

# Business and Corporate Plan

2009/10 - 2011/12



# **JAC Corporate and Business Plan**

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## 1. Foreword by Chairman of the JAC

The Judicial Appointments Commission (JAC) is an independent body, answerable to Parliament. We recommend candidates for judicial office on merit, ensuring they are of good character, and encouraging a diverse range of applicants.

In our first three years we have achieved a great deal: we have fully defined the qualities and abilities that we seek in judicial candidates; developed and implemented our own selection processes, in partnership, and vigorously appraised them for fairness; recruited and trained a new cadre of selection panel chairs; embedded equality proofing processes that ensure materials for all exercises are free from bias and moved to using written qualifying tests for shortlisting, which is a more objective method than using references. Alongside this 'development' work we have delivered over 70 selection exercises, dealt with over 9,000 applications and made over 1100 recommendations, thereby contributing to a judiciary selected on demonstrated merit.

It is important that we deliver our selections to time; Her Majesty's Court Service and the Tribunals Service, our main customers, require judges at the right time to maintain the criminal and civil justice systems and the access to justice that the public deserves. The vast majority of the selection exercises we run are launched on time and finish on time, with the delivery of recommendations to the Lord Chancellor. Where a change is required, for example because of a change in the role specification or number of vacancies, the new timescale is negotiated between the JAC and the relevant business partner.

The JAC is led by a Commission of 15, of which I am proud to be Chairman. The range of views and experience of the Commission is its strength, as is the enthusiasm, independence of mind and commitment of its individual members. In this plan the Commission has set out its purpose – to select the best for the delivery of justice. I think that captures what we do, and why we do it, extremely well.

To realise our purpose we must have the confidence of all our partners, and deploy our selection processes proportionately and efficiently. We must deliver our statutory duty to encourage diversity in the range of persons available for selection as well as play a part in the wider strategy for diversity in the judiciary. This combined corporate and business plan sets out our route for delivering all these outcomes.



Baroness Usha Prashar

JAC Chairman

## 2. Introduction by the Chief Executive

This combined plan sets out our aims over the next three years, and our more specific objectives for the next twelve months.

Our four strategic objectives remain the same, reflecting our common understanding of what we are here to achieve. In delivering those outcomes we contribute to the Ministry of Justice's goal of an effective and efficient justice system, with access to all. We will continue to work closely with all our partners in the legal profession and the judiciary.

Our financial position is familiar to businesses and organisations throughout the country; we must deliver more for less. We are seeing a higher level of applications, and expect this trend to continue. The three-year duration of this plan allows us to reflect the importance we attach to investment in Information Technology to make savings and to improve our services. Improved systems would allow us to process more quickly the increasing numbers of applications, to run selection exercises even more efficiently, and to engage more with prospective candidates via the internet. Importantly, on-line testing would help to protect applicant confidentiality, which we know has been an area of concern.

We intend to continue to attract and retain high calibre staff and this plan sets out a number of ways in which we will do this, including directly employing an increasing proportion of our workforce and responding to the views of the staff, expressed through our staff survey. The hard work, dedication and professionalism of our staff continue to be some of our greatest assets and will help us to achieve the aims set out in this plan.



Clare Pelham

Chief Executive

### **3. The context for our plan**

#### ***3.1. The Judicial Appointments Commission***

The Judicial Appointments Commission (JAC) is an executive Non-Departmental Public Body sponsored by the Ministry of Justice. Its relationship with the Ministry is defined both in legislation and in the Framework Document agreed following the establishment of the JAC. The relationship reflects a careful balance of responsibilities between the JAC and the Ministry in the judicial appointments process that was set out in the Constitutional Reform Act 2005 (CRA).

The JAC's remit under the CRA is to select candidates for judicial office on merit who are of good character. In doing this, the JAC must have regard to the need to encourage diversity in the range of people available for selection for appointments.

In accordance with the CRA, there are fifteen Commissioners, including the Chairman (see Appendix A). All are recruited and appointed through open competition with the exception of three judicial members who are selected by the Judges' Council. Membership of the Commission is drawn from the judiciary, the legal profession, tribunals, the magistracy and the public.

The Commissioners have corporate responsibility for ensuring that the JAC fulfils its role under the CRA in delivering the aims and objectives agreed with the Lord Chancellor, and for promoting the efficient and effective use of staff and other resources available to the JAC. The Commissioners form the Board of the JAC.

The judicial appointments for which the JAC makes selections are set out in Schedule 14 of the CRA.

#### ***3.2. The environment for our plan***

##### **3.2.1. Constrained Resources**

A theme of our development to date and for the future is to improve how we do things as a result of experience and feedback from candidates and other interested parties. The financial environment for the plan period is difficult and the resources available to the JAC will be limited. This brings an added emphasis to our plans for improvement and efficiency. Later years of the plan will be subject to increased funding pressures and the need to deliver good quality services in the most cost effective way will intensify.

##### **3.2.2. Our operating environment**

Our remit is set out in the CRA. This plan assumes that there are no changes to the list of judicial offices for which the JAC makes selections. The plan is also based on the assumption that no legislation will be implemented that has a significant financial or organisational impact. The JAC contributed to the pre-legislative scrutiny of the Draft Constitutional Renewal Bill in 2007/08, and will respond to other Government consultation, where invited to do so, within the required timescales.

It has become evident that the economic downturn is having an impact on our business – including by contributing to an increase in the volume of applications we

receive for some vacancies. Other contributory factors to the level of applications are the reduction of eligibility requirements in the Tribunals, Courts and Enforcement (TCE) Act 2007 and our Outreach Programme. Our assumption is that this higher level of applications will continue. We are keeping the number of applications closely under review and will make adjustments to our plans as necessary.

The plan also assumes that the JAC remains in its current location, Steel House, London.

In light of changing circumstances we will need to keep the plan under review and will make revisions as necessary to ensure we continue to deliver our statutory duties.

### **3.2.3. Working with partners**

Partnership working is essential to all we do. Our key partners include our sponsoring Ministry, the Ministry of Justice, Her Majesty's Courts Service, the Tribunals Service and the judiciary. The Chairman has regular meetings with the Lord Chancellor and the Lord Chief Justice, the Senior President of Tribunals and the Judicial Appointments and Conduct Ombudsman. We work very closely with the representative bodies of prospective candidates including the Law Society, the Institute of Legal Executives and the Bar Council. We also work closely with groups who represent under-represented candidates such as the Black Solicitors Network, the Society of Asian Lawyers, the Association of Women Solicitors, the Association of Women Barristers, and the Society of Lawyers with Disabilities. In addition we maintain contact with members of other professional bodies, other Government Departments and academia.

We work with partners in a number of ways from engagement on specific selection exercises to cross cutting matters such as diversity. We work with the Law Society, the Bar Council, the Institute of Legal Executives and others to organise joint events, co-ordinate activity, seek feedback and information - including through the JAC Diversity Forum and the JAC Advisory Group. See Appendix B for more detail on our partners.

## 4. The JAC purpose

The Judicial Appointments Commission's purpose is to select the best for the delivery of justice.

We have four strategic objectives:-

- To select high quality candidates based on the selection exercise programme agreed with our business partners  
Jane Andrews, Director Courts Appointments and Sarah Gane, Director Tribunals Appointments, lead on delivering this objective
- To develop further fair, open and effective selection processes, and to keep them under continuous review  
John Rodley, Director Operational Services, leads on delivering this objective
- To encourage a wider range of eligible candidates  
Nigel Reeder, Director Strategy and Outreach, leads on delivering this objective
- To ensure that the JAC is fully equipped to carry out its statutory objectives and achieve continuous improvement  
Sue Martin, Director Corporate Resources, leads on delivering this objective

And underpinning how we act and what we do are the JAC values:-

**Fairness** – we are objective in promoting equality of opportunity and we treat people with respect.

**Professionalism** – we are committed to achieving excellence by working in accordance with the highest possible standards.

**Clarity and Openness** – we communicate in a clear and direct way.

**Learning** – we strive for continuous improvement and welcome and encourage feedback.

**Sensitivity** – we are considerate and responsive in dealing with people.

## 5. Our objectives and success measures

The Judicial Appointments Commission has a strong sense of where it wishes to be in three years' time and what it needs to achieve in order to get there. Resources are likely to be very tight in this period and we will use these resources effectively. We will always work to maximise efficiency, both in terms of time and resources.

