

**JUDICIAL APPOINTMENTS COMMISSION (JAC) MEETING
12 DECEMBER 2013
MINUTES OF MEETING**

| PRESENT Commissioners | Staff |
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| Christopher Stephens (Chairman) Julia Macur (Vice Chairman) David Bean Martin Forde Alexandra Marks Alison McKenna Stella Pantelides Andrew Ridgway Ranjit Sondhi Valerie Strachan John Thornhill Alan Wilkie | Chief Executive Director of Operations Assistant Director, Change Programme (for item 5) Assistant Director, Selection Review Process and Policy (for item 6) Assistant Director, HR (for item 9) Private Secretary to the Chairman Board Secretary |

1. Apologies and matters arising

1.1 Apologies were received from Malcolm Birchall and Noel Lloyd.

1.2 Commissioners confirmed that they had no personal interest in any matters to be discussed on the agenda.

1.3 The minutes of the 7 November meeting were agreed 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 November meeting. He had met Lord Neuberger, the Lord Chief Justice and Lord Dyson to discuss senior appointments, together with Valerie Strachan, Noel Lloyd and Andrew Ridgway. He had also met with the Lord Chancellor for a bilateral discussion.

2.2 In addition, he had attended a lecture by Lord Judge entitled "Constitutional Change: Unfinished Business", had taken part in Commissioner interviews, and had attended a meeting of the Senior Salaries Review Board's Judicial Sub-Committee with Julia Macur.

2.3 The Chairman informed the Commission that for the remainder of December he would be meeting Lord Justice Gross, the Senior Presiding Judge, and also Sir Jeremy Sullivan, the Senior President of Tribunals for bilateral discussions; and the Lord Chief Justice and the Permanent Secretary for a trilateral discussion on judicial diversity. He also informed the Commission that he would be speaking at a conference on Judicial Independence entitled "Change in a Changing World" to be held on 10 and 11 January 2014.

2.4 The Chairman invited Commissioners to comment on activities of particular interest with which they were involved. Martin Forde indicated that he had been involved in the Bar Mentoring Scheme which was due to be piloted in January. He had also attended a conference for "returners" to the Bar.

2.5 Alexandra Marks informed Commissioners that she had been invited to meet with partners at Clifford Chance and Herbert Smith Solicitors and would also be attending a Law Society "returners" conference in the spring. She had also been invited to speak to law students at Queen Mary College.

2.6 Valerie Strachan informed Commissioners of her involvement in a non-JAC selection process for the appointment of the Vice-President of the Investigatory Powers Tribunal.

3. Chief Executive's Report

3.1 The Chief Executive provided an oral update outlining that the budget was expected to be at the same level as the forecast outturn for 2014/15, and confirmed that following the move to Petty France soft charges would reduce by £375k in 2013/14.

3.2 He informed the Commission that the response rate for the JAC Staff Survey had been 92%, the highest rate to date and well above the Civil Service average. The engagement index was 62% which represented an increase of 9% on the previous year (52%) and compared favourably with the Ministry of Justice at 52%. A fuller paper on this would be discussed later in the meeting.

3.3 The Chief Executive confirmed that the latest Official Statistics had been published on 5 December. There had been positive media coverage of the number of women recommended for appointment.

3.4 The Chief Executive also reported that the contract for a replacement IT system had now been signed by the Ministry of Justice. Development would begin in January with the aim of

the system being ready for piloting a live service in July or August. The Web Users Survey was helping to inform plans for the new site.

4. Closures of section 94 list – Circuit Judge 2012

4.1 The Director of Operations presented a paper to the Commission which sought agreement to the way candidates remaining on the Circuit Judge 2012 section 94 list should be treated.

4.2 The Commission agreed that in the event that a relevant vacancy request were received ahead of the two year 'cut-off' point, candidates remaining on the list would be considered. Once the list had closed, candidates remaining on the list would be allowed to be 'pass-ported' through to selection day. However, the Commission stressed that candidates should be informed that they would be required to apply formally and that it would still be an open competition.

