



Information Pack:

The President of the Queen's Bench Division 2013

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Background

1 Background

The Lord Chancellor has asked the Judicial Appointments Commission (JAC) under s69 of the Constitutional Reform Act 2005 (CRA) as amended by the Crime and Courts Act (CCA) 2013 (the Act) to convene a selection panel to recommend a new President of the Queen's Bench Division, as successor to Sir John Thomas who is to become the next Lord Chief Justice.

The vacancy will arise on the 1st October 2013.

The panel will comprise:

- Lord Judge, the Lord Chief Justice (Chairman);
- Lord Neuberger, President of the Supreme Court;
- Sir Andrew Ridgway, Lay Judicial Appointments Commissioner;
- Mrs Stella Pantelides, Lay Judicial Appointments Commissioner;
- Dame Valerie Strachan, Lay Judicial Appointments Commissioner.

The panel determines the selection process to be applied which will include consultation with the Lord Chancellor, senior judiciary and other key interested parties. At the end of the process the panel will report to the Lord Chancellor with details of the candidate it is recommending for appointment.

This pack contains the information about the appointment process. It describes the selection process that the panel has chosen to use, with relevant dates, as well as advice on how to prepare for the various stages of this process.

The selection panel is also required to ensure candidates are of good character and will carry out a range of checks. Your attention is drawn to the requirements set out in the Good Character Guidance

available on the JAC website under 'Can I apply?' (<http://jac.judiciary.gov.uk>). Details of the rest of the application process can be found on page 9.

The salary for this post is **£208,926**.

About the post

2 About the Post

2.1 Job Description for the President of the Queen's Bench Division (PQBD)

PQBD is one of the four Heads of Division, and must be able to:

- preside over the most difficult criminal, civil and administrative law cases in the Court of Appeal and the Divisional Court;
- advise the Lord Chief Justice about matters across the criminal justice system;
- support the Lord Chief Justice in discharging his responsibilities as Head of the Judiciary;
- provide leadership to the judges of the Division;
- delegate, with the agreement of the Lord Chief Justice, some of the responsibilities of the office.

The key elements of the role are set out below:

Criminal justice

- Presiding over some of the most difficult cases in the Court of Appeal (Criminal Division) and the Divisional Court in and out of London.
- Under the leadership of the Lord Chief Justice (as Head of Criminal Justice):
 - developing the judicial approach to long term and more immediate modernisation and other issues; planning and taking action in this respect;
 - maintaining relations between the judiciary and other participants in the criminal justice system;
 - working with the Senior Presiding Judge on matters relating to the effective operation of the criminal justice system at all levels in the Circuits.

Deployment and pastoral care

- Supporting the Judges of the Division in pastoral care and career development and overseeing their deployment.
- Engaging with the JAC on the appointment of new judges to the Division and new Deputies under s.9 (1) of the Senior Courts Act 1981, and providing induction and pastoral care to those appointed.

The Administrative Court, including the Divisional Court

- In conjunction with the Lead Judge, the Administrative Court Liaison Judges for the circuits, the Master and Deputy Master of the Administrative Court and the court manager and listing officer, supervising the allocation of the leading cases and the just and timely despatch of the business of the Administrative Court. Presiding in some of the most high profile or difficult Administrative Law cases in the Divisional Court in and out of London.
- Completing the transfer of business to the Upper Tribunal's Immigration and Asylum Chamber and making the consequential changes to the working of the Administrative Court.
- Working with the Senior President of Tribunals, providing leadership to the liaison between the work of the Administrative Court and the Tribunals.

Civil business, the Commercial Court and the Technology and Construction Court (TCC)

- Presiding from time to time in appeals to the Civil Division of the Court of Appeal.
- In conjunction with the judges in charge of the Commercial Court and the TCC, ensuring the just and timely despatch of the business of these courts.
- Completing the transfer of the Central London County Court to the RCJ and the arrangements for the allocation of work between the QB lists and the Central London County Court.
- In conjunction with the Judge in charge of the lists, the liaison judge for the Masters and the Senior Master, ensuring the just and timely despatch of the business of the lists of the QB and Central London County Court.

Judicial leadership

- As a member of the Judicial Executive Board (JEB) and a member of the Judges' Council, taking an informed and broad view on matters relating to the responsibilities of the Lord Chief Justice as Head of the Judiciary; advising objectively; supporting him in the interests of justice.
- Providing leadership to Judges' Council working groups and a link between them and JEB as appropriate.

The longer term

- Although it is envisaged that the PQBD will, in the longer term, concentrate the responsibilities on criminal justice and deployment, pastoral care and career development of judges of the Division, it is possible that the other responsibilities may be adjusted.