### ***Strategic Objective 1: To select high quality candidates based on the selection exercise programme agreed with our business partners***

Our core business is to select high quality candidates on merit and deliver selection exercises, on time and within budget, for Her Majesty's Court Service and the Tribunals Service<sup>1</sup>. Decisions on who to recommend to the Lord Chancellor are made by the Commission on all the information obtained during the selection process.

The JAC receives substantially more applications than there are posts available and therefore shortlists candidates for more detailed consideration at a selection day. The JAC has adopted qualifying tests as its preferred method for taking shortlisting decisions in the majority of exercises except those at Senior Circuit Judge level or above. We tailor our processes appropriately where a small number of appointments is envisaged and in other, limited, circumstances. The alternative method used is a sift based on candidates' application forms (which include a two page self assessment) and references.

The selection day is a key element of our selection process and comprises an interview, and for fee paid positions typically an interview and role-play(s). The selection panels are led by Panel Chairs, appointed through open recruitment by the JAC in 2007/08. We also have a cadre of independent panel members that were originally appointed by the former Department for Constitutional Affairs and whose contracts were extended and taken over by the JAC following its establishment. Selection panels also include a judicial member nominated by the judiciary. All selection panel members are fully trained before they embark on each selection exercise.

The JAC provides written explanations on request to candidates after selection days to help them understand why they had not been recommended for appointment.

### Our Present Position

Since the JAC came into being in 2006 it has made 1186 recommendations. During that time the Lord Chancellor has accepted these selections and asked the JAC to reconsider on just one occasion.

The average time to make selections from a pre-existing selection exercise (s.94) list<sup>2</sup> of suitable candidates for future appointment is 11 weeks for the 42 such requests (for 63 recommendations) received during 2008/09. This figure includes all s87 requests from existing s94 lists and selectable candidates from recent exercises.

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<sup>1</sup> The JAC also runs a small number of exercises for Tribunals that do not come within the Tribunals Service, such as the Competition Appeal Tribunal.

<sup>2</sup> Some selection exercises are run, at the request of Her Majesty's Court Service or the Tribunals Service, to create a list of successful candidates that are subsequently recommended for appointment as the need arises. These are referred to as s.94 lists, after the relevant section in the CRA.

Of the 24 selection exercises in 2008/09, 19 were completed to time, one was early and four were completed later than planned. A considerable amount of flexibility was applied to the programme during the year, particularly to accommodate the changing business needs of the Ministry of Justice, and an increase in applications. To improve the process for agreeing changes to the programme in year we are currently developing guidelines with Ministry of Justice, Her Majesty's Court Service and Tribunal Service. These guidelines will set out the format and timescales for such requests and the response from the JAC. Ministry of Justice are taking the lead in producing these guidelines and the aim is to have them in place as soon as possible.

We provide results of qualifying tests and written explanations following selection days to candidates as quickly as we can within available resources. We currently inform candidates that we will try to provide them with written explanations within four weeks of their request being received. From 2009/10 we will monitor more formally the timescales achieved for sending qualifying test results and written explanations to candidates.

### Aims for the next 3 years

During the plan period we will continue to provide training and development for Panel Chairs. This ensures that they remain fully up to date and contribute to the development of JAC policies and procedures and are attuned to best practice in equal and fair selection processes. We will also ensure, in partnership with Her Majesty's Court Service and Tribunal Service, there are sufficient judicial, as well as independent panel members, available and trained to meet the needs of the selection exercise programme agreed with the Ministry of Justice.

We will work with our partners in Her Majesty's Court Service, the Tribunals Service, the judiciary and other organisations with the aim of continuing to ensure a high degree of awareness generally of the JAC selection process, including the need to ensure equality and fair treatment.

Our selection exercise programme will benefit from the advent of the 'Rolling Programme', which is a four year rolling schedule of the main Her Majesty's Court Service and Tribunal Service exercises. We are working with our partners to have this developed in 2009 so that it is in place from April 2010 for the following three years. There are benefits to both the business and to candidates in implementing such a regime. On our part, and that of Her Majesty's Court Service and the Tribunals Service, we will all be able to plan on a better basis. From the candidates' perspective, they will be able to plan their own transition to a judicial career more appropriately. For example, a candidate may decide to defer their application until a later year, when they may be better equipped to succeed, knowing that there is likely to be a call for applications then too, rather than making an early application in case the exercise is not going to run again in the foreseeable future.

We have a statutory duty to select on merit and we welcome the Lord Chief Justice's public recognition of the quality of our selections as "consistently high"<sup>3</sup>. But that must be the beginning rather than the end of the process of assessment of effective selection, induction, training and deployment. Over the next three years we will discuss with key interested parties ways to measure the effectiveness of each of these stages, either in combination or separately as appropriate. Whatever mechanisms might be developed, we recognise these are sensitive areas and that the context is an independent judiciary responsible only to the Lord Chief Justice.

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<sup>3</sup>The Lord Chief Justice's Review of the Administration of Justice in the Courts, March 2008.

In 2009/10 we will:-

1. provide all candidates with results of their qualifying test within 30 working days of the last day of the test being held.
2. provide selection day candidates with a response within 20 working days of receiving their request for a written explanation of their performance.
3. assess cost effective options for development of panellists by end September 2009.
4. provide a written response to formal requests for change to the 2009/10 Selection Exercise Programme from partners within the guideline timescales.

And our **Key Performance Indicators** in 2009/10 are:-

- acceptance of JAC decisions by Lord Chancellor (95%).
- Timeliness of completion of selection exercises: where all necessary launch information (vacancy notice etc) provided by Ministry of Justice in line with required timetables, at least 90% of exercises in the annual Selection Exercise Programme will be completed by the date in the programme; no exercise will be completed later than 4 weeks after that date or impact on future years' programmes. Where the launch information is not provided to timetable or the size or scope of the exercise in the programme is changed, a separate completion date will be agreed.
- Working days to make selections (s94 and other ad hoc requests) planned at start of year (95% within an average of 40 working days, the remaining 5% within a total of 50 working days, from lists less than 1 year old; 100% within an average of 65 working days from lists more than 1 year old. All where a response to statutory consultation is made within 10 working days).
- Agree with the Ministry of Justice a basic working draft of the 2010/11 part of the rolling programme at the same time the Ministry of Justice signs off the 2009/10 programme (by end April 2009).
- Finalise with MoJ the 2010/11 programme and agree the 3 year rolling programme (by end December 2009, following communication of partner priorities and budget allocation).

## ***Strategic Objective 2: To further develop fair, open and effective selection processes, and to keep them under continuous review***

We maintain our programme of continuous improvement by monitoring our operations and by engaging with partners and with key interested parties. We also seek feedback from candidates.

JAC staff apply quality assurance measures in all selection exercises to ensure fairness, consistency and accuracy. We have strengthened this quality assurance by introducing 'Assigned Commissioners'. Under this arrangement, a Commissioner is assigned to each selection exercise from its start and reviews aspects of the process. At each checkpoint, the Director responsible for the exercise and the Assigned Commissioner review the progression of candidates, from one stage of the process to another, for any possible unfairness. They must be satisfied that the exercise is being run in accordance with the agreed policies and process, to a high standard and on time. Following each selection exercise, Commissioners meet to discuss lessons learned. We also conduct more formal reviews of our policies, including an annual review of our selection processes.

Diversity data is collected at each stage of the selection process to monitor the progression of key groups. If anomalies are apparent the exercise and its materials are examined more closely and corrective action is taken. If necessary an exercise can be stopped. At the end of the process diversity data is presented to a close down meeting and to Commissioners and is published, to ensure transparency.

Complaints are few and are investigated fairly and thoroughly, within set timescales. If a candidate is unsatisfied with our response to their complaint, they have the option to ask the Judicial Appointments and Conduct Ombudsman to consider their case. Whenever this occurs, we co-operate fully with the Ombudsman in their investigation. Where the complaints process reveals a need to change the selection process, arrangements are made to ensure that the agreed improvements are implemented.

