

**JUDICIAL APPOINTMENTS COMMISSION (JAC) MEETING
9 OCTOBER 2014
DRAFT MINUTES OF MEETING**

PRESENT	
Commissioners	Staff
Christopher Stephens (Chairman) Julia Macur (Vice Chairman) Emily Jackson Usha Karu Noel Lloyd Alexandra Marks Katharine Rainsford Andrew Ridgway Valerie Strachan Phillip Sycamore Debra van Gene Alan Wilkie	Chief Executive Director of Operations Assistant Director, Selection Process Review JAC Organisational Psychologist Private Secretary to the Chairman Board Secretary
Board Guests Deputy Director, Judicial Policy, Pay and Pensions, Ministry of Justice from Item 3. Sir John Brigstocke KCB, Judicial Appointments and Conduct Ombudsman (JACO) and Head of Office, JACO for Item 5 only.	

1. Apologies and matters arising

1.1 Apologies were received from Martin Forde, Lucy Scott-Moncrieff and Christopher Simmonds.

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 September meeting were agreed, subject to minor amendment, and the Board Action Register noted.

2. Chairman's Report

2.1 The Chairman provided an update on his activities since his last report at the September meeting. He had met with the President of the Chartered Institute of Legal Executives (CILEx) and the President of the Law Society. In the latter meeting, the Chairman had discussed the Solicitor Judges Division of the Law Society and the Declaration of Commitment made by City law firms in respect of encouraging solicitor appointments.

2.2 The Chairman reported that he had also met with the Lord Chancellor, and separately with the Judicial Appointments and Conduct Ombudsman, Sir John Brigstocke KCB. Along with Alexandra Marks and Lucy Scott-Moncrieff, he had met with Sir Geoffrey Bindman QC and Karon Monaghan QC to discuss their forthcoming report on judicial diversity.

2.3 Looking ahead to the rest of October, the Chairman informed Commissioners that both he and Noel Lloyd would be attending the Legal Wales Conference in Bangor, starting on 10 October. He also informed the Commission that he would be meeting with Rafferty LJ, Chairman of the Judicial College, and later having a trilateral meeting with the Lord Chief Justice and the Lord Chancellor.

2.4 The Chairman then invited Commissioners to comment on relevant activities of particular interest with which they had been involved. Emily Jackson provided an update on planning for the High Court selection exercise. Katharine Rainsford, Alexandra Marks and Debra van Gene gave positive feedback on their experience of attending the training event for JAC selection panel members on 8 October. Andrew Ridgway spoke of his involvement in an exercise to appoint a lay member to the Special Immigration Appeals Commission.

3. Chief Executive's Report

3.1 The Chief Executive provided an oral update on current activity at the JAC. He discussed the selection exercise programme for the remainder of the current financial year, in addition to outlining the anticipated programme for 2015/16. On the matter of the forthcoming exercise to appoint to the office of Recorder, he confirmed to the Commission that a particularly high number of applicants were expected. The Commission noted that it would be presented with a paper on the selection process to be used in respect of the Recorder exercise in November.

3.2 The Chief Executive then provided an update on recent outreach events hosted by the JAC and its partners. He also discussed the emerging policy and process relating to authorisations for Circuit Judges to sit in the Criminal Division of the Court of Appeal. We are working towards three-year authorisations via a phased approach that would honour the terms of Circuit Judges already authorised.

3.3 Last, the Chief Executive reported that the Selection and Character Committee had considered the Equal Merit Provision for the first time when making recommendations for appointment.

4. Introduction to the Work of MoJ Sponsorship

4.1 The Chairman welcomed to the meeting the Deputy Director responsible for the Judicial Policy team at the Ministry of Justice (MoJ), which sponsors the JAC.

4.2 The Deputy Director outlined the role of the team and described the effective working relationships between MoJ officials and JAC staff. She then provided an update on the Triennial Review of the JAC, which was due to report shortly.

4.3 The Deputy Director also outlined the work on the provision of judges which the MoJ was carrying out jointly with the Judicial Office (jointly chaired by Ryder LJ and Catherine Lee, of which Sycamore HHJ is also a member), covering a wide range of issues including judicial terms and conditions, recruitment and the future mix between fee paid and salaried judiciary, and diversity.

