



Judicial Appointments Board
for Scotland

Annual Report **2012–2013**



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for Scotland

Annual Report

2012–2013

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Our aims are:

To attract applicants of the highest calibre, recognising the need to encourage diversity in the range of those available for selection, and

To recommend applicants for appointment to judicial office on merit through processes that are fair, transparent and command respect.

Foreword



I am pleased to present the fourth Annual Report of the Judicial Appointments Board for Scotland as a statutory body. It is customary for the Board's Annual Report to be presented to the Scottish Ministers who then lay it before the Scottish Parliament.

The Board held three appointment rounds during the year under its statutory obligations in the Judiciary and Courts (Scotland) Act 2008. All three were competitions for senior judicial offices: two for Senator and one for Sheriff Principal. In all cases the Board was impressed by the depth and quality of the fields. Those were the most publicly visible elements of the work of the Board. But a full programme of less visible activity also took place, not least in relation to Shrieval recommendations where the changing context necessitated two extensions to the lifetime of the 2012 pool.

The Board has continued a significant programme of internal review of how it conducts appointment processes. This represents the Board's continued determination to ensure its processes are fair and transparent and that they command respect. To complement this on-going commitment the Board has also been working with an independent observer, Ms Sarah Gane, Director of Selection at the Judicial Appointments Commission for England and Wales. This work has yet to conclude but there are ready indications that opportunities will be available to improve further the Board's processes. Further detail on the changes to the process can be seen in the Appointment Rounds chapter.

We also remain committed to attracting a diverse range of applicants from whom to recommend the best fitted to hold judicial offices in Scotland. The latter part of the reporting year has been spent on the early planning of an event the Board hopes to run with partners to stimulate debate on judicial diversity.

Finally I would like to thank our Board Members for their commitments to the Board over the past year. Sheriff Ross stood down from the Board during the year and I pay tribute to his outstanding contribution. I welcome his successor, Sheriff David Mackie and also our new Advocate member, James McNeill QC.

A handwritten signature in black ink, appearing to read 'Muir Russell', with a long horizontal flourish extending to the right.

Sir Muir Russell KCB FRSE
Chairing Member

Introduction and Membership

This is the fourth Annual Report of the Judicial Appointments Board for Scotland as a statutory body and covers the period 1st April 2012 to 31st March 2013.

Membership

There are ten Board members, five judicial and legal members (an inner house Senator of the College of Justice, a Sheriff Principal, a Sheriff, an Advocate and a Solicitor) and five lay members, one of whom is the Chairing Member. The Board membership during the period covered by this Annual Report was as follows:

Lay Members

Sir Muir Russell KCB FRSE (Chairing Member)
Ms Elspeth MacArthur
Professor Andrew Coyle CMG
Dr Michael Ewart
Ms Jeane Freeman

Judicial Members

The Right Honourable Lady Dorrian
Sheriff Principal Bruce Kerr
Sheriff Kenneth Ross (until 31 December 2012)
Sheriff David Mackie (from 1 January 2013)

Legal Members

Mr James McNeill QC (from 17th September 2012)
Mr Martin McAllister

Judiciary and Courts (Scotland) Act 2008

Following the implementation of the Judiciary and Courts (Scotland) Act 2008 (thereafter known as the '2008 Act'), the Board became an advisory Non-Departmental Public Body on 1st June 2009. The Board's functions, as set out in Section 9 of the 2008 Act, are:

- To recommend to members of the Scottish Government individuals for appointment to judicial offices within the Board's remit, and
- To provide advice to members of the Scottish Government in connection with such appointments.

The judicial offices within the Board's remit are:

- Senator of the College of Justice
- Chairman of the Scottish Land Court
- Temporary Judge (with a number of statutory exemptions)
- Sheriff Principal
- Sheriff
- Part-time Sheriff

The 2008 Act also places the following responsibilities on the Board:

- a) selection must be solely on merit
- b) the Board may select an individual only if it is satisfied that the individual is of good character
- c) in carrying out its functions, the Board must have regard to the need to encourage diversity in the range of individuals available for selection to be recommended for appointment to a judicial office.

The Board has adopted the following corporate documents in fulfilment of its responsibility as a public body:

- Framework Document (this sets out the relationship between the Board and the Scottish Government)
- Publication Scheme under the Freedom of Information (Scotland) Act 2002
- Complaint Procedures
- Code of Conduct for Board Members
- Code of Conduct for Secretariat Staff
- Data Protection Policy
- Policy on Confidentiality
- Statement of Principles on Criminal Convictions
- Business Continuity Plan

These documents are available on the Board's website at www.judicialappointmentsscotland.org.uk.

