considered the new Digital staffing model and approved a "sustain" team structure which has led to the advertising of a new Delivery Manager post and agreement to find a contractor to aid the JAC in redesigning content to enhance user experience. The Board also received an update on the operation of recent qualifying tests.

4.3. Philippa Whipple reported on the Welsh Matters Committee on behalf of Noel Lloyd. Philippa reported that the WMC were provided with various updates on Welsh matters, including the appointment of Aled Roberts who was appointed as the Welsh Language Commissioner (replacing Meri Huws who finishes her term of office on 31 March 2019). Philippa also reported that the WMC were informed that the Welsh Assembly Members had repealed the Welsh Assembly EU Continuity Law as it was

no longer required as a result of the “inter-governmental agreement” reached in April over changes relating to devolution contained within the UK Government’s EU (Withdrawal) Act.

4.4. Jane Furniss reported on the Advisory Group (AG) where Emir Feisal was welcomed as the Vice-Chair on 5 March 2019. Jane reported that the AG considered the combined online qualifying test for the Deputy District Judge and Fee-Paid Judge of the First-tier Tribunal & Employment Judge exercises; the telephone assessment for the Deputy High Court Judge s9(4) exercise; Situational questioning for the District Judge (Magistrates’ Courts) exercise; and the presentation and situational questioning for the President of the Welsh Language Tribunal exercise.

4.5. Jane also reported that Sally Cahill was welcomed as the replacement member of the AG for Damien Lochrane on behalf of the Council of Circuit Judges, and that six expressions of interest had been received in response to the expansion of the AG.

## **5. JAC Business Plan 2019-20**

5.1. The Deputy Chief Executive presented a paper outlining the proposed JAC Business Plan 2019-20.

5.2. The Board agreed that having had a full discussion about the key elements of the Business Plan at the Strategy Dinner Discussion the previous evening, it was content to approve the Plan for publication.

## **6. Board Self-Assessment**

6.1. The Head of Secretariat presented a paper outlining the results of the Board Self-Assessment.

6.2. All 15 forms were returned by Commissioners and overall the results were very positive with over 75% of responses being in strong agreement with the statements on Board effectiveness. The Board also noted that the following measures were already under ongoing review:

- Presentation of management reporting including areas such as finance and risk.
- The Commissioner induction process ahead of the forthcoming recruitment of two lay Commissioners later in the year.

6.3. The Board noted the results and agreed to review the Board evaluation process for the following year.

## **7. Character Non-Declaration**

7.1. The Head of Secretariat presented a paper outlining a process for dealing with non-declaration of character matters, responding to a previous request by the Board to review the approach. The paper sought Board approval to:

- Highlight the importance of the need to give full disclosure on any relevant character matter and the consequences of not doing so throughout the process (including on the information page, website and consent form).
- Seek an explanation from candidates failing to disclose any relevant character issue by advising the respective candidate about that issue and the source of the JAC's information before asking for an explanation as to why the matter had not otherwise been disclosed.

7.2. Following discussion, the Board agreed the recommendations outlined in the paper on the basis that a review of the process would be conducted once it had been in operation for a year.

## **8. Digital Strategy 2019-21**

8.1. The Chief Executive presented a paper on behalf of the Head of Operations and Digital outlining the Digital Strategy 2019-21 which had been overseen by the Digital Board. Andrew Kennon, on behalf of the Digital Board, endorsed the outline strategy.

8.2. The Board discussed the process of transitioning to a new digital platform and the high-level timetable for completing that work.

8.3. Following discussion, the Board endorsed the paper agreeing the proposed digital strategy through to 2021.

## **9. Approach to Leadership exercises**

9.1. The Head of Selection Policy presented a paper outlining a new approach to leadership exercises.

9.2. The Board considered a proposal to streamline the approach to leadership exercises, including one agreed set of Skills and Abilities to be applied to all

leadership roles, to ensure the JAC can deliver the requirements in the 2019-21 programme and to improve the candidate experience.

9.3. Following a detailed discussion, the Board approved the proposal as set out in the paper subject to evaluation of the use of Skills and Abilities for High Court and Deputy High Court Judge.

## **10. Forward Look**

10.1. The Board noted the Forward Look.

10.2. This concluded the business of the Board. The Chairman confirmed the next meeting would take place on 11 April 2019.