### Our Present Position

Only 1.32% of eligible candidates have submitted a complaint to the JAC and just 0.29% of all eligible candidates have subsequently made a complaint to the Judicial Appointments and Conduct Ombudsman. In 2008/09, one complaint (which was made in 2007/08) was partially upheld by the Ombudsman. This equates to 1.05% of all complainants and just 0.01% of all eligible candidates. Under the complaints system in operation prior to the establishment of the JAC, 40% of complaints were upheld.

Since its inception the JAC has set itself a target to respond to all complaints within 20 working days or to other notified timescales. In 2008/2009 this target was met. Some complaints require more time to make a thorough investigation and next year we will endeavour to inform complainants within 10 days whether they will receive a response within 20 days or to an extended timetable. In each category we will aim to respond to 100% of complaints fully to the timescale set out in the letter.

We took part in a LEAN event in late 2008 with our partners to consider ways in which the end to end appointments process could be improved. The specific recommendation for the JAC was to consider where the assessment of character and medical checks would most effectively fit in the process. The Commission has agreed to character assessment being moved to later in the selection exercise

process and to the issuing of a medical check self-declaration form on behalf of the Ministry of Justice. The JAC will ensure that changes to the process and the start date for their implementation are discussed with key interested parties.

#### Aims for the next 3 years

We will continue to be an organisation that learns and develops. During the next three years we will maintain our programme of continued improvement in our processes, identifying and building on best practice.

Since its establishment, the JAC has published diversity statistics for its selection exercises in regular and appropriate tranches. They have now been designated by Ministry of Justice as official statistics under the provisions of the Statistics and Registration Services Act 2007. In order to remain compliant with the provisions of the Act we will, throughout the period of this plan, maintain and publish diversity statistics for our selection exercise in accordance with the Code of Practice on official statistics.

We will continue to make customer focus a priority. We will develop the means to obtain a deeper understanding of candidate experience of the selection processes.

#### In 2009/10 we will:-

1. agree with partners by the end of September 2009 the most appropriate means of assessing the candidate experience and implement according to an agreed timetable.
2. apply the Code of Practice for publication of diversity statistics to an agreed timescale.

#### And our **Key Performance Indicators** in 2009/10 are:-

- proportion of candidates' complaints upheld by Judicial Appointments and Conduct Ombudsman and internally by the JAC (no more than 10% of complaints referred to Judicial Appointments Conduct Ombudsman, and no more than 25% of complaints investigated internally by JAC, upheld).
- proportion of responses to candidates' complaints to the JAC made within 20 working days of receipt, or other notified timescales (100%).
- 2009/10 selection exercise programme to be published on JAC internet site by April 2009.
- selection process changes to character assessments and medical checks to be piloted in June 2009 and full roll out of successful process from October 2009.

### ***Strategic Objective 3: To encourage a wider range of eligible candidates***

In exercising its functions, the JAC has a statutory duty to have regard to the need to encourage diversity in the range of persons available for selection for appointments<sup>4</sup>. This duty, when combined with that of selecting candidates of good character solely on merit<sup>5</sup>, means that the JAC will continue to put equality and fair treatment at the heart of its selection process.

We will work with others wherever possible to move towards the aim of a more diverse judiciary. We will continue to operate the JAC Diversity Forum, where we engage with representatives of the Government, the judiciary and the legal professional and other bodies.

The JAC focuses its limited resources on attracting more candidates from under-represented groups (women, black minority ethnic (BME) candidates, disabled candidates and solicitors) to apply for judicial office. In association with the Law Society and the General Council of the Bar, we have commissioned research from the British Market Research Bureau to look at *Barriers to Application*. This research, which is due to report in the spring of 2009, will inform our further policy development, marketing and targeted outreach work.

#### Our present position

The JAC has embarked on a programme of targeted outreach. We work with organisations and individuals to encourage applications from the widest cross section of eligible candidates to both encourage applications and help bodies to support their members through the process. The JAC has recently worked with the Society of Asian Lawyers, Association of Women Barristers, Institute of Legal Executives, Black Solicitors Network and others to deliver over 20 targeted outreach events since July 2008.

We find it is very effective to attend events run by legal professional bodies and lawyers' associations. We are continuing to develop our means of collecting candidate feedback at events others run, and we seek the views of the bodies whose events we participate in. The comments we have received have been overwhelmingly positive.

Our analysis to date has shown that, in general terms, women apply and progress in line with the eligible pool (the pool of individuals eligible to apply for a given post). We have also found that BME candidates apply in greater numbers than the eligible pool with progress in line the eligible pool. Disabled candidates progress in line with their level of applications. Solicitors apply in lower numbers than the eligible pool and do not progress favourably when compared to other groups. Generally speaking members of under represented groups fare better in tribunals appointments and in less senior courts appointments than they do in the more senior courts appointments. The JAC is working hard with its partners to bring about greater diversity at all levels. We do this by working with the Ministry of Justice and the judiciary through the Trilateral Diversity Strategy, through the JAC Diversity Forum, and a range of other initiatives.

We also continue to equality proof our selection process. Equality proofing is a systematic process of appraising policies and how they are to be applied in terms of

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<sup>4</sup> s64(1) Constitutional Reform Act 2005.

<sup>5</sup> s63(2) Constitutional Reform Act 2005.

their impact on identified social groups. The JAC has an ongoing commitment to the promotion of equality and equality proofing plays an important role in ensuring that our policies and processes reflect that commitment. The JAC has a policy on reasonable adjustments to make the process as accessible as possible, for example, we usually allow additional time in a qualifying test for candidates with dyslexia. People who have confidence that our processes are fair are more likely to apply for appointment. This in turn supports our objective of encouraging a wider range of eligible applicants to apply.

The equality proofing of all of the JAC's selection exercises is carried out by external equality and diversity consultants, and diversity advisers at the Bar Council and Law Society, and is a key part of the JAC's overall quality assurance framework.

### Aims for the next 3 years

We will enhance our programme of targeted outreach throughout the life of the plan. The first step in achieving this has been the commissioning of an important part of external research to consider *Barriers to Application*. That research (which is due to be completed in spring 2009) will help us to identify why candidates (and in particular high quality candidates from under-represented groups) do or do not apply for judicial appointment. We will analyse the report and, throughout the life of the plan, introduce changes which we consider will enhance our programme of targeted outreach resulting in a higher proportion of applications from high quality candidates in under-represented groups.

From a broader perspective we continue to work in partnership with others. We will engage enthusiastically with developments aimed at increasing judicial diversity and bring our expertise to bear in discussion through, for example, the JAC Diversity Forum set up and led by the JAC Chairman, and the Trilateral Diversity Strategy agreed with our partners, the Lord Chief Justice and the Lord Chancellor. We will continue to look for every opportunity to engage with key interested parties to make progress in line with our diversity duty.

Since the preparation of this Business Plan, the Lord Chancellor has announced the creation of a Panel to identify the barriers to progress on judicial diversity and to make recommendations to him on how to make speedier and sustained progress to a more diverse judiciary at every level and in all courts in England and Wales.

The JAC believes it is important that the Lord Chancellor has established this panel. We will assist the panel in its work and look forward to considering with partners, any recommendations which we very much hope will help the judiciary to change faster.

Importantly, we need now to work with representatives of our target groups<sup>6</sup> to understand better what we can do to help them to support their members. This will include not only encouragement to apply, but also support as they progress through our selection exercises.

We will continue to ensure that our selection exercise material is subject not only to review by independent diversity experts, but also by equality staff of the Law Society and the Bar Council.

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<sup>6</sup> The JAC's target groups are Women, BME candidates, disabled candidates and solicitors.

In 2009/10 we will:-

1. aim to provide or to take part in 20 to 30 targeted outreach events.
2. achieve 90% satisfaction with our contribution to outreach events from organising bodies or attendees as appropriate.
3. receive and publish the results of *Barriers to Application* research project in spring 2009 and implement any resulting action plan to agreed timescale.
4. agree plans to provide support to candidates from target groups in relation to the selection process with their representative bodies by end September 2009, and then implement those plans to agreed timescales.
5. monitor the Diversity Forum action plan collectively every 6 weeks and the JAC Chairman will write to members annually in March summarising progress made by the Forum.