Committees and Groups

To assist in its work the Board has established one Committee and three Working/Steering Groups.

Audit and Risk Management Committee

The Committee is responsible to the Board for:

- the adequacy of governance and risk management arrangements (including Business Plan and Risk Register, Business Continuity Plan, Information Security, and Annual Report);
- the arrangements for the review, monitoring and delivery of the Business Plan;
- the findings from any Scottish Government internal audit reports and proposed responses;
- the governance implications of major policy issues;
- corporate governance compliance;
- the arrangements for securing best value, regularity and propriety;
- the arrangements for delivering efficiency savings;
- the arrangements for delivery of anti-fraud policies and whistle-blowing processes; and
- the draft Annual Report prior to submission to the Board.

Committee Membership: Dr Michael Ewart (Chair)
Mr Martin McAllister (until 14 January 2013)
Mr James McNeill QC (from 14 January 2013)

Officials in attendance: Chief Executive
Secretary to the Board
Policy Officer

During the period covered by this Annual Report the Committee has met on three occasions. At these meetings the Committee, in addition to providing general oversight of corporate governance, received reports on the Board's actual and projected expenditure, reviewed the Business Plan and Risk Register, and considered the Board's Annual Report before submission for approval by the full Board.

Process Working Group

Following the Sheriff 2010 appointment round, the Process Working Group was established to review all aspects of the Board's appointment processes and procedures, including the application form, the supporting material that applicants are expected to submit and the methods for communicating with applicants. It reported to the Board in June 2011 prior to the launch of the Sheriff 2012/13 appointment round and is involved in a continual review of the process and procedures adopted by the Board.

During the period covered by this Annual Report the Working Group met on four occasions and concluded a formal review of the Board's processes and procedures for appointment rounds. It made recommendations to the Board in April 2012 and the improvements to the process are being implemented.

Working Group Membership: Sheriff Kenneth Ross (Chair) (until 31 December 2012)
 Ms Elspeth MacArthur
 The Right Honourable Lady Dorrian (Chair from 14 January 2013)
 Dr Michael Ewart (from 14 January 2013)
 Ms Jeane Freeman (until 14 January 2013)
 James McNeill QC (from 14 January 2013)

Officials in attendance: Chief Executive
 Secretary to the Board
 Policy Officer

Diversity Steering Group

The Diversity Steering Group emerged from the recommendations of the Diversity Working Group which was established in 2007 by the previous non-statutory Board. Membership of the steering Group includes representatives of the Faculty of Advocates, the Judiciary and the Law Society of Scotland. The Group's remit is:

- In discussion with interested parties, to develop an agreed approach that will encourage diversity in the range of individuals available for selection to be recommended for appointment to judicial office;
- To prioritise the recommendations of the final report of the Diversity Working Group, allocate lead responsibilities and to set timescales for delivery;
- To identify other relevant strands of work that should be pursued;
- To provide regular progress reports to the Board.

Steering Group Membership: Professor Andrew Coyle CMG (Chair) (until 14 January 2013)
 Ms Jeane Freeman (Chair) (from 14 January 2013)
 Sheriff David Mackie (from 14 January 2013)
 The Honourable Lady Stacey, Court of Session
 Ms Ailsa Carmichael, Faculty of Advocates
 Mr Neil Stevenson, Law Society of Scotland
 Ms Jill Clarke, Scottish Government (Observer) (until December 2012)
 Mr R Sandeman, Scottish Government (Observer) (from December 2012)

Officials in attendance: Chief Executive
 Policy Officer

During the period covered by this Annual Report the Steering Group met on two occasions. It developed an Action Plan to take forward the recommendations of the Diversity Working Group. It has also begun planning for an event designed to stimulate debate on judicial diversity.

Tribunal Appointments Working Group

The Tribunal Appointments Working Group was established in January 2013 prior to the introduction of the Tribunals Bill. The Bill, subject to the wishes of Parliament is expected to come into force in late 2014 or early 2015, giving JABS the responsibility of making recommendations for tribunal appointments.

Working Group Membership: Professor Andrew Coyle CMG (Chair)
Mr Martin McAllister

Officials in attendance: Chief Executive
Policy Officer

On 11th March 2013 the group met for the first time to discuss the draft provisions of the Bill and the financial memorandum. A Board response was provided to the Scottish Government highlighting areas for further consideration.

