

JUDICIAL APPOINTMENTS COMMISSION (JAC) MEETING

10 FEBRUARY 2011

MINUTES OF MEETING

PRESENT

Commissioners:

Roger Toulson (Vice-Chairman)
David Bean
Jill Black
Lorna Boreland-Kelly
Hazel Genn
Geoffrey Inkin
Ed Nally
Sara Nathan
Charles Newman
David Pearl
Francis Plowden
Harriet Spicer
Jonathan Sumption

Staff:

Interim Chief Executive
Director, Courts Appointments
Director, Tribunals Appointments and Operational Policy

Director, Operational Services
Assistant Director, Strategy (Item 5)
Assistant Director, Equality and Fair Treatment (Items 3 and 4)
Private Secretary to the Vice-Chairman

1. Apologies and matters arising

1.1 No apologies were received.

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

1.3 It was noted that some Commissioners had been informed that their extension of service to 31 January 2012 had been approved by The Queen and notification to the others was expected shortly.

1.4 The minutes of the December board meeting and January People Process and Performance workshop were approved.

People, Processes and Performance (PPP) Programme (JAC/11/03)

2.1 The Commission was updated on the PPP Programme and recommendations were agreed in relation to:

- The use of Commissioner time, particularly in relation to Selection and Character Committee meetings, working groups and outreach activity.
- The provision of new criteria to guide staff when deciding between a sift or a qualifying test as the means of shortlisting.

- A reduction in sift panel members from three to two for some exercises, such as medical members or non-legal positions, to be agreed on a case by case basis (panels to consist of the judicial member plus one other).
- An increase in the maximum number of candidates in one sitting of a qualifying test from 25 to 50, but limited to appointments other than salaried legal.

2.2 It was agreed that in relation to the above recommendations:

- A revised selection matrix would be circulated to Commissioners for comment.
- The annual HR Review would be advanced to the May board meeting and would include the new staff structure.
- Existing gsi email accounts would be closed for Commissioners and Blackberries withdrawn once CJSM accounts were available.

2.3 Commissioners noted the updates of the four strands involved in the PPP programme and also the forward look of issues due to go to the board. It was agreed that the May board paper on Panellists would cover training.

2.4 Commissioners highlighted the importance of ongoing investigations in relation to online testing.

3. Previous Judicial Experience and Salaried Posts (JAC/11/04)

3.1 The Commission noted the Lord Chancellor's new articulation for candidates to have previous judicial experience in selection exercises for salaried posts and the supporting guidelines. It agreed that the Lord Chancellor's articulation would be included on the JAC website and in exercises documentation without further amplification.

4. Update on Neuberger

Positive Action (JAC/11/05)

4.1 The Commission considered a paper advising on the implementation of an outstanding recommendation of the Neuberger Report to use the positive action provision in the Equality Act.

4.2 It was agreed that the provision is not generally applicable to the JAC, which would continue to select candidates based on merit.

4.3 It was agreed that Commission policy lines on this matter would be redrafted to reflect discussions.

Equality Merit Criterion (JAC/11/06)

4.4 The Commission discussed revising the JAC's merit criterion on equality and the proposed form of wording to do so.

4.5 It was agreed that a consultation exercise on the revised wording should be conducted via the JAC web site and through direct communication with Key Interested Parties.

5. Business Plan 2011/12 (JAC/11/07)

5.1 The Commission discussed the draft Business Plan at length, suggesting a number of changes. Subject to these changes being reflected, it agreed the draft and directed that it should be taken forward with the new Chairman.

6. Reports from working groups

6.1 The Audit and Risk Committee last met on 27 January and discussed the Quarter 3 Performance Report, Corporate Risk Register and Management Accounts. This meeting was also attended by the new Independent Member, David Hertzell.

6.2 Commissioners were asked to provide further examples of conflicts of interest to inform a paper due to be provided to the March board meeting.

6.3 The Quality Assurance Working Group (QAWG) had met earlier that day to review closedown reports for recent exercises and had received updates on qualifying tests, complaints and Panel Chair appraisals.

7. Director's Reports (JAC/11/08)

7.1 The Director of Courts Appointments and Director of Tribunal Appointments provided updates on key selection exercises.

7.2 The Director of Operational Services updated the Commission on the programme, IT support and the voluntary early departure scheme. He also thanked Commissioners for their involvement with the recent character audit, from which a very favourable result was anticipated.

8. Interim Chief Executive's report (JAC/11/09)

8.1 The Interim Chief Executive updated Commissioners on the meetings the new Chairman had attended. He also reported on the very satisfactory outcome of the 2010 Staff Survey, both in

terms of staff participation and the high level of engagement that staff experienced with overall JAC business.

8.2 He asked Commissioners to approve the Quarter 3 Performance and Risk Registers, which was agreed and to note the Quarter 3 Management Accounts.

9. Vice-Chairman's report

9.1 The Vice-Chairman informed Commissioners that he hoped the new Chairman would be in appointed and able to Chair the next board meeting.

9.2 He commented on the staff survey and congratulated the Interim Chief Executive and Directors on the good results given the climate it had been undertaken in.

10. Any other business

10.1 The Interim Chief Executive thanked the Vice-Chairman for his support and commitment over the past 4 months.

Date of next meeting

The next meeting would take place on 10 March 2011.