

## **JUDICIAL APPOINTMENTS COMMISSION (JAC) MEETING**

**13 MAY 2010**

### **MINUTES OF MEETING**

#### **PRESENT**

##### **Commissioners**

Usha Prashar (Chairman)  
Heather Hallett  
Jill Black  
Lorna Boreland-Kelly  
Hazel Genn  
Geoffrey Inkin  
Frances Kirkham  
Edward Nally  
Sara Nathan  
Charles Newman  
David Pearl  
Francis Plowden  
Harriet Spicer  
Jonathan Sumption  
Roger Toulson

##### **Staff**

Chief Executive  
Director, Courts Appointments  
Director, Tribunals Appointments, Corporate Accounting & Planning  
Director, Operational Services  
Assistant Director, Strategy  
Assistant Director, Finance & Accounting  
Assistant Director, Policy & Research Strategy  
Board Secretariat  
Private Secretary to Chairman

#### **Apologies and matters arising**

1. An apology was received from the Director of Strategy and Outreach.
2. The minutes of the February meeting and note of the JAC's Annual Strategic Review in March were approved.

#### **The new administration**

3. The Commission held a brief discussion on any likely issues or changing priorities following the General Election.

#### **Efficiencies update (including benchmarking information) (JAC/10/17)**

4. The Commission received an update and noted the progress on work that had been carried out on benchmarking the JAC against other organisations and efficiency measures taken forward since February. It was agreed that a more detailed analysis of the benchmarking measures would be helpful.

#### **Update on the work by academics on Qualifying tests (JAC/10/18)**

5. A paper providing an update on the work done to examine further options for developing the qualifying test was considered by the Commission. The paper proposed alternative methods of testing that had been developed in collaboration with a group of academics, members of the judiciary and a commercial test developer should be operated in a mock environment to see how well they compared to more standard JAC tests prepared by judges.

6. The Commission agreed to the dry running of these tests in a mock environment and discussed the importance of assessing alternative methods of testing likely to lend themselves better to on-line testing, a longer term objective of the JAC, and the use of external expertise to reduce the burden on the judiciary.
7. The results of the dry run would be considered by the Commission at a future meeting.

#### **Update on the JAC Annual Report 2009/10 (JAC/10/19)**

8. The Commission noted and approved the plans for agreeing and publishing the JAC Annual Report 2009/10, subject to amendments being made in light of the comments raised by Commissioners.
9. The final version would be sent to the Ministry of Justice (MoJ) in early June for approval by the Lord Chancellor, followed by publication and laying before Parliament before recess. The annual accounts would be managed to a later timetable, through the Audit and Risk Committee, for sign off in late June.

#### **IT Projects update (JAC/10/20)**

10. The Commission noted the position and approved the next steps in the paper on the project for IT enabled change in the JAC, including the favoured option and the plans for completion and approval of the Business Case, which would be considered by the Commission at its June meeting.

#### **Report from JAC Working Groups**

##### Outreach Working Group

11. The Outreach Working Group met on 15 April and considered a quarterly review of Outreach and the plans for handling the JAC Annual Report.

##### Audit and Risk Committee (including End Year Performance Report (JAC/10/21))

12. The Audit and Risk Committee met on 4 May and discussed IT Capital funding, internal and external audit reports, assurance reports, performance reports and the JAC annual accounts.
13. The Commission considered and approved the End Year Performance package having already been considered by the Audit and Risk Committee. It was noted that all of the performance targets had been met over the reporting year.

##### Quality Assurance Working Group

14. The Commission received an update on the Quality Assurance Working Group, which met earlier in the day and discussed recent closedown reports.

#### Diversity Forum

15. The Forum last met on 15 April and received a presentation from Julian Picton of the Bar Council on encouraging disabled practitioners in applying for judicial appointment. There was also a useful discussion on diversity initiatives and issues surrounding entry into the legal profession and retention and progression. These would be explored further at the next meeting.

#### Advisory Group

16. The group last met on the 23 March and considered the first draft of the Circuit Bench qualifying test and the Recorder Civil Feedback Report. There were also initial discussions on the tests to be used for the District Judge (Magistrates) and the Fee Paid Lawyer Chairman of the Residential Property Tribunal exercises.

#### **Directors' Reports (JAC/10/22)**

17. The Director of Courts Appointments provided an update on the outcome of a meeting with the Association of District Judges and use of Deputy District Judge appraisal in selection exercises. It was also noted that there had been a variety of issues concerning vacancy numbers and the deployment of successful candidates in the latest District Judge (Civil) selection exercise.
18. The Director of Tribunals Appointments and Corporate Accounting informed the Commission of plans agreed between the JAC, MoJ and the Tribunals Service to carry out further selections for medical members over coming months, in line with business priorities.
19. The Director of Operational Services thanked those Commissioners who had taken part in the recent audit on declarations of interest. He informed the Commission that the JAC's terms and conditions for Senior Civil Service posts had been approved by MoJ. The Commission agreed that a recommendation made on conducting a candidate needs survey on an issue relating to the sitting of qualifying tests was not required.
20. The Assistant Director of Policy and Research Strategy informed the Commission that work done on a statistical comparison of judicial appointments over the past ten years had been carried out, covering the periods when the Lord Chancellor's Department and the Department for Constitutional Affairs were responsible for judicial appointments. This work provided some interesting results and would be sent to MoJ for agreement.

**Chief Executive's report (JAC/10/25)**

21. The Chief Executive informed the Commission of the continued importance of the work being carried out on efficiencies, in light of the possible budget cuts being considered by the new administration.

**Chairman's report**

22. The Chairman informed Commissioners of recent meetings with the Bar Council Circuit Leaders and the Chairman of the Chancery Bar Association. The Commission also briefly considered the outcomes of the meeting with the Lord Chief Justice and Senior Judiciary on 14 April and trilateral event at Canada House on 16 April.

**Any Other Business**

None.

**Date of next meeting**

The next meeting would take place on 10 June 2010.