Diversity

The Board has a statutory duty to encourage diversity in the range of individuals available for selection to be recommended for appointment to a judicial office.

It keeps this obligation in mind in all that it does. In 2011 the Board adopted a diversity strategy. This has three main strands which are:

- Fair and non-discriminatory selection processes
- Outreach and awareness raising
- Working with others to break down barriers and remove misperceptions

Throughout the course of the reporting year the Board continued to implement its agreed diversity strategy by:

- monitoring the diversity profile of all appointment rounds and tracking applicants' progress at each stage of the process: after applications are received, after sifting; after short-listing and after interview;
- developing data on the 'eligible pool' with plans to benchmark performance against each appointment round;
- publishing statistics after each appointment round;
- adopting a more targeted approach in advertising appointment rounds by making use of professional networks and systems to contact potential applicants;
- continuing to gather information on the eligible pool, working with the Law Society and the Faculty of Advocates to learn more about their members' attitudes to judicial office and whether any barriers, real or perceived, need to be addressed or accelerated actions taken to encourage people to apply; and
- discussing diversity issues at a meeting with the new Lord President of the Court of Session.

The Diversity Steering Group (DSG) met twice during the year. The Right Honourable Lady Cosgrove, who in 1996 was the first woman to be appointed a Senator of the College of Justice, accepted an invitation to address the Group at one of its meetings. She described some of her own experiences on being appointed to the bench, first as a Sheriff and later as a Senator, and offered her thoughts about steps which might be taken to encourage greater gender and other diversity among the judiciary in the future.

The DSG considered a number of initiatives which might be considered to encourage a greater level of diversity among those applying, particularly for shrieval office. They included the possibility of full-time sheriffs working on a part-time basis. They also discussed possible inhibitors, including the tradition that first time appointments were offered on an all-Scotland basis. These and other matters were referred to the Board to take up in the appropriate quarters. The Group is grateful to the Law Society of Scotland which agreed to include questions on incentives and disincentives for applying for judicial office in a forthcoming survey of its members.

The Board intends to hold a number of outreach events in several parts of the country in 2013 to explain judicial appointment processes to members of relevant professions. It also has plans to sponsor an event for a wider audience to obtain views on judicial diversity.

Appointment Rounds

The Board is responsible for recommending individuals for judicial offices within its remit. During the year it ran three appointment rounds.

Process and Procedures

During the period covered by this Annual Report the Process Working Group concluded a formal review of the Board's processes and procedures for appointment rounds. It made recommendations to the Board in April 2012 and the improvements to the process are being implemented. The accepted recommendations included:

- An amendment to the legal competence criterion – “advocacy skills”- which may have been acting unintentionally to discourage applications from solicitors has been amended to “case presentation skills”.
- Clearer guidance to candidates on the examples of written work they should provide as part of the selection process.
- An agreement to consider the introduction of an anonymised legal test as the first stage of selection in future large exercises.
- More focussed and frequent interview workshops and master classes for Board Members.
- Inviting independent scrutiny of its processes with the aim of identifying any areas for further improvement.

The Board also took the opportunity to review the confidentiality of its processes. This included:

- Seeking reassurance from referees and relevant parties consulted at negative check stage, how their handling complies with confidentiality provisions within the terms of Section 17 of the 2008 Act.
- Reviewing the process for notifying successful/unsuccessful candidates of the outcome of their application.
- The implementation of improved arrangements to allow the Secretariat to correspond more securely with Board Members.

At the Board's request the most recent Senator appointment round was observed by Ms Sarah Gane, Director of Selection at the Judicial Appointments Commission for England and Wales. The Board's work with Ms Gane has yet to conclude but there are ready indications that opportunities will be available to improve further the Board's processes.

Senator of the College of Justice 2012 (I)

In December 2011, the Board invited applications from those eligible for appointment to the office of Senator of the College of Justice. We received 19 applications. One applicant withdrew before the sift. The statistical information can be found in our last Annual Report. The following appointments were made:

The Right Hon Lord Boyd of Duncansby, appointed June 2012
 Mr David Burns QC, now The Hon Lord Burns, appointed June 2012
 Mr Michael Jones QC, now The Hon Lord Jones, appointed June 2012
 Ms Maggie Scott QC, now The Hon Lady Scott, appointed July 2012

Senator of the College of Justice 2012 (II)

In July 2012, the Board invited applications from those eligible for appointment to the office of Senator of the College of Justice. We received 11 applications; the following table provides statistical information on these applications¹.