And our **Key Performance Indicators** are:-

- equality indicators reviewed at the 3 key checkpoints in selection exercises and appropriate action taken on results (100%).
- assessment material equality proofed before use by independent specialist, Law Society and Bar Council for all selection exercises (100%).
- percentage of exercises with a statistically significant number of applicants which receive applications that reflect eligible pool of candidates in respect of four groups of candidates under-represented in the judiciary (Women, BME candidates, disabled candidates, solicitors) (85% by 2012, or, if achieved sooner, a 5% annual increase).

***Strategic Objective 4: To ensure that the JAC is fully equipped to carry out its statutory objectives and achieve continuous improvement***

Our Commissioners and staff are crucial to our performance. We ensure that they are trained and supported, that we identify and meet recruitment needs and that staff are engaged with the organisation.

We have 15 Commissioners who provide leadership and are a vital component of the organisation's capability. They are appointed for four or five year terms so a number of Commissioners will reach the end of their current tenure during 2010 and 2011.

When the JAC was set up in 2006, our staff were seconded from Government Departments for varying terms. The terms and conditions for JAC employees, below director level, were agreed by the Lord Chancellor in November 2007 and the JAC has been able to employ its own staff directly since then. As well as illustrating our independence from government, increased numbers of JAC employees result in lower staff turnover and better continuity.

Salary charges for secondees, made by their employing department, also have the disadvantage of attracting VAT and the JAC seeks to reduce that liability.

The JAC needs effective services to provide the infrastructure and tools to run selection exercises. As a small Non-Departmental Public Body, the JAC is dependent on the Ministry of Justice for provision of a number of support services<sup>7</sup>. There are Memoranda of Understanding in place for these shared services which clarify for both parties what is required.

Our present position

During 2008/09 the number of staff employed directly by the JAC increased significantly, from 8 at April 2008 to 58 (55%) at March 2009.

Staff turnover has been 57% in 2008/09 for all staff. This overall high level was to be expected, with secondments and other short-term arrangements coming to their planned endings. Turnover for directly employed staff was 4%.

The JAC has reduced the number of staff seconded from 82 at April 2008 to 35 at March 2009.

We surveyed the opinions of our staff in December 2008/January 2009, including the new Cabinet Office core questions for Central Government. The 79% response rate was well above the national average of 69%. And, at around 50 per cent, the engagement index was pleasing. The engagement index is the comparison that will be made across public sector organisations as they undertake surveys in this form. It uses scores on what staff say about the organisation, how much they strive for it and whether they want to stay. National comparison is not yet available – as a comparator the overall Ministry of Justice index was 37 per cent.

We were particularly pleased with the strong favourable responses in the survey

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<sup>7</sup> The Ministry of Justice provides services in the following areas: Internal Audit; Human Resources; Finance – payments and financial information; Procurement; Facilities Management; Safety and Security; eDelivery – IT services and information security; Communications – intranet and internet support; and Legal Services.

indicating; belief in the JAC's purpose and objectives; satisfaction with internal communications; trust that managers will act on the results of the survey; and belief that the Commissioners have a clear vision for the future of the JAC. We aim to build on these positive aspects. There are areas that require more work. We take staff feedback very seriously and will continue to use our active Staff Forum and staff engagement strategy to address all points of concern.

JAC members of staff had an average of 10.95 days sickness in 2008/09.

During 2008/09 the JAC re-organised into 5 directorates. This enables the directorates consisting of selection exercise teams to focus on the delivery of a challenging selection exercise programme with a new, separate directorate providing operational services and developing selection processes.

Throughout 2008/09 the JAC has reviewed regularly the services provided under MoUs with the Ministry of Justice, seeking continually to improve the services provided. This has helped refine what the JAC requires of the Ministry of Justice and will inform agreements and provision for future years.

We give high priority to our corporate and statutory responsibilities for governance, health and safety and security. We have reached level 3 of the Risk Management Assessment Framework (which means that risk management is implemented in all key areas helping to deliver objectives), delivered our statutory accounts on time and managed spend to budget. We have had no significant health and safety incidents or breaches of security. We are on track to implement the Cabinet Office (Hannigan) measures to protect information as required. All of these standards, by their nature, require ongoing effort and are challenging to maintain.

### Aims for the next 3 years

We will:

- ensure that any new Commissioners receive the induction, training and assistance required to develop the skills and abilities they need to fulfil their roles.
- move to a position where 95% of staff are employed directly by the JAC by March 2012.
- build a flexible workforce where nearly all staff can help run a selection exercise, if necessary, no matter what their 'normal' role.
- embed programme and project management skills by suitable training in the operational directorates.
- maintain turnover of employed staff at a comparable rate to similar organisations.
- maintain the position where all staff know and comply with the policies on propriety, security and financial management.
- strive to contain absence due to sickness for JAC staff to the Civil Service average.

- use the annual staff survey to understand how well individuals are engaged with the JAC, and take action to make the JAC an employer of choice
- maximise the benefits of a new structure that allows the two 'selection' directorates to focus solely on running exercises.

The JAC aims to make efficiencies over the three-year period. We are absorbing a higher number of candidate applications within budget. We will review how we procure goods and services – in particular the substantial contracts we let for facilities to support selection exercises – planning ahead and maximising cost efficiencies. We will develop activity based costing so that those requesting selection exercises can better understand the cost implications.

The development of Information Technology (IT) systems will be a key strategic driver to enhance the effectiveness and efficiency of the appointment process. Improved IT is central to the future development of our work. In particular, on-line applications have the potential to enhance confidentiality for candidates, reduce costs and the volume of paper used. IT developments will also help inform, and communicate with, candidates and potential candidates more effectively. An enhanced website would allow candidates to register their interest and receive vacancy alerts. In three years' time, we hope to have a number of new or enhanced IT applications depending on capital funding being made available by Ministry of Justice.

In 2009/10 we will:-

1. increase the percentage of staff employed by the JAC by March 2010 to at least 75%.
2. scope efficiencies from IT enabled business change in light of the decision on capital funding.
3. contain JAC actual spend within agreed annual budget.
4. implement all accepted audit recommendations in accordance with agreed plan.
5. achieve Staff Survey results in line with agreed public sector benchmark.
6. retain an organisational Risk Management Assessment Framework score of 3.

And our **Key Performance Indicators** for 2009/10 are:-

- reduction in the unit cost per applicant as at end March 2010 (5% from unit cost of £1800 in 2008/09).
- average sickness per JAC member of staff (no more than 7.5 days per year).
- staff turnover (between 2 and 10% for directly employed, permanent staff).
- 2009 Staff Opinion Survey results published within 8 weeks of closing date for responses and action planning to commence within 10 weeks.

- deliver a plan to the Ministry of Justice by April 2009 to eliminate VAT liability after 2009/10 arising from secondments to the JAC, and implement according to plan.
- work with the Ministry of Justice to deliver activity based costing of JAC budgeted costs by April 2009.

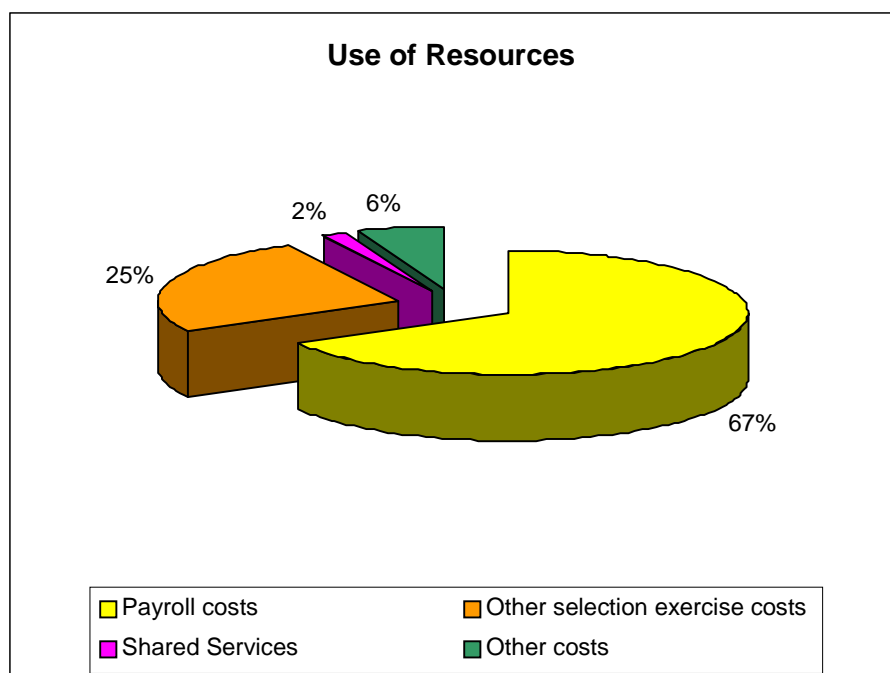
## 6. Resources to deliver our plan

### 6.1. Running Costs Budget

Our budget allocation for 2009/10 is £7.61m. The budget provided enables us to deliver the required programme of selection exercises for 2009/10 (see Appendix C). We plan to deliver 35 exercises, consisting of:

