

**JUDICIAL APPOINTMENTS COMMISSION (JAC) MEETING**  
**14 September 2017**  
**Draft Minutes of Meeting**

<b>Present</b>	
<b>Commissioners</b>	<b>Staff</b>
Ajay Kakkar (Chairman)	Chief Executive
Philippa Whipple (Vice Chairman)	Head of Strategy and Policy
Usha Karu	Head of Operations
Noel Lloyd	Head of Digital and IT Services
Alexandra Marks	Senior Communications Manager
Valerie Strachan	Head of Equality and Diversity
Phillip Sycamore	Head of Secretariat
Martin Forde	Head of Judicial Statistics
Fiona Monk	JARS Expert Adviser (Ministry of Justice)
Simon Wessely	JAC Cybersecurity Adviser (Ministry of Justice)
Mathangi Asokan	Director, Convivio
Andrew Kennon	Lead Developer, Convivio
Jane Furniss	

### **1. Apologies and matters arising**

1.1 Apologies were received from Emir Feisal.

1.2 The Chairman welcomed the new members of the Board: Fiona Monk, Simon Wessely, Mathangi Asokan, Andrew Kennon and Jane Furniss. The Chairman also welcomed Emir Feisal, who had sent apologies.

1.3 The minutes of the 13 July meeting were agreed, subject to a minor amendment in respect of the discussion of Item 6 – next High Court exercise.

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

2.1 The Chief Executive:

- reported on JAC finances;
- reported on the progress of current exercises; and
- reported on current staffing levels at the JAC.

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

3.1 The Chairman asked Commissioners to report back on recent meetings.

3.2 Valerie Strachan reported back from the Audit and Risk Committee meeting on 27 July. The Committee reviewed recent staff recruitment, the corporate Risk Register and updates to JARS development work. They also reviewed strategic process and control following production of the year-end accounts.

3.3 Noel Lloyd reported on the last Welsh Matters Committee on 13 July. He reported that the Committee had been in contact with Judicial College to ask about the content of their modules on Welsh law, and, in turn, that the Committee were assured that the College had effective provision in place for training newly appointed judges in Welsh matters. It was also reported that the Committee had received an update on selection exercises with posts in Wales for which questions designed to assess candidates' knowledge of Welsh devolution were required. Samples of these questions were shared with the Committee.

3.4 The Head of Strategy and Policy reported on the last two Advisory Group Meetings, each held since the last Commission Board on 26 July and 6 September respectively. At the meeting on 26 July the Group had reviewed the roleplays for Recorder and Salaried Judge of the First-tier Tribunal. On 6 September 2017 five sets of situational questions had been reviewed: District Judge, Fee Paid Medical Member Social Entitlement Chamber, Adjudication Panel Wales (Fee Paid Deputy President and Fee Paid Legal Member posts) and Designated Civil Judge.

#### **4. Chairman's Report**

4.1 The Chairman reported on his activities since his last report at the July meeting. He reported that he met with David Lammy MP to discuss his review in July, and again in September to discuss the recommendations from the review as part of a roundtable with BAME judges. He also met with Senior Presiding Judge Lady Justice Macur; and chaired a meeting of the Judicial Diversity Forum.

#### **5. Report on JARS Remedial Work**

5.1 The Director of Convivio presented a paper reporting JARS Remedial work since the last Board Meeting, including of the testing process undertaken by the team to assure the JAC on Qualifying Test functionality. He then reported that the stress performance tests have now demonstrated that JARS, now repaired, will manage the loads required for QTs with over 5,000 candidates (Test A). Convivio reported that an additional 'scenario' test of a QT

exercise (Test B), designed to test JARS stimulating candidate behaviour in a QT exercise, would be completed shortly.

5.2 Noel Lloyd, as lead Commissioner on JARS, reported that he was very supportive of the process that had been undertaken to test JARS. Noel Lloyd also praised the work of the JARS team.

5.3 The Chairman then asked the JARS Expert Adviser (Ministry of Justice) for his assessment, which was also supportive of the process that had been undertaken to test JARS.

5.4 Following discussion, Commissioners agreed that this progress had demonstrated JARS can effectively manage the volume of requests that will be generated by 5,000 candidates taking a Qualifying Test (QT). The Board agreed that once the target levels for the test simulating users taking a QT (Test B) have been achieved, this functionality could be brought into live service in time for the second stage of the Fee-Paid Disability Members selection exercise due to take place in January 2018.

## **6. High Court selection process - 'Near Miss' Candidates**

6.1 The Head of Strategy and Policy presented a final paper on the next High Court exercise, due to launch in November.

6.2 The Commission agreed that, in very exceptional cases, near-miss candidates who do not already sit in the High Court on a part-time basis could be recommended for appointment as a Deputy High Court Judge under s9(4) Senior Courts Act (1981). Any such recommendation(s) would be in addition to those made in the next scheduled Deputy High Court Judge exercise.

## **7. Data Collection: Professional Background**

7.1 The Head of Equality and Diversity presented a paper proposing minor amendments to the questions designed to capture confidential aggregated information about candidates' professional background. It was proposed that the existing question on previous legal roles be replaced with new questions designed to identify: salaried judges' professions prior to becoming a judge; whether candidates have fee paid judicial experience; and roles candidates may have held prior to their current role.

7.2 Following discussion, including on minor amendments to the wording of the questions, Commissioners agreed that the questions would be included in the diversity monitoring section of the application form, and the returns reflected in the JAC statistics release in due course.

## **8. AOB and Date of Next Meeting**

8.1 This concluded the business of the Board.

8.2 The Chairman confirmed that the next Board meeting would be held on Thursday 12 October 2017.