

**Judicial Appointments Board for Scotland  
Board Meeting Monday 21 October 2019, Thistle House, Edinburgh**

**MINUTES**

**Present**

Mrs Nicola Gordon, Chairing  
Member

Ms Neelam Bakshi

Mrs Liz Burnley, CBE

Mrs Deirdre Fulton

Sheriff Principal Marysia Lewis

The Hon. Lord Minginish, QC

Mrs Alison Mitchell

Ms Morag Ross, QC

Professor Stephen Tierney

The Hon. Lady Wise, QC

Ms Eilidh Wiseman

Sheriff Michael O'Grady, QC

**In Attendance**

Mr John Craig, Chief Executive  
Head of the Business Management Unit  
Board Secretary

**1. Welcome & Apologies / Declarations of Interest**

- 1.1. The Chairing Member (the Chair) welcomed all attendees to the meeting.
- 1.2. There was one declaration of interest from Ms Bakshi in relation to the Social Security Tribunal recruitment.

**2. Minutes of the Previous Meeting & Action Tracker Update**

- 2.1. Subject to amendments highlighted by Mrs Fulton, the minutes of the September Board Meeting were approved by the Board.
- 2.2. Subject to amendments (section 3.2, 3.5 and 4.1), the minutes of the October Extraordinary Board Meeting were approved by the Board.
- 2.3. The Board reviewed the Board Action Tracker and agreed the following actions:
  - Action 23 - It was agreed that the Legal and Judicial members will arrange a meeting to discuss assessing legal competence with assistance from the BMU.

- Action 20 - The Chair and Lord Minginish will attend the Law Society of Scotland (LSS) Annual Conference on 25 October in the morning.

*BMU Task: Arrange meeting with Legal and Judicial Members.*

### **3. General Updates**

The Chair noted that the majority of issues for update were covered under agenda items, but provided the Board with an update on the meeting with the Lord President on 8 October 2019. The meeting focused on attracting suitable candidates to apply for court appointments, this will be discussed further with the Board at the November meeting when the Lord President will attend. The Chair provided the Lord President with an update on the progress of the recent Senator recommendations and confirmed that the names of those recommended for appointment were not mentioned.

#### **3.1. The Chief Executive gave an oral update to the Board:**

- The CE updated the Board that the Appointments Administrator departed JABS on 18 October on promotion; the Board noted their thanks and wish her well in her new post.
- The CE has been asked to assist the Judicial Institute with the Chinese and Ukrainian delegation visits by delivering a PowerPoint presentation about the work of JABS that has been shared with members.
- The CE and Head of BMU met with Hallmark Solutions on 8 October to discuss the new IT system and an update would be covered in the Agenda.
- The Chair and CE have a meeting scheduled with the LSS on 1 November.

### **4. Assurance of Operational Delivery**

#### **4.1. The Board noted the Assurance of Operational Delivery provided by the CE.**

#### **4.2. The Board reviewed the updated Operational Plan/Risks and noted that:**

- JABS Risk #4 – the risk level has been raised to 75 to reflect the period of transformation with the online recruitment IT system. The CE is working closely with SG IT and procurement on the new IT system.
- There were no areas of concern raised regarding the BMU Task Tracker.

### **5. Assurance of Financial Activity**

#### **5.1. The CE briefed the Board on the 2019/20 budget report with a new format as requested at the July governance meeting. The Board noted that although no budget increase is shown, an authorised overspend of £44,000 in 2019/20 had been confirmed by SG Sponsor Unit.**

- 5.2. The CE clarified that Scottish Legal News (SLN) advertising costs covered the Sheriff/ Summary Sheriff, Senator and GRC rounds. The BMU will discuss the future advertising arrangements with SLN.
- 5.3. The CE reported that the BMU are working on a draft budget for next year and that a draft budget for 2020/21 would be provided on 18 November.

*BMU task: BMU to discuss advertising costs with SLN.*

*BMU Task: CE to bring 2020/21 budget to November board meeting.*

## **6. Assurance of Governance**

- 6.1. The CE presented an Assurance of Governance Report and requested comments from the Board to ensure the paper provided members with an appropriate level of oversight and governance. The Board noted the Report.

## **7. Future recruitment update**

- 7.1. Professor Tierney updated the Board on the upcoming Sheriff Principal recruitment round including panel members and moderator. An initial planning meeting has been arranged for later in the afternoon. The Chair, Professor Tierney, Ms Ross and the BMU will meet on 4 November to discuss the standardisation of documents for recruitment rounds.

The Board discussed the recent letter from the Minister for Community Safety on the recruitment of Social Security Tribunal members. The Board agreed that the Chair would draft a response to the Minister outlining the preparatory work JABS has in place for the Social Security Tribunal recruitment, our communication with SG officials and Judicial Office to secure alignment in plans and the Board's commitment to serving justice. The Chair has discussed the recruitment of Lay Assistants with Mrs Fulton, who has agreed to bring a paper to the next meeting.

*Action Point (1): Mrs Fulton to bring a paper on the recruitment of Lay Assistants to the November meeting.*

*Action Point (2): Ms Burnley and Lord Minginish to bring final draft of the Skills and Qualities for Tribunal Members to the November meeting.*

*BMU Task: BMU to compare JAC and JABS skills and qualities for the recruitment of tribunal members and prepare a paper for the next Board meeting.*

*BMU Task: BMU to liaise with SG Officials to arrange the regular annual meeting for the Chair to meet with Scottish Ministers.*

- 7.3. Annual Competitions proposal

The Chair presented the paper to the Board on future Annual Competitions for operational convenience and agreed to discuss this again on 18 November after a meeting with the Sheriff Principal Group on 28 October.

*Action Point (3): Board members attending the Sheriff Principal Group meeting on 28 October 2019 to provide an update at the November Board meeting.*

*BMU Task: BMU to prepare parallel competition schedules for November Board meeting, to allow Board members to see how one competition would feed into another.*

## **9. Quality improvement activities**

### **9.1. New IT system**

The CE asked the Board to note the paper, and explained that a project plan will be presented at the November.

## **10. Policy review update**

**10.1.** The Board agreed that the policy review update would be carried forward to the November board meeting.

**11. Any Other Business** – No other business was raised.

**12. The Board Meeting closed 1200 hours.**

## **13. Judicial recruitment & remuneration in challenging times**

**13.1.** The Board welcomed Professor Gee & Professor Malleson to the Board Meeting for their briefing on their research project “How can the JAC make a difference to judicial diversity”.