- 13 selection exercises carried over from 2008/09
- 10 selection exercises expected to start and finish in 2009/10
- 12 selection exercises expected to start in 2009/10 and finish in 2010/11

The chart below shows the types of costs met by our budget. 67% of our budget is spent on payroll costs, to administer selection exercises and other associated activities, and a further 25% on other selection exercise costs



Selection exercise costs reflect the individual, discrete costs of each exercise and other costs and shared services are the general running costs of our organisation. We will be analysing our expenditure further during 2009/10 and refining the categorisation and allocation of costs.

### 6.2. Capital Budget

At the time of writing decisions on the capital allocation for JAC for 09/10 and beyond had not been made by the Ministry of Justice.

### **6.3. Organisational Structure**

As at March 2009 the Leadership Team is:

Clare Pelham – Chief Executive  
Jane Andrews – Director of Courts Appointments  
Sarah Gane – Director of Tribunal Appointments  
John Rodley – Director of Operational Services  
Nigel Reeder – Director of Strategy and Outreach  
Sue Martin – Director of Corporate Resources

The five Directorates and their responsibilities are set out below:

- Courts Appointments Directorate is primarily responsible for the management of the selection exercises relating to appointments to courts, although it also undertakes some tribunal selection exercises.
- Tribunal Appointments Directorate is responsible for the management of selection exercises relating to the appointment of tribunal members, although it may also undertake some courts selection exercises.
- Operational Services Directorate provides support to the Selection Exercise Programme through operational services, such as making interview arrangements, and functions such as overall selection exercise programme management and developing selection processes.
- Strategy and Outreach Directorate has responsibilities for outreach to candidates for judicial appointments, research and selection policy, including selection of panellists and putting equality and fair treatment at the heart of the JAC and its selection policies.
- Corporate Resources Directorate has responsibility for business support services for the JAC. This includes corporate planning and reporting, finance, human resources and business services.

The Organisation Chart as of March 2009 is shown at Appendix D.

## **7. Governance**

### ***7.1. Governance structure***

The JAC is committed to the highest standards of corporate governance. We believe that effective governance is key to effective performance to make the most of the opportunities that become available in the changing world in which we operate. We therefore define governance as 'driving the organisation forward while keeping it under prudent control'. Our level of achievement in this area has been confirmed by Ministry of Justice Internal Audit, which has given our risk and assurance processes their highest audit rating and recommended our approach to others. We will continue to build upon these significant achievements during 2009/10.

The Commission directs the organisation and supervises the Leadership team. The Audit and Risk Committee (A&RC) steers our governance compliance (details of this Committee, and other Committees and Working Groups are at Appendix E). Its terms of reference are agreed by the Commission, which receives reports after each meeting from the Committee Chairman. The A&RC has an annual programme of agenda items for consideration and follows HM Treasury's Audit Committee Handbook (with proposals to recruit an independent member to be developed during 2009/10). Other Commissioner committees guide specific aspects of the organisation.

The Chief Executive is designated by Parliament, via the Ministry of Justice's Accounting Officer, as Accounting Officer for the JAC. She is held accountable for the good governance of the organisation through the Statement on Internal Control (which is also signed by the Chairman), and a Personal Statement of Assurance to the Ministry of Justice's Accounting Officer.

### ***7.2. Internal Control***

The JAC has a number of important policies and guides which are reviewed regularly to ensure they reflect our changing business. They are: Fraud (including a Fraud Response Plan), Whistleblowing, Selection Exercise Process Manual (incorporating equality and diversity), Financial Management Guide, Human Resources policies on recruitment, attendance management, pay etc, Security, Health and Safety, Information Technology usage including use of intranet, Incident Control, Business Continuity, JAC Branding Guide, Records Management and Communications.

We follow the governance arrangements set out in our Framework Document and are mindful of all other government guidance on corporate governance.

The Ministry of Justice Accounting Officer delegates financial and budgetary authority to the JAC Chief Executive each year; this is sub-delegated to Directors and, in some cases, to Deputy and Assistant Directors. Letters of delegation clearly set out Director responsibilities and assurance reports confirm that these have been carried out.

### ***7.3. Risk management***

The JAC follows HM Treasury and Ministry of Justice risk guidance and reached level 3 of HM Treasury's Risk Management Assessment Framework (RMAF) at 31

March 2008. During 2009/10 we will again undertake an assessment against the RMAF to ensure we consolidate our level 3 achievement. The Risk Identification Manager will continue to report monthly to the Leadership team on progress to embed risk management in the JAC.

Risk registers are maintained and regularly reviewed at corporate, directorate and team level, and for most selection exercises (all selection exercises will have their own register in 2009/10). Training in the principles of risk management is provided for all staff and Commissioners, and will continue throughout 2009/10.

#### **7.4. Assurance**

Assurance on the achievement of the JAC's objectives and management of risk is provided through the monitoring of progress, and compliance checks, including by the following means:

- Regular reviews of performance, risk (using the corporate risk register) and budget by the Leadership team;
- Quarterly reviews of the same by the Commission and the Audit and Risk Committee;
- Reports to and reviews by the Ministry of Justice sponsorship team in accordance with the Framework Document;
- A delegation and assurance process, which operates at three stages during the year (start, mid-year and end-year), to ensure that Directors and their staff adhere to high standards of accountability and which supports the Statement on Internal Control;
- Regular meetings with business partners: Her Majesty's Court Service, Tribunals Service, Ministry of Justice and the judiciary;
- Quality assurance of selection exercises, for example by the Quality Assurance Working Group and by the Assigned Commissioner
- Candidate feedback;
- Internal and external audit reviews; and
- External scrutiny and examination of JAC performance by Parliament.

#### **7.5. Audit**

The JAC uses Ministry of Justice's Internal Audit service under a Memorandum of Understanding. The external audit service is provided by the National Audit Office. Both organisations attend A&RC meetings.

#### **7.6. Managing conflicts of interest**

Maintaining independence and demonstrating we are doing just that, is central to our ethos. There are times when a conflict of interest may arise and we have policies in place to deal with such circumstances.

When selecting candidates, Commissioners are sent papers for selection meetings and asked to complete a declaration. This declaration requires Commissioners to declare all relationships with any of the candidates and explain the effect this may have on their judgement. The Chairman will review the declarations and decide whether there are any material conflicts.

JAC panellists are required to inform the Director responsible for the exercise of any knowledge of any candidate and the Director will decide whether the panellist should interview the candidate or be replaced.

Staff are required to reveal any candidate knowledge to their line manager who will take a view on the level of conflict and how it should be handled, discussing with their Director if necessary. The priority at all times is to ensure that the integrity of the selection process is maintained.

In relation to the JAC letting business contracts, all Commissioners and senior staff have to notify the JAC of any other organisation they have an interest in, whether as a director, shareholder, family link, or on a voluntary basis. These details are recorded in the register of interests that is referred to before procurement exercises are carried out. In this way any conflicts of interest in relation to organisations that JAC may potentially do business with are identified early on and mitigating actions are then taken. The JAC also adheres to the Treasury's rules on gifts and hospitality.

In all these ways the impartiality and independence of the JAC is maintained.