5. Guests: Sir John Brigstocke KCB, Judicial Appointments and Conduct Ombudsman (JACO) and Head of Office, JACO

5.1 The Chairman welcomed Sir John and his Head of Office to the meeting and introductions were made. Sir John thanked his Head of Office for his work as Senior Investigations Officer.

5.2 Sir John reflected on his work as Ombudsman since his appointment in 2006, when the role of JACO was created. He informed the Commission that investigations into complaints by applicants for judicial office, who had been dissatisfied with the JAC's consideration of their initial complaint, represented around ten per cent of his caseload. He explained that the rest of the caseload consisted of complaints from individuals dissatisfied with the way in which the Judicial Conduct Investigations Ombudsman (JCIO) had handled their initial complaint.

5.3 Sir John stated that JACO and the JAC had good working relationships which allowed for the full investigation of complaints.

5.4 There followed a discussion of the number of complaints received by the JAC and the very low number of complaints escalated to JACO. Sir John and Commissioners emphasised that candidates should not be concerned that a complaint might affect the way a later application would be handled, as this was not the case.

6. Presentation: Change at the JAC

6.1 The Chief Executive gave a presentation to Commissioners on the JAC's performance between 2007/8 and 2013/14 and on how it plans to meet its current objectives.

6.2 The Chief Executive explained to the Commission that the JAC would continue to make changes in order to meet further anticipated budgetary restrictions. These would include moves towards more flexible working, which Commissioners commented would entail a significant change in working culture and practices. The Commission considered that positive role modelling would be essential for success.

6.3 The Chief Executive then provided a summary of the changes that the JAC would be undertaking in the short term, including an organisational restructure following the departure of

staff through a Voluntary Early Departure Scheme, and the implementation of the Judicial Appointments Recruitment (IT) System (JARS).

7. Discussion Paper: Judicial Skills and Abilities Framework

7.1 The Assistant Director, Selection Process Review, presented a paper inviting the Commission to discuss the process of rationalising the different competency frameworks that are used for different purposes across the judiciary.

7.2 The Commission agreed that the competencies used to evaluate candidates for judicial office should be broadly the same as those used to train and appraise judicial office holders, to ensure consistency. The Commission also agreed that the competencies should draw on the work undertaken by the Work Psychology Group, and being taken forward by the JAC Organisational Psychologist.

7.3 Commissioners agreed that at this stage the best approach would be to develop a refined model based on the Judicial Skills and Abilities Framework recently produced by Judicial Office, using job analysis to draw out specific behaviours. In coming to its decision, the Commission agreed that it would be important for the framework to be amended to suit the requirements of each jurisdiction and each office. It also agreed that the framework would need to be readily used as a selection tool by the JAC's selection panels.

7.4 The Commission noted that a revised competency framework would be brought before it, at a later date, for agreement.

8. Update on the September Selection Process Review Workshop

8.1 The Assistant Director, Selection Process Review, presented a paper asking the Commission to note the paper provided, detailing the discussion and action points from the most recent Selection Process Review Workshop.

8.2 Following a brief discussion, the Commission agreed that the paper provided an accurate record of the discussion.

9. Working Group Reports

9.1 Alexandra Marks, Chair of the JAC Advisory Group, provided the Commission with an update on the Group's meeting held on 17 September. The Group had discussed the Qualifying Test for the Deputy District Judge (Civil) exercise; the role-play for Fee-paid Chairman of the Police Appeal Tribunal exercise; Situational Scenario/Technical Questions for the Bankruptcy Registrar and Chancery Master, and Salaried and Fee-paid Deputy Judges of the Upper Tribunal, Immigration and Asylum Chamber exercises. The Group also reviewed its role and performance.

9.2 Noel Lloyd, Chair of the Judicial Appointments Recruitment System (JARS) IT Project Steering Group, provided an update on the last meeting, also held on 17 September and on progress made on the project since the meeting.

10. Management Information Pack

10.1 The Commission considered the monthly Management Information Pack. The Pack provided an overview of JAC activity up to the end of September.

11. Any Other Business

11.1 Usha Karu alerted Commissioners to an upcoming event organised by the Law Society for Asian solicitors.

Date of next meeting

The Chairman confirmed that the next Board meeting would be held on **Thursday 13 November**.