5. Authorisations for Circuit Judges to sit in Court of Appeal Criminal Division

5.1 The Assistant Director, Change Programme introduced a paper which asked the Commission to note the process in place prior to the changes introduced by the Crime and Courts Act 2013 in respect of authorisations of Circuit Judges to sit in the Court of Appeal Criminal Division. The paper also sought Commissioners' agreement to an interim approach concurring with the extension of current authorisations due to expire in December 2013 for one year, while the new process was being developed.

5.2 The Commission discussed the interim approach, whereby the Selection and Character Committee would be asked for its concurrence to a temporary extension. It noted that as part of the process, the Lord Chief Justice would write to the JAC expressing support for the current holders of authorisations, confirming that judges are competent to serve an additional year.

5.3 The Commission agreed to this interim process.

6. Update: Selection Process Review

6.1 The Assistant Director, Selection Process and Policy, presented a paper setting out the recommendations of the Work Psychology Group (WPG) following a presentation and discussion with the Commission which had been held at a workshop on 5 December.

6.2 The Commission agreed to engage with partners with a view to undertaking a pilot of a job analysis for two or more selected roles over the coming year.

6.3 The Commission also discussed at length the recommendations and the next steps proposed by the WPG. Commissioners were broadly in agreement with the general direction of the recommendations but further consideration and development of them would be required.

6.4 The Chairman proposed that a small working group of Commissioners should meet during the course of January to consider which exercises would be appropriate for the pilot. Commissioners were invited to let the Assistant Director know directly of their interest in this group.

7. Report back from Working Groups

7.1 Stella Pantelides, Chair of the Advisory Group, provided a report on the work of the Group which had last met on 9 December to discuss the situational scenarios and technical questions for the Fee-paid Arbitrators of Motor Insurance Bureau; President of Employment Tribunals; Salaried Judge, First-tier Tribunal HESC (SEND); and the Salaried Medical Member, Social Entitlement Chamber.

7.2 The Group also discussed feedback reports for Fee-paid Judge HESC/MHRT and Salaried Judge of the First-tier Tribunal (SEC, SSCS). It had also received updates on the replacement IT system and the Quarter 1 programme.

7.3 The Chairman thanked Stella Pantelides for her work and contribution as Chair of the Advisory Group as she was soon to be standing down as a Commissioner at the end of January, and informed the Commission that Alexandra Marks had agreed to chair the Group for the rest of 2014.

8. Management Information Pack

8.1 The Commission noted the content of the Management Information Pack.

8.2 The Director of Operations confirmed that the next Panel Member Training Event would be held on 4 March and Commissioner support would be welcome.

9. JAC Staff Survey

9.1 The Assistant Director, HR, presented a paper which provided a summary of the encouraging results from the 2013 Staff Survey.

9.2 The JAC had adopted the survey that was deployed across the Civil Service and conducted over a 4 week period. There had been an excellent 92% response rate which was well above the averages for both the Civil Service as a whole and for Arm's Length Bodies.

9.3 The Assistant Director highlighted the key themes which had received higher positive results around Leadership and Managing change, relationships with managers and team working, and Learning and Development. The JAC had continued to score highly on organisational objectives and purpose, although scores around pay and benefits remained low.

9.4 The Commission noted the report.

Any other Business

The Chief Executive provided an oral update to Commissioners on the amended Rehabilitation of Offenders Act 1974 (Exceptions Order 1975). He indicated that proposals were being considered in Scotland, and recommended waiting until the outcome of those proposals was known to consider whether the Commission should seek an exemption from the amended order and the nature of that exemption.

The Chairman proposed to Commissioners a dinner on the evening of 29 January to mark the departure of several Commissioners whose terms would be coming to an end. The Secretariat would take this forward and confirm arrangements.

Date of next meeting

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