## 8. How our strategy fits together

<b>Our Purpose</b>	<b>To select the best for the delivery of justice</b>			
<b>Our Strategic Objectives</b>	To select candidates on merit based on the selection exercise programme agreed with our Business Partners	To develop further fair, open and effective selection processes and to keep them under continuous review	To encourage a wider range of eligible applicants	To ensure that the JAC is fully equipped to carry out its statutory objectives and achieve continuous improvement
<b>Our Outcomes</b>	High quality selections, of good character, recommended to the Lord Chancellor for appointment to the timescales required by Her Majesty's Court Service and Tribunals Service	Selection processes that ensure candidates are recommended on merit, and merit alone. Modern processes that are efficient and can be deployed appropriately as the size and nature of the exercise dictates. The confidence of our key interested parties, including those that represent our 'target' groups, that our processes are fair and efficient. A complaints process that gives candidates a quick and fair outcome, should we have made a mistake	A clear message, delivered widely, and particularly to our target groups, about the benefits of a judicial career, enabling potential candidates to make the right decision about whether to apply. For the majority of our exercises a field of applicants that reflects the diversity of those that are eligible to apply.	A fully engaged and trained workforce, employed directly by JAC, that can be deployed flexibly. Efficient processes and ways of working. Given capital investment, a more modern IT system that supports the JAC in achieving its objectives. An organisational culture that encourages and recognises innovative thinking and good performance.
<b>Our Indicators</b>	Acceptance of JAC selections by Lord Chancellor Timely delivery of Selection Exercises Timely selections from s.94 and other lists Timely agreement of 2010/11 Selection Exercise programme Timely agreement of 3 year Rolling Programme	No more than 10% of candidates complaints to JACO, and no more than 25% to JAC, upheld All responses to complaints to JAC made within 20 working days or other notified timescales Publication of 09/10 Programme on the JAC web site Timely implementation of selection processes changes to character assessments and medical checks	Equality Indicators reviewed at the 3 key checkpoints for all selection exercises Assessment material equality proofed before use by independent specialist for all selection exercises Percentage of exercises receiving applications from under-represented groups that reflect eligible pool of candidates in those groups	Reduction in unit cost per applicant Average sickness of staff Staff turnover Prompt publication of staff opinion survey results and timely action planning Delivery of plan eliminating VAT liability Delivery of Activity Based Costing of budgeted costs
<b>Our Contribution</b>	<p><b><i>By "Selecting the best - for the Delivery of Justice" we contribute to the Ministry of Justice's Departmental Strategic Objectives -</i></b></p> <p><b><i>DSO (1) – The independence of our selections helps strengthen democracy</i></b></p> <p><b><i>DSO (3) – Providing high quality, timely selections for judicial roles helps protect the public and reduce reoffending</i></b></p> <p><b><i>DSO (4) – Providing high quality, timely selections for judicial roles helps provide an effective criminal justice system and one that inspires confidence in local communities</i></b></p>			

## The JAC Commissioners

### **Baroness Prashar CBE, Chairman**

Usha Prashar was born in Kenya in 1948 and educated at Wakefield Girls' High School and the Universities of Leeds and Glasgow. She was awarded the CBE in 1994, and since 1999 has sat in the House of Lords as a cross-bencher. Formerly she was Director of the Runnymede Trust, and served as a member of the Royal Commission on Criminal Justice. The Baroness has a distinguished record of public service, having been the First Civil Service Commissioner between 2000 and 2005 and Executive Chairman of the Parole Board for England and Wales from 1997 to 2000.

### **Lady Justice Hallett DBE (judicial), Vice-Chairman**

Heather Hallett has been a Commissioner since the JAC started and was appointed Vice-Chairman in October 2007. She was called to the Bar at Inner Temple in 1972 and began sitting as a part-time judge in 1985. She was Chairman of the General Council of the Bar in 1998, and has been a High Court Judge and Presiding Judge on the Western Circuit. In 2005 she was appointed to the Court of Appeal.

### **Mrs Justice Black DBE (judicial)**

Jill Black became a Commissioner in October 2008. She was educated at Penrhos College, Colwyn Bay and the University of Durham. She was called to the Bar at Inner Temple in 1976 and appointed a QC in 1994. In 1999 she was appointed a Recorder, and later that year a Justice of the High Court, assigned to the Family Division. She served as Family Division Liaison Judge for the Northern Circuit from 2000 to 2004. Jill Black was Chairman of the Family Committee of the Judicial Studies Board from 2004 until she joined the JAC in 2008.

### **Dame Lorna Boreland-Kelly DBE JP FRSA (lay justice)**

Lorna Boreland-Kelly is a presiding magistrate at the City of Westminster Magistrates' Court, where she has been a magistrate since 1991. She is employed by the London Borough of Croydon as Manager of Mayday and Permanency Planning Services (Children, Young People and Learners) and is based at Mayday Healthcare NHS Trust. She is also the Chair of Governors at Lambeth College.

### **Professor Dame Hazel Genn DBE (lay)**

Hazel Genn is a Dean of the Faculty of Laws at University College London. She is a former member of the Committee on Standards in Public Life.

### **Sir Geoffrey Inkin OBE (lay)**

Geoffrey Inkin was Chairman of the Cardiff Bay Development Corporation from 1987 until 2000 and Chairman of the Land Authority for Wales from 1986 until 1998. He is a former member of Gwent County Council and Gwent Police Authority, and commanded The Royal Welsh Fusiliers from 1972 to 1974.

**Judge Frances Kirkham (judicial)**

Frances Kirkham started her career as a solicitor. She became a Senior Circuit Judge in October 2000 and is the designated Technology and Construction Court Judge in Birmingham. She founded the West Midlands Association of Women Solicitors and is a founder member of the United Kingdom Association of Women Judges.

**Mr Edward Nally (professional - solicitor)**

Edward Nally is a partner in Fieldings Porter Solicitors of Bolton and was President of the Law Society of England and Wales between 2004 and 2005. He is Governor of the College of Law and was Chair of Governors at Pendleton Sixth Form College, Salford between 2000 and 2007.

**Ms Sara Nathan OBE (lay)**

Sara Nathan is a journalist. She has held several public appointments and is currently Chair of the Animal Procedures Committee and an editorial adviser to the BBC Trust. Previously she was editor of the morning programme on the BBC's Radio 5 Live and is a former editor of Channel 4 News.

**District Judge Charles Newman (judicial)**

Charles Newman was admitted as a solicitor in 1972 and appointed Registrar of the County Court in 1987. He has served as Chair of the District Judges IT Working Group. He is currently a member of the Judicial Advisory Group for IT and Chairman of the Northern Circuit Association of District Judges.

**Judge David Pearl (tribunal)**

David Pearl was called to the Bar in 1968 and lectured in law at Cambridge and the University of East Anglia. He has been the Chief Adjudicator, Immigration Appeals, the President of the Immigration Appeal Tribunal and the President of the Care Standards Tribunal. He is now Principal Judge, Care Standards and sits both in the Upper Tribunal and as a Deputy High Court Judge.

**Mr Francis Plowden (lay)**

Francis Plowden is Chairman of the Greenwich Foundation for the Old Royal Naval College and also works as an independent adviser on public policy and management. He was Chairman of the National Council for Palliative Care until 2008, and formerly a partner at PriceWaterhouseCoopers, where he was responsible for work for governments worldwide.

**Ms Harriet Spicer (lay)**

Harriet Spicer co-runs Working Edge coaching and mentoring groups, is a governor of the London School of Economics, was a member and Chair of the National Lottery Commission and Chair of the Friendly Almshouses, Brixton. She was a founder member and Chief Executive of Virago Press.

**Mr Jonathan Sumption OBE QC (professional - barrister)**

Jonathan Sumption is a barrister and joint head of Brick Court Chambers. He is a Judge of the Courts of Appeal of Jersey and Guernsey and a Deputy High Court Judge. He is also a governor of the Royal Academy of Music.

**Lord Justice Toulson (judicial)**

Roger Toulson has been a Commissioner since October 2007. In January 2007 he was appointed a Lord Justice of Appeal. He was Chairman of the Law Commission from 2002 to 2006.

### Working with partners

The JAC adopts a partnership approach throughout its work. This section sets out some of our main partners.

#### **Ministry of Justice**

The Ministry of Justice was created in May 2007. It is one of the largest government departments, with around 95,000 people across the United Kingdom (including probation services). The Ministry of Justice brings responsibility for the entire justice system together for the first time - from the courts and prisons to probation services. It is responsible for the overall running of the courts in England and Wales.

The Lord Chancellor has the final decision on which candidates are to be appointed to judicial office, though his powers are limited to asking the JAC to reconsider a recommendation (this has happened once since April 2006, when the JAC commenced).

