

JUDICIAL APPOINTMENTS COMMISSION (JAC) MEETING
7 December 2016
Minutes of Meeting

Present	
Commissioners	Staff
Ajay Kakkar (Chairman) Ian Burnett (Vice Chairman) Martin Forde Emily Jackson Usha Karu Noel Lloyd Alexandra Marks Valerie Strachan Phillip Sycamore Debra Van Gene Christopher Simmonds Alan Wilkie	Chief Executive Head of Operations Head of Policy and Change Head of Selection Policy and Process Head of Equality and Diversity Senior Communications Manager Private Secretary to the Chairman Board Secretary

1. Apologies and matters arising

1.1 Apologies were received from Katharine Rainsford, Andrew Ridgway and Lucy Scott-Moncrieff.

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 10 November 2016 meeting were agreed and the Board Action Register noted.

1.4 The Chairman then noted that it was the last Commission Board meeting for both Alan Wilkie and Emily Jackson. The Chairman thanked them for their contributions, and the Commission expressed their best wishes to both of them for the future.

2. Chief Executive's Report and Management Information Pack

2.1 The Chief Executive:

- provided an oral update on the JAC's financial position;
- reported on staffing levels at the JAC and the results of the 2016 staff survey;
- reported on the panellist recruitment campaign to refresh the current cadre; and
- provided an update on the selection exercise programme for the current year, 2016/17.

2.2 The Commission considered the monthly Management Information Pack. The pack provided an overview of JAC activity up to the end of November 2016.

3. Report Back from Working Groups

3.1 The Head of Operations provided the Commission with a brief update on the Advisory Group's meeting held on 23 November, with reference to discussion on telephone assessments for the Deputy High Court Judge exercises.

4. Chairman's Report

4.1 The Chairman provided an update on his activities since his last report at the October meeting. He reported that he had met with both the current and incoming Chairman of the Bar Council (together with Martin Forde), the Lord Chief Justice of Northern Ireland, the Lord Chief Justice of England and Wales, Professor Dame Hazel Genn, the Lord Chancellor, the Acting Chair of the Judicial Appointments Board of Scotland and the Welsh First Minister.

4.2 The Chairman then invited Commissioners to comment on relevant activities of particular interest with which they had been involved. Chris Simmonds reported that he had spoken at the Association of Lawyers for Children Annual Conference. Usha Karu reported that she had spoken at a Diwali event for Asian Female Solicitors.

5. Review of Equal Merit Provision

5.1 The Head of Equality and Diversity presented a paper on the review of the equal merit provision (EMP) and proposed next steps. The Commissioners agreed to some adjustments to the existing process: first, to the approach taken at shortlisting; and secondly to the approach taken where candidates are of equal merit but it is not possible to make a selection on the basis of protected characteristics, for example because they are of the same ethnicity or gender. In the latter case, two Commissioners would re-interview the candidates. It was agreed that the sub-group of Commissioners would agree the final wording for the revised policy, which would be posted on the website.

6. Academic review of selection processes: scoping report and next steps

6.1 The Head of Selection Policy presented a paper inviting the Commission to note the scoping report on the academic review of JAC processes.

6.2 The scoping report by Dr Sophie Turenne bases its findings largely on interviews with JAC stakeholders, including a cross-section of the judiciary and a number of organisations representing groups of legal professionals. The report looks at a broad range of issues in relation to entry-level JAC processes and makes a number of recommendations for areas of focus for the next stage of the review.

6.3 The Commission noted the findings in the report and agreed to discuss the next phase of work as part of its wider strategy discussions in the new year.

7. Competency Framework Review

7.1 The Head of Selection Policy presented a paper seeking the Commission's approval of the recommendations of an internal review of the use of competency frameworks in JAC selection activities.

7.2 The Commission noted the key findings outlined in the report. The development of competency frameworks for each role, based on the Judicial Skills and Abilities framework, was enabling the JAC to meet emerging priorities and business needs. Commissioners noted that there were some concerns and misunderstandings about the JAC's competency-based approach which were being addressed by reviewing communications and guidance to candidates.

7.3 Commissioners also noted recommendations for some further refinements to the implementation of the competency frameworks, in addition to those that had already been implemented.

7.4 After careful consideration, the Commission agreed to the recommendations in the report.

7.5 Commissioners suggested that the findings of the review should be shared with panel members and reflected in panel member training and briefing materials. The Commission also agreed that the findings of the review should be considered by the wider academic review of JAC processes at its next stage.

8. JAC selections: metrics on performance

8.1 The Head of Selection Policy presented a paper inviting the Commission to note the initial work done to develop performance metrics in relation to JAC selections made. This is in response to a recommendation of the 2015 Triennial Review of the JAC.

8.2 Commissioners welcomed the initial work and agreed the project should continue to be developed over the coming months.

Date of next meeting

The Chairman confirmed that the next Board meeting would be held on **Thursday 9 February 2017**.