

JUDICIAL APPOINTMENTS BOARD FOR SCOTLAND

MINUTES OF THE BOARD MEETING HELD ON MONDAY 14th SEPTEMBER 2009 IN THE BOARDROOM, 44 DRUMSHEUGH GARDENS, EDINBURGH

Present: Sir Muir Russell, Chairing Member
Ms Elspeth MacArthur
Mr Sandy Mowat
Professor Andrew Coyle
Reverend John Miller
Lady Smith
Sheriff Principal Sir Stephen Young
Sheriff Kenneth Ross
Mr Martin McAllister
Mr Trevor Lodge, Chief Executive
Mr Chris Orman, Secretary to the Board
Miss Subha Munir, Secretariat

1. Preliminary meeting of judicial and legal members, with lay members in attendance, to consider legal competencies of applicants for the Office of Sheriff 2010

1.1 Lady Smith welcomed the judicial and legal members to the meeting, which was observed by a number of lay members. Following discussion the judicial and legal members agreed that a number of applications does not meet the requirements of section 13 of the Judiciary and Courts (Scotland) Act 2008.

2. Welcome

2.1 The Chairing member welcomed Board members to the meeting. He also welcomed Miss Subha Munir, Secretariat, to her first Board meeting

3. Minutes of the Meeting held on Monday 10th August

3.1 The Board approved, with some amendments to the note in section 4.2, the minutes of the meeting held on Monday 10th August.

4. Matters arising from the Minutes

4.1 The Secretary to the Board informed that the meeting that two possible venues for the interview panels had been investigated. The preferred venue was Thistle House, Haymarket. Thistle House is the headquarters of NHS Education for Scotland and offered the necessary accommodation for interview rooms, waiting rooms and secretariat support..

5. Scottish Government

5.1 The Chairing Member welcomed Mr Lachlan Stuart to the meeting. Mr Stuart informed the meeting that The Judiciary and Courts (Scotland) Act 2008 (Transitional Provision) Order 2009 (SSI 2009 No. 311) was laid before the Scottish Parliament on the 9th September. The Order was due to come into force on the 1st October and will enable the recommendations made by the previous Board to remain in force until the statutory Board makes recommendations under section 9(2) of the Act.

5.2 Mr Stuart provided an update on the judicial vacancy predictions for the coming year which the Board noted. He advised of a change of responsibilities with the Legal System Division of the Scottish Government Justice Directorate in respect of the sponsorship and work of the Board.

6. Appointment Exercise for the Office of Senator of the College of Justice

6.1 The Secretary briefed the Board on the timetable for the Senator appointment exercise. It was agreed that the timetable would be as follows:

Friday 9 th October	advertisements published in national and legal press
Friday 6 th November	closing date for receipt of applications (letters to referees and consultees will be issued on receipt of application)
Friday 4 th December	closing date for receipt of references
Friday 18 th December	Folders to Board Members
Monday 11 th January	sift of application (Board meeting date)
Week commencing	interview panels
Monday 1 st February	
Monday 8 th February	meeting to agree recommendation(s) to the First Minister (Board meeting date)

7. Paper for Decision

7.1 The Chief Executive introduced the paper *Providing Feedback to Applicants* (JAB/2009/64). Following discussion the Board agreed that lay members should continue to provide feedback to the unsuccessful applicants.

8. Any Other Business

8.1 The Chairing Member informed the Board that he had been appointed to sit on a panel to select the members of the Scottish Court Service Board. This was a statutory appointment under The Scottish Court Service (Procedure for Appointment of Members) Regulations 2009 (SSI 2009 No. 303)

8.2 Lady Smith informed the meeting that she had been formally appointed as a member of the *ad hoc* Selection Commission for the appointment of a Justice of the Supreme Court.

8.3 The Chief Executive reminded members that a condition of the Board's move to Drumsheugh Gardens was that, on conclusion of the Fingerprint Inquiry, the Board would have first call on the accommodation currently occupied by the Inquiry team. However, it was not clear when the Inquiry would end. He agreed to seek written confirmation from the Scottish Government that the Board would have first call on the offices on the ground floor.

9. Office of Sheriff 2010 Exercise: Preliminary Sift of Applications

9.1 The Board considered the 69 applications received. Following discussion it was agreed that referee assessments would be invited for the 44 applications which passed the preliminary sift.

The meeting closed at 1700 hours