The Lord Chancellor is committed to ensuring a judiciary of the highest calibre, with candidates drawn from the widest possible range of available talent. In partnership with the JAC and the judiciary, the aim is to increase public confidence in the justice system through a judiciary that better reflects and has a greater understanding of the society it serves.

#### **Her Majesty's Court Service and The Tribunals Service**

Her Majesty's Court Service and The Tribunals Service are executive agencies of the Ministry of Justice. They are JAC's main customers: they are the organisations on whose behalf we recommend candidates to the Lord Chancellor. Her Majesty's Court Service provides administration and support for the Court of Appeal, the High Court, the Crown Court, the magistrates' courts, the county courts and the Probate Service. The Tribunals Service provides common administrative support to 27 central government tribunals and organisations.

#### **The Judiciary**

Under the Constitutional Reform Act 2005 (CRA), the Lord Chief Justice became head of the judiciary in England and Wales and is responsible for around 40,000 judicial office-holders.

The Lord Chief Justice represents the views of the judiciary, maintains appropriate arrangements for their welfare, training and guidance and oversees arrangements for the deployment of judges.

#### **Judicial Studies Board**

The Judicial Studies Board is directly responsible for training salaried and fee paid judges in England and Wales, and for overseeing the training of magistrates and chairmen and members of tribunals.

## **The Judicial Appointments and Conduct Ombudsman**

The Judicial Appointments and Conduct Ombudsman investigates complaints about the judicial appointment process and the handling of matters involving judicial discipline or conduct. The Ombudsman's office assumed its responsibilities on 3 April 2006. It is completely independent of the Government and the judiciary.

## **Office for Judicial Complaints**

The Office for Judicial Complaints supports the Lord Chancellor and the Lord Chief Justice in their joint responsibility for the system of judicial complaints and discipline. It seeks to ensure that all judicial disciplinary issues are dealt with consistently, fairly and efficiently.

## **The Legal Professional Bodies**

We work closely with The Law Society, the Bar Council, Institute of Legal Executives (ILEX), Chartered Institute of Patent Attorneys and Institute of Trade Mark Attorneys. We are working with these organisations to encourage their members to consider a judicial career, and also on ways of widening the pool of eligible candidates that we can select from.

In 2008/09 representatives from ILEX, the Law Society and Bar Council attended the Commission's annual strategic event.

There are of course many non-legal judicial office holders and we work closely with many other professional bodies and associations.

## **The Judicial Appointments Board for Scotland and The Northern Ireland Judicial Appointments Commission**

We also maintain effective contacts with our corresponding bodies in Scotland and Northern Ireland. In 2007/08 representatives from both bodies attended the Commission's annual strategic event.

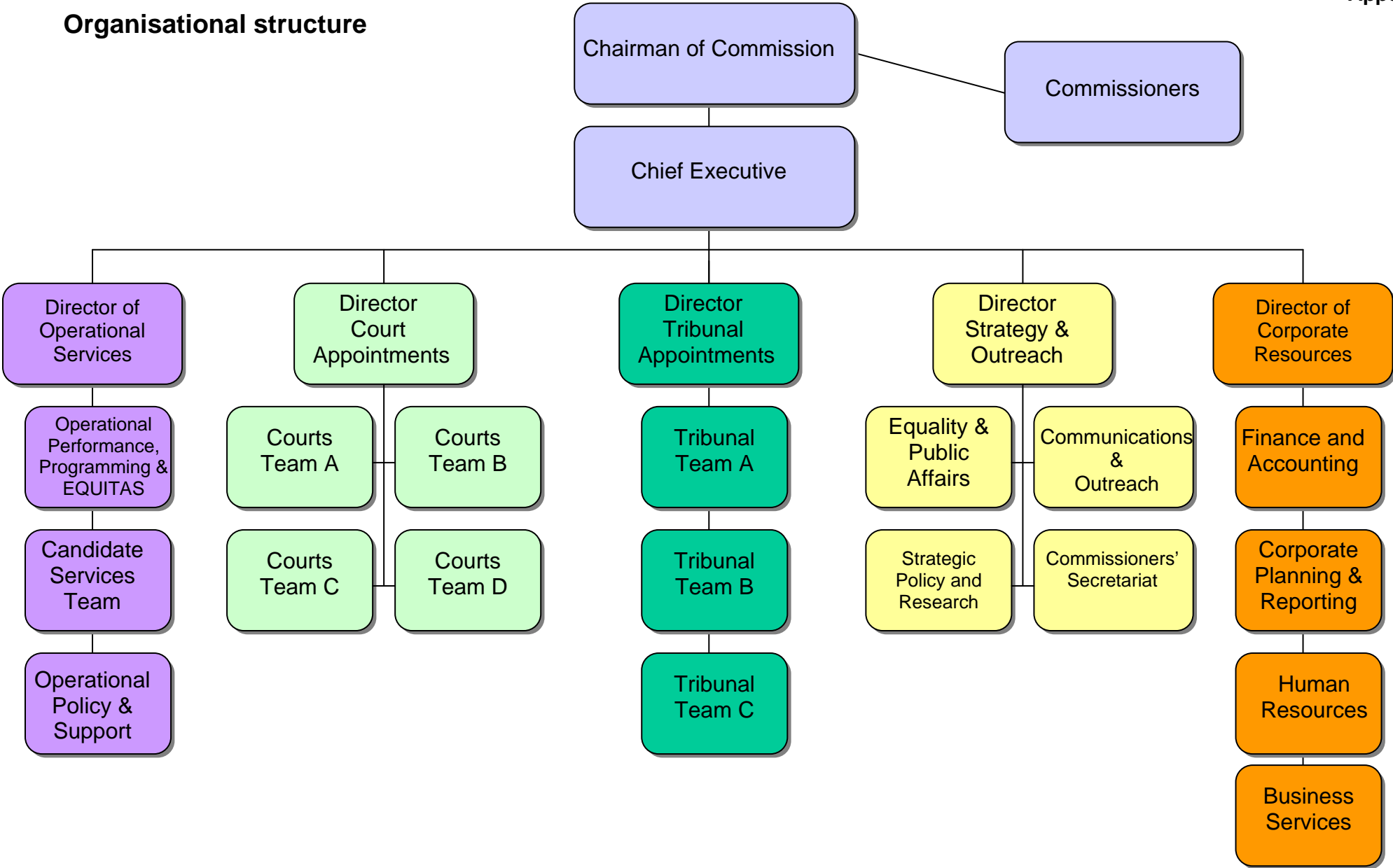
## Selection Exercise Programme 2009/10

In progress on 1 April 2009	Completed in 2009/2010	In progress on 31 March 2010
Copyright Tribunal Deputy Chairman	Copyright Tribunal Deputy Chairman	
District Judge 2008/09	District Judge (Civil) 2008/09	
Recorder (South-Eastern Circuit) 2009	Recorder (South-Eastern Circuit) 2009	
Senior Circuit Judge (Resident Judge) Western Circuit	Senior Circuit Judge (Resident Judge) Western Circuit	
Senior Circuit Judge (Resident Judge) Birmingham	Senior Circuit Judge (Resident Judge) Birmingham	
First-tier Tribunal Social Entitlement Chamber Salaried Judge	First-tier Tribunal Social Entitlement Chamber Salaried Judge	
First-tier Tribunal Social Entitlement Chamber Tribunal Member (Disability)	First-tier Tribunal Social Entitlement Chamber Tribunal Member (Disability)	
First-tier Tribunal War Pensions and Armed Forces Compensation Chamber and Upper Tribunal Lands Chamber (Chamber President)	First-tier Tribunal War Pensions and Armed Forces Compensation Chamber and Upper Tribunal Lands Chamber (Chamber President)	
Fee Paid Employment Judge, Employment Tribunal	Fee Paid Employment Judge, Employment Tribunal	
Salaried Employment Judge, Employment Tribunal	Salaried Employment Judge, Employment Tribunal	
Salaried Regional Employment Judge, Employment Tribunal	Salaried Regional Employment Judge, Employment Tribunal	
First-tier Tribunal Health, Education and Social Care Deputy Chamber President	First-tier Tribunal Health, Education and Social Care Deputy Chamber President	
Fee Paid Vice-President of the Valuation Tribunal	Fee Paid Vice-President of the Valuation Tribunal	
	Agricultural Land (Eng) – Drainage Member	