Requirements

The PQBD must be a lawyer of the highest calibre and personal integrity, who commands confidence in his or her ability to preside over the type of case referred to in paragraph 2.1 above. He or she must have strategic and leadership capability and a deep understanding of the operation of the criminal justice system and the factors which shape it. The following requirements are of particular importance.

- The judicial skills, experience, energy, resilience and authority to fulfil with distinction the office of PQBD.
- An interest and understanding of the long term and immediate fiscal, strategic and political context in which the justice system operates, and the ability to advise and plan on the basis of this.
- Expertise in the full complexity of the criminal justice system at all levels, the wider context in which it operates and its modernisation.
- The ability to lead the judges of the QBD, to improve performance and to lead and manage modernisation and change. The ability to develop priorities and to inspire the judges to follow the lead given.
- The ability to engage outside the judiciary, including members of Government, the Ministry of Justice and the professions; to understand their perspectives and influence their thinking.
- The ability to progress diversity in the judiciary and encourage the development of careers and leadership capabilities.
- Participation in corporate decision making and a willingness to take corporate responsibility on matters which affect the justice system and judiciary as a whole.

2.2 Eligibility requirements

To be statutorily eligible for appointment as the PQBD you must:

- be qualified for appointment as a Lord Justice of Appeal; or
- be a judge of the Court of Appeal; or
- be a judge of the High Court; or
- satisfy the judicial appointment eligibility condition on a 7-year basis.

2.3 Additional Selection Criteria

While there are no formal additional selection criteria, the panel offers this guidance to prospective candidates.

Candidates are expected to have directly relevant judicial experience and to be of outstanding ability. "Directly relevant experience" is seen as sitting as a judge in a higher court.

Age

There is no upper or lower age limit for candidates apart from the statutory retirement age of 70. The age at which someone is appointed to become the PQBD must allow for a reasonable length of service before retirement.

2.4 Nationality

You must complete a declaration of your nationality in the application form. In order to qualify for this post, you must be a citizen of:

- the United Kingdom; or
- another Commonwealth country; or
- the Republic of Ireland.

You must satisfy the nationality requirements by the time applications close for the exercise.

Disqualification

You should note that the House of Commons Disqualification Act 1975 applies

to this office. For further details please refer to the outline terms and conditions.

The selection process

3 The selection process

3.1 Overview

Please inform us by **2pm on 5 August 2013** if you intend to apply. This is because the panel will seek input on all candidates from statutory and non-statutory consultees¹ *before* any shortlisting.

Your completed application form should be with us by **noon on Monday, 19 August**.

The panel will review the material relating to all candidates to determine whether a shortlisting process is required. If the panel determines that shortlisting is not required, all eligible candidates will be invited for interview which will take place on either 2 or 3 September.

It is expected that the successful candidate will be sworn in on 1 October 2013.

3.2 Notice of intent to apply

Please email us of your intent to apply by **2pm 5 August**. (*Candidates who miss this deadline should still email us.*) This deadline is to give consultees maximum time to provide their views by 19 August and for the panel to read them before shortlisting.

3.3 Timetable

Notification of Intent to Apply	By 2pm 5 August
Closing date for application forms	By noon 19 August
Dates for interviews	2, 3 September

3.4 The application form

Please complete all sections of the form. As part of that you are asked:

- To cite two of your recent judgments, and, in addition if you wish, one other piece of significant and recent work.
- To explain briefly how they satisfy the relevant requirements listed on page 6.
- To provide weblinks to/references for them so that copies may be downloaded for the panel. Please do not submit the judgments in full.

Where you are asked questions relating to essential elements of the role, please expand on your plans for the QBD. The Panel will ask you about this at the interview.

3.5 The self assessment

This is a significant part of your application. It should explain how you satisfy the requirements for the role of PQBD and not reiterate your career history. The requirements are on page 6 in this pack and repeated in the application form.

Your application will be stronger if you provide specific examples that demonstrate how your skills match the job description, at the level appropriate for the role of PQBD.

¹ Consultees will include the Lord Chancellor and key members of the judiciary (except for those applying), and other parties deemed necessary.

3.6 Obtaining an application form

The application form for this selection exercise can be obtained electronically by downloading it from the JAC website.

If you need the form, information pack or other information in a different format, for example Braille, please contact the JAC using the details below.

The Senior Appointments Team
Judicial Appointments Commission
2nd Floor, Steel House
11 Tothill Street
London
SW1H 9LH

DX 149824 WESTMINSTER 6
Email: jacset3@jac.gsi.gov.uk
Telephone: 020 3334 0342

3.7 Consultees

Introduction

The panel will seek input on all candidates from statutory and non-statutory consultees² *before* any shortlisting.

3.8 Shortlisting

If there is a large number of eligible candidates, the first step in the selection process will be shortlisting; otherwise, all eligible candidates will be called for interview. The whole panel will consider the information provided in your application together with consultees' comments, in relation to the job description and its requirements. Candidates who are not shortlisted for interview will be offered oral feedback to take place after the exercise has finished.

