

JUDICIAL APPOINTMENTS COMMISSION (JAC) MEETING
15 MARCH 2012
MINUTES OF MEETING

PRESENT

Commissioners

Chris Stephens (Chairman)
Jill Black
David Bean
Malcolm Birchall
Noel Lloyd
Alexandra Marks
Alison McKenna
Stella Pantilides
Andrew Ridgway
Ranjit Sondhi
Valerie Strachan
Deborah Taylor
John Thornhill

Staff

Chief Executive
Selection Exercise Director
Operational Services Director
Private Secretary to the Chairman
Board Secretary

Other attendees: Lord Justice Carnwath for item 4 only.

1. Apologies and matters arising

1.1 Apologies were received from Roger Toulson and Martin Forde.

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 February 2012 meeting were approved, subject to an amendment recording Board agreement that the Chairman should join the selection panel for the next President of the Supreme Court. The Board Action Register was noted.

2. Chairman's Report

2.1 The Chairman provided a brief update on his key activities since his last report at the February Board. These included a bilateral meeting with the Lord Chief Justice and also with Lord Justice Carnwath. He had met Michael Todd QC, Chairman of the Bar Council along with Martin Forde. He was due to meet Daniel Winterfeldt of Cameron McKenna Solicitors along with Alexandra Marks.

2.2 In addition, he had sat on the interview panel for the new Chairman of the Law Commission and also spoken as a panellist at a Judicial Independence and Appointments seminar organised by the University College of London.

3. Chief Executive's Report

3.1 The Chief Executive provided an update to the Commission on the current status of the budget and forecasts for the coming year. He indicated that the programme was deliverable and on target to meet business objectives. He also informed the Commission that the Constitution Committee was expected to report on their inquiry into judicial appointments towards the end of March with the MOJ publishing a response to its consultation on judicial appointments in May.

3.2 The Chief Executive also informed the Commission that Suma Chakrabarti, Permanent Secretary at the MoJ, had visited the JAC and had met with JAC staff. He was accompanied by Helen Edwards, Director-General Judicial Policy. The main areas of discussion had been outreach and diversity, application handling, candidate services and the selection tools used by the JAC.

4. Board Guest: Lord Justice Carnwath

4.1 Lord Justice Carnwath, the Senior President of Tribunals, raised four general points. The first was to recognise that appointments to the various tribunals represents the largest single element of JAC's work, and he suggested that it may be useful to establish a committee to bring together representatives from those Tribunals and the JAC. The Chairman responded by saying that he was pleased with the level of day-to-day JAC communications with each tribunal, and welcomed any suggestions on ways to further improve engagement.

4.2 Secondly, he was concerned about the amount of judicial time taken up in the initial sifting or short-listing stage of the process and suggested that this stage could be streamlined.

4.3 Thirdly, he considered there had not been sufficient progress in relation to increasing judicial diversity and suggested that more research might be needed. He added that he very much welcomed the idea of a single unified career in the judiciary, with judges free to move between Courts and Tribunals. The Chairman also welcomed the latter idea. He commented that the JAC was in fact making progress in relation to diversity, highlighting that almost 1,000 women and 250 BAME candidates had been recommended for judicial roles, out of around 2,600 recommendations made since the JAC was established. The Chairman also added that substantial research on barriers to appointment had been carried out in 2008 and, if resources could be made available, it was intended that this research should be updated.

4.4 Fourthly, he wondered whether it may be possible to introduce a greater degree of flexibility into the way in which JAC processes were followed in relation to some exercises, particularly in respect of non-legal posts.

4.5 These points were discussed and ideas were also exchanged in relation to judicial appraisals.

4.6 In conclusion, the Chairman thanked Lord Justice Carnwath for attending and wished him every success at the Supreme Court.

5. Panel Member Recruitment

5.1 The Commission received a paper noting the progress and satisfactory outcomes of this recruitment exercise and also the next steps for the training and induction of the new panel members.

5.2 There would be an opportunity for Commissioners to meet the newly appointed panel members and to also join some of the panel induction and training sessions at a Commissioner workshop event being held at the end of the month.

6. On-line Testing Pilots

6.1 The Operational Services Director presented a paper to the Commission asking that they note progress and next steps on the operation of on-line testing pilots. Some technical issues had arisen and were being addressed, but feedback from candidates had for the most part been extremely positive. The Commission endorsed the proposal to proceed with a fourth pilot of on-line testing, subject to receiving a comprehensive report from the provider.

6.2 As part of the measures being put in place to address the technical issues which had arisen in relation to the Deputy District Judge (MC) exercise, the Selection Exercise Director informed the Board that a much larger number of candidates than usual would proceed to selection day. In order to manage this, and for this exercise only, she proposed that the selection day interview and role play be separated, with the interview forming a second-stage sift. Fewer candidates would therefore proceed to the role play stage, at which point final recommendations would be made by the selection panel. She also proposed 2 person panels for each part of the selection day process.

6.3 The Commission discussed these proposals at length. It agreed to the separating of interview and role play for this exercise only. With regard to panel composition, it directed

that, subject to funding being available, a 3 person panel should be convened for the interview stage, but a 2 person panel would be acceptable for the role play.

7. New IT System

7.1 The Operational Services Director presented a paper which sought agreement to the procurement of a new IT system to replace Equitas and its related applications.

7.2 The Commission agreed the proposals outlined therein. Specifically, it noted the progress that had been made to date and the options analysis provided. It also noted that security hosting aspects had still to be agreed with MoJ. In concluding its discussion, it agreed with the Chairman's proposal that the Chief Executive and his team be delegated the task of taking the procurement forward. It was noted that Noel Lloyd would join the project governance structure.

8. Reports from Working Groups

8.1 The Selection Exercise Director provided an update to the Commission on the work of the Advisory Group which had last met on 28 February. She added that she was waiting to hear from the Law Society of their new representative member and would report back at the next meeting.

9. Directors' Reports

9.1 The Operational Services Director informed the judicial Commissioners that, if they were content, a questionnaire would be sent to them in relation to a feature appearing in Benchmark Magazine. A member of the Outreach team would liaise directly with them.

Date of next meeting

The next meeting would be held on **Thursday 10 May**.