Gender		Professional Background		Disability		Ethnicity	
Male	7	Advocate	11	No	8	White British	9
Female	4			Yes	1	Not declared	2
				Not declared	2		

The following appointments were made:

Mr Iain Armstrong QC, now The Hon Lord Armstrong, appointed January 2013
 Ms Morag Wise QC, now The Hon Lady Wise, appointed January 2013

Office of Sheriff Principal 2012

In January 2012, the Board invited applications from those eligible for appointment to the office of Sheriff Principal based in Grampian Highland and Islands Sheriffdom. We received five applications. The statistical information can be found in our last Annual Report. The following appointment was made:

Sheriff Derek Pyle, now Sheriff Principal Pyle, appointed in June 2012, to the Sheriffdom of Grampian Highland and Islands.

¹ All applicants for judicial office are invited to complete a Diversity Monitoring Questionnaire. The purpose of the questionnaire is to assist the Board in identifying trends in those applying and changes in the nature of the eligible pool of applicants. Completion of the questionnaire is voluntary – applicants may complete all, some or none of it. The questionnaire is separated from the application form upon receipt and is not seen by the Board.

Office of Sheriff 2012-13

In July 2011, the Board invited applications from those eligible for appointments to the office of Sheriff. This was to establish a pool of individuals suitable to be recommended for appointment to vacancies arising during 2012-13. The Board received 59 applications. The statistical information can be found in our last Annual Report.

Twenty-five applicants were invited for interview. The Board identified all the applicants whom it assessed as being suitable to be recommended for appointment to shrieval office. Out of this number the Board then created a pool which contains sufficient names to fill the vacancies anticipated by the Judicial Office for Scotland during the period 2012 -13.

Two appointments were made and reported in our last Annual Report. During the period covered by this Annual Report the following appointments were made:

Mr Christopher Shead QC, now Sheriff Shead, to the Sheriffdom of Grampian Highland and Islands based at Aberdeen;

Mr Philip Mann, now Sheriff Mann, to the Sheriffdom of Grampian Highland and Islands based at Lerwick and Shetland;

Mr Jamie Gilchrist QC, now Sheriff Gilchrist, to the Sheriffdom of Grampian Highland and Islands based at Inverness;

Mr Alastair Carmichael, now Sheriff Carmichael, to the Sheriffdom of South Strathclyde, Dumfries and Galloway based at Hamilton.

We shall report on any subsequent appointments in our next Annual Report.

Meetings and Outreach

Board meetings

The Board normally meets on the second Monday of each month. The minutes of meetings are published on our website.

Meetings with interested parties

The Board continues to maintain close and effective relationships with a range of interested parties. Over the past year, the Board and its senior officials have held meetings with the following individuals and organisations to promote the work of the Board and to discuss matters of common interest:

- Lord President of the Court of Session
- Judicial Office for Scotland
- Faculty of Advocates
- Law Society of Scotland
- The Scottish Legal Complaints Commission
- Judicial Appointments Commission (for England and Wales)
- Northern Ireland Judicial Appointments Commission
- Scottish Government officials

Outreach

The Board had a stand at the Law Society Annual Conference in September 2012. An information pack was given out to attendees interested in a career in the judiciary.

Outreach events are currently being organised in several parts of the country during May/June 2013 to explain the judicial appointment processes to interested parties.

The Diversity Steering Group also has plans to sponsor an event for a wider audience to obtain views on judicial diversity.

Tribunals

The Scottish Government consulted for twelve weeks from 23 March 2012 on its proposals to create a new tribunal structure for devolved tribunals in Scotland. Key reforms proposed include the creation of a First-tier Tribunal and an Upper Tribunal into which the functions of existing tribunals can transfer-in to over time.

In response to the consultation, the Board set out the approach it proposed to take if it assumed responsibility for making recommendations to Scottish Ministers for appointments of panel members to sit on devolved Scottish tribunals in the following terms:

Beginning with first principles, it is the Board's understanding that all panel appointments will be regarded as judicial. On that basis the Board will adopt an approach that upholds the continued independence of the judiciary. The Board would therefore expect to see Section 9 (3) of the Judiciary and Courts (Scotland) Act 2008 explicitly extended to functions relating to tribunal appointments, making clear that in carrying out those functions the Board is not subject to the direction or control of any member of the Scottish Executive or any other person.

