

JUDICIAL APPOINTMENTS COMMISSION (JAC) MEETING
06 OCTOBER 2011
MINUTES OF MEETING

PRESENT

Commissioners

Roger Toulson (Vice-Chairman)
Jill Black
David Bean
Geoffrey Inkin
Sara Nathan
Charles Newman
David Pearl
Francis Plowden
Harriet Spicer

Staff

Interim Chief Executive
Selection Exercise Director
Operational Services Director
Assistant Director – Programme and
Planning (for Item 3)
Private Secretary to the Chairman
Secretary to the Board

1. Apologies and matters arising

1.1 Apologies were received from Christopher Stephens, Hazel Genn and Lorna Boreland-Kelly.

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 September Board meeting were approved subject to amendment to paragraph 5.3 and 6.2, as follows:

- a. The section of paragraph 5.3 in brackets to read: “the Criminal Injuries Compensation exercise is thought suitable as a pilot for an online aptitude test.”
- b. The final sentence of paragraph 6.2 to read: “It was agreed to implement this process change, subject to any points raised from the circulation of a supporting paper out of committee.”

1.4 The Board Action Register was noted.

2. Chairman’s Update

2.1 The Vice-Chairman provided an overview of the Chairman’s activities since the last meeting. These included meetings with Lord Justice Carnwath, Lord Neuberger, Malcolm Davis-White QC of the Chancery Bar Association and the Council of Circuit Judges.

2.2 The Chairman had also attended meetings for the High Court and Supreme Court selection exercises. The second high-level assurance group meeting regarding the end-to-end process, which he had attended with representatives from MoJ, Judicial Office and HMCTS had been positive. In addition he had given interviews to the Law Society Gazette and Frances Gibb of The Times, had attended the opening of the legal year.

2.3 The Chairman was due to meet with the Lord Chancellor and jointly with the Lord Chancellor and Lord Chief Justice. He would also meet Lord McNally, Minister of State at the MoJ and Sir Nicholas Wall, President of the Family Division. He had also been invited to speak at the Judges' Council meeting on 4 November.

2.4 The Commission then discussed arrangements for the attendance of Lord McNally at the November Board meeting.

3. Good Character Guidance

3.1 The Commission received a draft paper concerning its annual review of the Good Character Guidance. The paper had been agreed with the designated Commissioner and staff and also covered matters from Selection and Character Committee meetings over the last year.

3.2 The Commission considered the draft in detail and identified changes of particular substance that were to be made. The Director of Operational Services said a final draft incorporating these points would be circulated for approval out of Committee. It would be implemented towards the end of the year at a suitable time within the exercise programme. He asked that Commissioners forward any additional comments to the Assistant Director Programmes, by 20 October.

4. Report from Working Groups

4.1 The Audit and Risk Committee had met on 14 September and discussed IT matters at some length. It had noted the state of planning to acquire a replacement system and asked that supporting paperwork be sent to Commissioners for information. It had received the Corporate Risk Register and Management Accounts for Quarter 1 and also a very helpful presentation on the budget management of a selection exercise. In addition it reviewed progress towards the implementation of audit recommendations and strategic processes for governance, risk and control.

4.2 The Advisory Group had met on 27 September and discussed the qualifying test for Fee Paid Specialist Lay Member of the first-tier Tribunal, HESC, Mental Health Review Tribunal for Wales and the qualifying test for Deputy District Judge (Magistrates). It had also discussed role play for

Fee-Paid Medical Member of First-tier Tribunal HESC and Fee-paid Specialist Member Mental Health Review Tribunal Wales. It had also considered online testing and feedback reports.

4.3 The Quality Assurance Working Group had met earlier that day and discussed close down reports on Lawyer Chairman of the Residential Property Tribunal, District Judge (Magistrates), Salaried Judge of the Upper Tribunal (Immigration and Asylum, Regional Judge (Employment Tribunal) and Salaried Judge of the First Tier Tribunal (Employment). It also discussed feedback reports and received an update on complaints.

Directors' Reports

5.1 The Selection Exercise Director provided an update on current and forthcoming selection exercises, which also included an update on the additional Recorder vacancies for the Northern Circuit that had arisen. She sought agreement of the Commission to proceed to include this addition within the current 2011 Recorder exercise, as requested by MoJ, and described the process to be applied. The Commission agreed.

5.2 She also presented a paper updating the Commission on the launch of the recruitment of panel chairs and independent members and provided a verbal update on on-line testing. In addition, she asked for the Commission's formal agreement to the closure of the s.94 list for DJ (Civil) 2008/09 exercise. The Commission agreed so to do.

5.3 The Director of Operational Services provided an update on the judicial Competency Framework Document, following initial discussion with the Board in June. This activity was being led in the Judicial Office and a further draft would be produced in the coming weeks. He also indicated that a paper on Commissioner hand over arrangements would be produced for the November Board.

6. Interim Chief Executive's Report

6.1 The Interim Chief Executive reported on the state of the current budget for the remainder of the financial year. He also informed the Commission of staff restructuring changes within MoJ and the Judicial Office respectively.

7. Any other business

7.1 Jill Black commented that she was grateful to receive the weekly media update email from the JAC which had proved particularly valuable to her.

Date of next meeting

The next meeting would take place on **10 November 2011**.