

JUDICIAL APPOINTMENTS COMMISSION (JAC) MEETING
13 July 2017
Minutes of Meeting

Present	
Commissioners	Staff
Ajay Kakkar (Chairman) Philippa Whipple (Vice Chairman) Usha Karu Noel Lloyd Alexandra Marks Katharine Rainsford Lucy Scott-Moncrieff Valerie Strachan Phillip Sycamore Andrew Ridgway Martin Forde	Chief Executive Head of Strategy and Policy Interim Head of Operations Head of Digital and IT Services Senior Communications Manager Media and Communications Adviser Head of Secretariat JARS Expert Adviser (Ministry of Justice)

1. Apologies and matters arising

1.1 Apologies were received from Debra van Gene.

1.2 The minutes of the 8 June meeting were agreed.

2. Chief Executive's Report and Management Information Pack

2.1 The Chief Executive:

- reported that the business case for further funding had been approved by the MoJ;
- reported that the exercise programme for 2017/18 had been agreed;
- reported on the progress of current exercises; and
- reported on current staffing levels at the JAC.

3. Report back from Committees and Working Groups

3.1 The Chairman asked Commissioners to report back on recent working group activity.

3.2 Valerie Strachan reported back from the Audit and Risk Committee meeting held on 22 June, where the annual report and accounts had been reviewed and endorsed by the Committee.

3.3 Katharine Rainsford reported back from the Advisory Group meeting held on 14 June, where the Group had reviewed the situational questions for the Chancery Master 2017 and

Circuit Judge 2017 exercises. Group members had also discussed their roles and the format of the meetings, and it was agreed that it would be a good point to review the changes that had been made to the workings of the Group some 18 months previously. The secretariat would put forward proposals for consideration at the next Advisory Group meeting.

4. Chairman's Report

4.1 The Chairman reported on his activities since his last report at the June meeting. He reported that his role in the Lord Chief Justice, Supreme Court and Court of Appeal appointment processes were now concluded, with all relevant submissions made to the Lord Chancellor. He also reported that, as part of a panel, he had interviewed and selected three candidates for the Judicial Commissioner posts. Finally, he reported that he would be interviewing for the three Lay Commissioner posts later in July.

5. Guest: Senior President of Tribunals

5.1 The Chairman welcomed Sir Ernest Ryder to the Board and invited him to share his thoughts on the future opportunities and challenges facing the Tribunals, and the JAC in its role making appointments.

5.2. Sir Ernest outlined the planned developments for tribunals as part of HMCTS reform, and then turned to the importance of judicial appointments within this context. The Chairman then opened a discussion with Commissioners, which covered a range of issues including the ways in which the JAC and Tribunal Judges work together to support the recruitment of high calibre, diverse candidates to the Tribunals. Sir Ernest expressed support for a shift to smaller, more frequent competitions to better meet Tribunals' business needs.

6. High Court Evaluation and 2017/18 Proposals

6.1 The Interim Head of Operations presented a paper with a final evaluation of the recent High Court exercise, and asked Commissioners to ratify their earlier decisions relating to selection processes proposed for the 2017/18 High Court exercise, in addition to consideration of several new policy proposals.

6.2 The outcomes of the High Court exercise were welcomed in respect of the calibre of recommended candidates. The diversity of the candidates was noted, which was in line with

or exceeded previous exercises in most respects. However, Commissioners emphasised that diversity was still limited, and no solicitor had been recommended direct from practice.

6.3 Commissioners ratified their earlier decisions from the May Board meeting to enable planning of the next High Court exercise. However, they agreed that these decisions related only to that specific exercise, and the broader policy issues would be considered more fully as part of their discussion of forward work priorities. Commissioners also agreed to two of the four further proposals made, namely additional grading at both shortlisting and interview. The Board agreed that proposals on giving face-to-face feedback to unsuccessful candidates would be discussed in the strategy session planned for October 2017. Similarly, Commissioners agreed that the proposal to authorise near-miss High Court candidates for Section 9(4) should be further explored by officials with Judicial Office and HMCTS, prior to reporting back to the Board in September.

6.4 Commissioners agreed that they were content for the Evaluation information summary from the High Court exercise to be sent to the Lord Chief Justice, as well as making a copy available to his successor later this year.

7. Medium Term Communications Strategy

7.1 The Senior Communications Manager and the Media and Communications Adviser presented a paper outlining the Medium Term Communication Strategy, focusing in particular on the outcomes of selection exercises. For example, audiences were interested in candidates' personal stories, which can provide a fuller picture of candidate backgrounds than that presented in the annual statistical bulletins.

7.2 Commissioners endorsed the strategy, which was designed to take the Commission through to the end of the financial year. Commissioners looked forward to considering a longer term strategy in due course, which would look further ahead to how the JAC may anticipate and respond to future challenges and opportunities.

8. Frequency of JAC Statistical Bulletins

8.1 The Head of Judicial Statistics presented a paper proposing that the frequency of published statistics relating to JAC exercises increase from once a year to once every quarter.

8.2 Following discussion, the Commission agreed to defer a decision on the frequency of publication until a way forward on obtaining fuller data on candidates' professional background had been developed. A paper on collection of data on professional background would be presented to the Board for consideration at the next meeting.

9. s(9)1 Court of Appeal (Criminal Division) Policy

9.1 The Senior Manager, Selection Policy presented a paper outlining a minor change in policy regarding the length of authorisations under s(9)1 to sit in the Court of Appeal Criminal Division. The Board endorsed this change.

10. JARS Update

10.1 The Head of Digital and IT Services presented a paper which provided an outline on progress against the actions required for the short term recovery plan, including plans for testing the qualifying test (QT) assessment stage in order to provide the necessary assurance, prior to running the next competition requiring a QT in late 2017.

10.2 Commissioners agreed that the remedial work and testing would continue to be monitored by the JARS Programme Board.

10.3 Commissioners also discussed current cybersecurity arrangements, currently an issue of low potential risk to the JAC. The Chairman asked the Head of Digital and IT to present a further paper at the September Board.

11. AOB and Date of Next Meeting

11.1 The Chairman noted that the terms of three Commissioners present were due to end in July 2017, and thanked Andrew Ridgway, Lucy Scott-Moncrieff and Katharine Rainsford for their expertise, input and overall dedication to the work of the Commission.

11.2 The Chairman confirmed that the next Board meeting would be held on Thursday 14 September 2017.