



Judicial Appointments Board
for Scotland

BOARD MEETING

MINUTES OF THE MEETING HELD ON MONDAY 18TH DECEMBER 2017 AT 10:00 AM FIRST FLOOR, THISTLE HOUSE, 91 HAYMARKET TERRACE, EDINBURGH

- Present: Mrs Nicola Gordon, Chairing Member
Dr Michael Ewart
Mrs Alison Mitchell
Mrs Deirdre Fulton
Professor Stephen Tierney
Ms Neelam Bakshi
The Hon Lady Wise
Mr Alistair Morris
Mr James McNeill QC
- In attendance: Miss Ashleigh Meikle, Board Secretary and Court
Appointments Manager
Mr John Wallace, Tribunal Appointments and
Governance Manager
Miss Rachel Craig, Appointments Team Leader
Miss Katy Mitchell, Appointments Administrator
- Apologies: Sheriff Principal Pyle
Sheriff O'Grady QC
The Hon Lord Minginish

1 Welcome and apologies

1.1 The Chairing Member welcomed the Board Members to the meeting. Apologies were received from Sheriff Principal Pyle, Sheriff O'Grady and Lord Minginish.

1.2 The Chairing Member welcomed Miss Mitchell to her first meeting since joining the Board's Secretariat on the 11th December 2017 as Administrator.

2 Minutes of the Board Meeting held on 20th November 2017

2.1 It was noted that there were amendments to be made to the November Board Minutes. Subject to these changes being made, the minutes were approved.

Action: November Board meeting minutes to be amended as discussed.

Action: Secretariat to update Board Meeting minutes on the website by the end of February 2018.

3 Matters arising from the minutes

3.1 There were no matters arising from the minutes.

4 Chairing Member Updates

4.1 The Chairing Member provided the Board with the following updates:

- A new Chief Executive, Mrs Erica Clarkson, has been recruited through fair and open competition. Mrs Clarkson will take up post on 8th January 2018.
- Thanks were given to the Secretariat for their hard work during a busy period with a smaller team.
- The Chairing Member met with the Lord President. The Lord President will attend a Board Meeting in the New Year.
- The Chairing Member met with Shona Simon, President of Employment Tribunals.
- The Chairing Member has been appointed to the Scottish Environment Protection Agency (SEPA) Board from 1st January 2018.

For Discussion

5 First-tier Tribunal for Scotland Health and Education Chamber: Board Decision Meeting (JABS 2017 48)

5.1 The Board considered the selection panels' reports with regard to the selection for recommendation of suitable applicants for the office of Legal and Ordinary Members of the First-tier Tribunal for Scotland Health and Education Chamber. The Board agreed the nine applicants (four Legal, five Ordinary) to be recommended to the Scottish Ministers.

5.2 As per Board policy Dr Ewart was not present for the selection of suitable candidates for recommendation as he had disclosed a conflict of interest. It was also noted that Dr Ewart has not taken part in any Board discussion as related to the First-tier Tribunal for Scotland Health and Education Chamber throughout the exercise.

5.3 It was noted that there were some amendments to be made to the interview outcome letters.

Action point: Secretariat to update the outcome letters and inform applicants of the outcome. Once Disclosure checks have been completed, the Secretariat should forward the recommendations to the Scottish Government.

6 Selection Round Programming (JABS 2017 49)

6.1 A possible timescale for delivering a Summary Sheriff competition was discussed with streamlining of process key.

6.2 The financial position of the Board and impact running set competitions may have on the budget was discussed.

Action Point: Secretariat to draft a Summary Sheriff timetable for January Board Meeting.

Action Point: Miss Meikle to forecast costs of competitions over the next 24 months and compare with competition costs for the previous 24 months.

7 Annual Report 2017-2018 Outline (JABS 2017 50)

7.1 The structure for the 2017 – 2018 Annual report was discussed. It was decided to accept the proposed structure for the forthcoming report, however, thought should be given to whether the report can be streamlined from 2018-2019.

7.2 The JAC & NIJAC reports should be used for comparison, and statutory reporting requirements should be discussed with the Scottish Government.

Action point: Mr Wallace to produce annual report and explore possible future changes.

8 Monthly Budget Report (JABS 2017 51)

8.1 The Board noted its financial position as of 31st November 2017.

9 Any other business

9.1 It was noted that due to the current changes taking place within the Board, the Board agreed to continue with the current business plan and risk register for an additional six months. It was also noted that the Board currently does not have any standing orders.

Action: Ms Bakshi and Ms Gordon to discuss standing orders in due course.

9.2 Mr Morris informed the Board that he has resigned from the Scottish Government's review of Legal Services panel.