

JUDICIAL APPOINTMENTS COMMISSION (JAC) MEETING
16 JUNE 2011
MINUTES OF MEETING

PRESENT

Commissioners

Christopher Stephens (Chairman)
Roger Toulson (Vice-Chairman)
Jill Black
David Bean
Geoffrey Inkin
Sara Nathan
David Pearl
Francis Plowden
Harriet Spicer
Jonathan Sumption

Staff

Interim Chief Executive
Selection Exercise Director
Operational Services Director
Change Programme Director
Assistant Director, Equality and Fair Treatment
(for items 3 & 4)
Assistant Director, Strategy and Policy (for item 5)
Private Secretary to the Chairman

1. Apologies and matters arising

1.1 Apologies were received from Hazel Genn, Lorna Boreland-Kelly and Charles Newman.

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

1.3 The Minutes of the May Board meeting were approved and the Board Action Register noted.

2. Chairman's Update

2.1 The Chairman provided an update on his activities since the last meeting. These included meetings with the Society of Black Lawyers, Chancery Bar Association, Lord Justice Carnwath, Mr Justice Hickinbottom and Mrs Justice Dobbs. He had also visited the Supreme Court and had observed interviews for Regional Judge of the Social Entitlement Chamber.

2.2 He indicated that he expected to attend a meeting with the Lord Chancellor and Lord Chief Justice.

2.3 He then reported on arrangements for the appointment of new Commissioners and confirmed that a campaign led by the Ministry of Justice was being prepared for launch.

2.4 He informed the Commission that Jonathan Sumption planned to resign and leave the Commission at the end of September and congratulated him on his appointment to the Supreme

Court. The Chairman also expressed the congratulations of the Commission to Frances Kirkham, a former Commissioner, who had been awarded a CBE in the Birthday Honours List.

3. Revising the Merit Criterion

3.1 The Commission received a paper proposing a revision to the wording of the merit criterion – ‘dealing with fairness and diversity’. This resulted from a recommendation from the Lord Chancellor’s Advisory Committee on Judicial diversity lead by Baroness Neuberger and the revised wording was based upon responses received from key interested parties through a consultation process.

3.2 Two key additions that were suggested by a number of respondents. These were the addition of:

- a commitment to public service
- recognition of relevant experience

3.3 After full consideration the Commission decided to amend its quality relating to “An ability to understand and deal fairly” to include a reference to public service:

- An ability to understand and deal fairly
 - An awareness of the diversity of the communities which the courts and tribunals serve and an understanding of differing needs.
 - Commitment to justice, independence, public service and fair treatment.
 - Willingness to listen with patience and courtesy.

3.4 As all merit criteria are assessed against evidence presented by candidates of their experience or knowledge, rather than on opinion or assertion, the Commission considered ‘relevant experience’ to be equally pertinent to all its merit criteria, and will amend the introductory text as follows:

- Applicants for this selection exercise will be assessed against the following qualities and abilities, which will be assessed against evidence showing relevant knowledge and experience.

4. Equality Act Update

4.1 The Commission received a paper setting out the JAC’s intentions for achieving compliance with the Equality Act 2010. It noted the progress that had been made and future plans.

4.2 It debated at length the proposal to collect additional diversity data and resultant changes to the Application Monitoring Form. It noted that this data would not be used for selection purposes

and concluded that additional data on sexual orientation and religion and belief should be collected and staff were asked to amend the Application Monitoring Form accordingly.

5. Draft Annual Report 2010/11

5.1 The Commission was provided with a draft of the Annual Report 2010/11 which included comment from the Outreach Working Group and the Chairman.

5.2 Commissioners commented on the report and, with those comments included, agreed that it should be taken forward for publication. The Chairman noted the work that had gone into producing the Annual Report.

6. Reports from Working Groups

6.1 The Advisory Group met on 23 May to discuss the second draft qualifying test for Recorder (Crime) and the first scenario based questioning for the Salaried (Medically Qualified) Members for the First-tier Tribunal, Social Entitlement Chamber.

6.2 The Audit and Risk Committee met on 15 June and considered the accounts. It agreed the audit plan for the year ahead and approved the accounts and Statement of Internal Control. The National Audit Office had particularly commented favourably on the quality of the accounts.

7. Directors' Reports

7.1 The Selection Exercise Director provided an update on current and forthcoming selection exercises. She also informed the Commission that the Learning and Development workshops being held by Harriet Spicer had been very well attended by staff and had received good feedback. She indicated that, Sara Nathan, may also be delivering another learning workshop to staff in due course.

7.2 The Director of Operational Services provided an update on IT systems and web-based applications. He informed the Commission that Twitter was now working well. He also provided an update on the present arrangements for obtaining character checks. He informed Commissioners that written evidence had been prepared for submission to the House of Lords Constitution Committee. This would be circulated to Commissioners inviting further comment.

7.3 The Change Director provided an update on the future panel chair and Independent member recruitment process. She outlined current options that were being considered against timelines and cost. A full proposal and continuity plan would be prepared for the Commission to consider in

July.

8. Interim Chief Executive's Report

8.1 The Interim Chief Executive reported on the current state of the budget and on recent meetings with key interested parties. He also outlined the structural changes that had taken place within our Sponsorship Team in the Ministry of Justice.

9. Any other business

There was no other business.

Date of next meeting

The next meeting would take place on **14 July 2011**.