In progress on 1 April 2009	Completed in 2009/2010	In progress on 31 March 2010
	Agricultural Land (Eng) – Landowner Member	
	Agricultural Land (Eng) – Farmer Member	
	Agricultural Land (Wales) – Drainage Member	
	Agricultural Land Tribunals (Wales) – Farmer Member	
	Agricultural Land Tribunals (Wales) – Landowner Member	
	Competition Appeals Tribunal – Fee Paid Chairman	
	Masters of the High Court	
	First-tier Tribunal Social Entitlement Chamber Fee Paid Member (Specialist Medical Member)	
	First-tier Social Entitlement Chamber Fee Paid Member (Non-Specialist Medical Member)	
		Asylum and Immigration Tribunal - Salaried Immigration Judge
		Asylum and Immigration Tribunal – Fee Paid Immigration Judge
		First-tier Health Education and Social Care Chamber Salaried Judge
		First Tier Health Education and Social Care Chamber Fee Paid Member (Medical)
		Salaried Employment Judge, Employment Tribunal
		Fee Paid Employment Judge, Employment Tribunal
		High Court

In progress on 1 April 2009	Completed in 2009/2010	In progress on 31 March 2010
		Recorder Chancery and Queens Bench Division
		Cost Judge
		Deputy District Judge
		Police Appeals Tribunal – Fee Paid Chairman
		First-tier Tribunal General Regulatory, Tax and Asylum and Immigration Chambers (Chamber President)

# Organisational structure



Group	Chair	Responsibilities
Selection and Character Committee	Baroness Prashar	<ul style="list-style-type: none"> <li>• Identifying candidates suitable for recommendation for appointment to all judicial offices.</li> <li>• Determine issues of good character and eligibility relating to applicants for appointment.</li> <li>• Selection and Character Committee members will follow JAC procedures in declaring relationship/connection with a candidate and identifying any possible conflicts of interest for them in making a selection, character or eligibility decision.</li> </ul>
Audit and Risk Committee	Francis Plowden	<ul style="list-style-type: none"> <li>• Strategic process for risk, control, governance and the Statement of Internal Control.</li> <li>• Accounting policies, accounts and annual report of the JAC, including the process to review the accounts prior to submission for audit, levels of errors identified and management's letter of representation of the National Audit Office.</li> <li>• Planned activity and results of internal and external audits.</li> <li>• Adequacy of management's response to issues identified by audit activity, including National Audit Office's management letter.</li> <li>• Assurances relating to corporate governance and risk management requirements for the JAC.</li> <li>• Recommendations regarding risk and governance issues.</li> <li>• Anti-fraud and whistleblowing policies and processes.</li> </ul>
High Court and Senior Appointments Working Group	Heather Hallett	<ul style="list-style-type: none"> <li>• To develop the process for High Court Appointments and proposals for consideration by panels.</li> <li>• As with all working groups of the Commission, the Working Group will report regularly to the full Board on its work, and put forward proposals for agreement by the Board.</li> </ul>
Quality Assurance Working Group	Hazel Genn	<ul style="list-style-type: none"> <li>• Analyse outcomes of selection exercises and review effectiveness of JAC processes and consider policy proposals for improvements.</li> <li>• One meeting every quarter will focus on policy issues linked to quality assurance.</li> </ul>

Group	Chair	Responsibilities
Outreach Working Group	Frances Kirkham & Sara Nathan	<ul style="list-style-type: none"> <li>• Working group has delegated authority from the Board to make decisions on communications and diversity issues to implement strategies that have been agreed by the Commission.</li> <li>• Develop an integrated strategy to widen the range of candidates from which appointments can be made.</li> <li>• Develop and maintain JAC's targeted outreach programme and develop proposals for outreach activities.</li> <li>• Prepare and publish diversity statistics for each selection exercise result within 2 months of close down meetings.</li> <li>• Use diversity statistics to inform the continued development of outreach activity and help measure the success of current initiatives.</li> <li>• Monitor changes in equality legislation on the work of the Outreach Working Group and JAC policies and/or procedures.</li> </ul>
Research Sub Group (of the Outreach Working Group) <sup>8</sup>	Hazel Genn	<ul style="list-style-type: none"> <li>• To consider and guide the JAC research programme.</li> <li>• To provide oversight of individual research streams and ensure that the research programme as a whole is meeting the needs of the JAC.</li> <li>• To provide research based programmes for improving policy and practice through greater understanding of the JAC's target groups</li> <li>• To report on its work to the Outreach Working Group</li> </ul>
JAC Advisory Group <sup>9</sup>	Hazel Genn	<ul style="list-style-type: none"> <li>• Oversee the commissioning and development of shortlisting tests and role play materials for selection exercises.</li> <li>• Quality assure and approve such material before it is used.</li> <li>• Consider and advise on any other practical or policy issues affecting the JAC programme of exercises, as determined by Group Chairman.</li> </ul>

<sup>8</sup> Membership includes representatives of the Law Society, Bar Council, Judicial Office, HMCS and Tribunal Service.

<sup>9</sup> Membership includes representatives of the Law Society, Bar Council, ILEX and the judiciary.

Group	Chair	Responsibilities
Diversity Forum <sup>10</sup>	Baroness Prashar	<ul style="list-style-type: none"> <li data-bbox="978 293 2047 383">• To provide a forum for Key Interested Parties to make a concerted effort to improve diversity within the judiciary and legal profession and to achieve this by co-ordinating existing activity and identifying new opportunities for action.</li> </ul>

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<sup>10</sup> Membership includes representatives of the Law Society, Bar Council, ILEX, Attorney General's Office, HMCS, Tribunal Service, MoJ and the judiciary.

## Performance summary 2008/09

### **The JAC has selected high quality candidates for the programme of selection exercises and other selections required:**

- 99.8% of recommendations accepted by the Lord Chancellor.
- Positive feedback from the Lord Chief Justice.
- Very low (and below target) level of complaints made to the JAC (1.32%) and the Judicial Appointments and Conduct Ombudsman (0.32%).
- Exercises delivered at a time of increased numbers of applications. This has only been possible because of the efficiencies have been made, such as outsourcing qualifying test administration and establishing a flexible candidate data inputting team.
- Selection Exercise Programme for 2009/10 draft produced earlier than in previous years, although still subject to change. 2009/10 programme has taken priority over Rolling Programme, although good progress has been made on that.
- The majority of exercises delivered to time.
- s.94 responses took longer than expected overall, mainly due to the need to update information on candidates on the DJ Civil s.94 list.

### **Our processes continue to develop and are fair and robust:**

- Took part in a successful LEAN event and now introducing changes in our processes to improve efficiency.
- All materials used in selection exercises equality proofed.
- Selection processes withstood legal challenge (JAC successfully defended two court cases regarding its selection procedures).
- Some delays in closedown meetings and lesson learned reports, due to priority of running selection exercises.

### **We have continued to encourage a wider range of applicants:**

- Over 2000 attendees at outreach events and high level of attendee satisfaction (94%).
- Applications in line with eligible pool for most exercises.

### **The JAC has made good corporate progress:**

- JAC's own staff opinion survey was launched in December; the response rate was 79% and results indicated a good level of staff engagement.
- Returning secondees all placed, high level of recruitment and induction.
- Staff sickness slightly exceeded target, but reduced from previous year.
- Ongoing issues with some shared services, although some improvements.
- Spend contained to budget.
- Built on corporate governance procedures, improved risk management, handled data security and received a high assurance rating from Ministry of Justice's Internal Audit.

### **On a strategic level we:**

- Are pleased that the Lord Chancellor has established an Advisory Panel on Judicial Diversity and look forward to playing a full part as it develops proposals.
- Have contributed to the debate on constitutional renewal by providing both written and oral evidence to the Joint Committee on the Draft Constitutional Renewal Bill.
- Have informed the development of advice to the Government on senior salaries by providing both written and oral evidence to the Senior Salaries Review Board.

Judicial Appointments Commission  
Steel House  
London  
SW1H 9LH

[www.judicialappointments.gov.uk](http://www.judicialappointments.gov.uk)