3.9 Interviews

If you are shortlisted, an interview will take place on **2 or 3 September**. *Please reserve both at this stage.*

The process will involve a short presentation and an interview. Further details will be sent with the invitation to attend. The panel will seek to explore further with you evidence in relation to the job description and requirements for the post. The overall assessments made by the panel will take account of evidence from your application, judgments, the interview and consultees' views.

² Consultees will include the Lord Chancellor and key members of the judiciary (except for those applying), and other parties deemed necessary.

Other matters

4 Other matters

4.1 Assessment

Candidates will be assessed in relation to the requirements on page 6.

4.2 Good character

The panel is required to select only persons of 'good character'. In order to make these assessments, the panel will follow the JAC's good character guidance which can be found on the JAC website under 'Can I apply?'

Character questions and declarations

There are a number of questions in the application form; please make the appropriate declarations.

Full details on the criminal offences which must be declared can be found on the 'Character requirements' page of the JAC website, which is available by accessing the following link:

<http://jac.judiciary.gov.uk/application-process/113.htm>

When disclosing a conviction you must include the nature of the offence, the date of conviction or caution and the penalty imposed.

Where proceedings of any kind are pending, you should give details of the offence with which you have been charged or the disciplinary process which you are subject to and, if known, the date when the case or action may be heard. It is important that you inform us of the outcome of any case or action concluded while your application is under consideration. Similarly, if you are charged with any offence or any action is brought against you after submitting your application you must inform us immediately (see the 'Contacts and Further Information' section of this information pack).

Character checks

On the panel's behalf, the JAC will also carry out checks on all candidates who apply. For salaried judges the panel will check with the Office for Judicial Complaints.

For non-salaried judicial office holders, checks will be made with the Association of Chief Police Officers, Her Majesty's Revenue and Customs, the Solicitors' Regulation Authority and the Bar Standards Board, as applicable.

Failure to declare any matters that come to light from these checks may prejudice the outcome of your application.

4.3 Report to the Lord Chancellor

The panel makes its recommendation to the Lord Chancellor. Under the terms of the statutory process he can accept or reject the recommendation, or ask the panel to reconsider it. He cannot select an alternative candidate. The recommendation then goes to the Deputy Prime Minister and Prime Minister and on the latter's recommendation to the Sovereign, for final approval.

4.4 Results of the selection exercise

Successful and unsuccessful candidates will be informed simultaneously after the panel's recommendation has been accepted by the Sovereign. The aim is for this to happen by mid-September.

If you are unsuccessful at the interview stage of the process, oral feedback will be offered, and will take place after the exercise has finished.

The successful candidate will be sworn in on **1 October 2013**.

4.5 Medical examination

You may be asked to undergo a medical examination before taking up appointment.

4.6 Complaints procedure

If you are dissatisfied with any aspect of the handling of your application, please notify the panel, via the Panel Secretary on 0203 334 0548, or at jeremy.brooks@jac.gsi.gov.uk.

Further information and contacts

5 Further information and contacts

5.1 Further Information

For further information about the selection process or the requirements of the CRA 2005 (as amended by the CCA 2013), please consult our website.

5.2 Reasonable adjustments

The panel secretariat will consider any reasonable adjustments needed to ensure that you can participate in the selection process fairly. The application form asks you to identify any arrangements and adjustments you may require. Requests will be considered on a case-by-case basis and the information given will not be used in selection decisions.

If you are recommended for appointment, any reasonable adjustments to enable you to take up appointment will be discussed separately with you by Her Majesty's Courts and Tribunals Service after the panel has made its recommendation.

5.3 Submitting your application form

Once completed, your application should be emailed to our secure mailbox jacset3@jac.gsi.gov.uk.

5.4 Acknowledgement of your application form

Once you have emailed your completed application form to us, we will email acknowledgement on the same or next day.

If you do not receive an acknowledgement, we have not received your application.

5.5 Future correspondence

Please indicate by ticking a box on the application form whether or not you are happy to receive all exercise correspondence from us via email. This will include any invitation to attend for interview

after shortlisting, as well as communication on routine matters.

5.6 Summary of actions required

By 2pm 5 August

- Please email your intent to apply to our secure mailbox:
jacset3@jac.gsi.gov.uk

By noon 19 August:

- Please submit your application form to the JAC as explained in paragraph 5.3.

Contact details

Panel Secretariat

Jeremy Brooks 020 3334 0548
Secretary to the Panel

Barry Menzies 020 3334 0316
Deputy Selection Exercise Manager

Jacky Fox 020 3334 0342
Panel Support

Email: jacset3@jac.gsi.gov.uk
Fax: 020 3334 0300