Secondly, the Board proposes that the selection of individuals to be recommended for tribunal appointments is based solely on merit, with regard to encouraging diversity in the range of individuals available for selection.

Guided by those principles the Board has also been discussing the different models available to discharge the proposed new statutory responsibilities. In those discussions the Board decided that it wished to preserve the balance between legal/judicial members and lay members in whatever level of involvement was appropriate for the particular appointment. The Board is also clear that it would be highly desirable to retain the current size of Board membership. In reaching this view the Board felt that to appoint additional members to reflect the expertise of the proposed tribunal jurisdictions would result in a Board with around 20-24 members if the legal/judicial and lay balance was to be preserved. The Board's view is that this would be too large to function efficiently. The Board also considered the option of developing the skill set of the Board Secretariat so that there was some alternative capacity for quality assurance of appointment rounds as happens in other parts of the UK. The Board decided that it did not wish to see the Secretariat's role extended.

Mindful of these considerations the Board is naturally concerned at the resource implications for Members when the new responsibilities are assumed. To that end the Board proposed that the relevant legislation is drafted to ensure the maximum flexibility possible. The key elements proposed are that:

- Appointment panels will have a minimum of one legally qualified member and one lay member;
- Either or both of those individuals may be a member of the Judicial Appointments Board for Scotland (but are not required to be);
- Appointment panels will be supplemented where appropriate with individuals with relevant professional experience; and
- The Board will decide and approve the composition of appointment panels including the designation of panel chair.

In practice this flexibility would allow the Board to vary the direct involvement of Board Members depending on the seniority or sensitivity of particular appointments. It is envisaged that Board Members would interview for more senior positions and quality assure for larger exercises.

Finally, although the Board does not propose an enhanced role for the Secretariat it wishes to repeat that additional staff resources will be needed to support the Board in taking on and effectively discharging these additional responsibilities.

In subsequent discussions it was agreed that the draft legislation should seek Parliament's approval to a modest increase in the number of Board members, most likely one legally qualified tribunal expert, and an additional lay member.

On the 8th March 2013 the Board had first sight of the draft provisions of the Bill and the Financial Memorandum relevant to the work of the Board. In summary, the key points of the new appointments process at the time of publication of this annual report, subject to Parliamentary amendment and approval are:

- The Bill confers on JABS responsibility for recommending individuals for appointment to tribunals.
- The Bill makes provision for tribunal members also to be appointed under a process supervised by the Board.
- The Board Membership will be increased by two to cover the increased workload.
- Financial provision for the Board Member's sitting days will be estimated as 30-40 per year.
- The fees for tribunal appointment panels will be paid at the same rate as JABS fee-paid Board Members.
- Modest additional staffing resources will be made available to the small team of officials supporting the Board.
- Arrangements for providing additional funding to the Board for the recruitment of tribunal members will be on a case-by-case basis and reimbursed to the Board.
- The judicial retirement age of 70 will apply to members of the Scottish Tribunals.
- There will be no role for JABS in reappointments which will continue to be made by the Scottish Ministers.
- The Bill enables cross-ticketing between chambers for those members who currently hold

an appointment in one chamber and can demonstrate that they meet the criteria for the other jurisdiction and can demonstrate that they have the skills, knowledge and experience, as well as agreement of both the Chamber President in their current and sought after jurisdiction. In this scenario they would not need to go through the formal JABS process.

At time of publication the timing of JABS taking on operational responsibility for tribunal appointments remains unclear. The Scottish Government has advised that subject to Parliamentary approval implementation of the Tribunals Bill will be phased.

Complaints

The JABS complaints procedure is set out in full on the Board's website.

The information explains to candidates how they can make a complaint, the timescales and how to proceed if they wish to take matters further.

For complaints which appear to fall within the scope of this procedure, the Chairing Member of the Board will establish a Complaint Committee of three Board members who have had no previous direct involvement in the matter complained of to consider and reach a determination on the complaint. The Committee will endeavour to reach a determination within 20 working days of the commencement of the investigation. A complainant has a right to request the Chairing Member to review the decision of the Complaints Committee.

A complainant not satisfied with the result of the review has the right to ask the Scottish Public Services Ombudsman to consider the matter.

During the period of this report, one complaint was considered by a JABS complaints committee. The complaint was not upheld. In line with the Board's complaints procedure the complainant wrote to the Board's Chief Executive requesting a review of part of the decision of the complaints committee. The review was completed by the Chairing Member of the Board. The decision of the complaint committee was upheld, though it was accepted that the Board's guidance to candidates required some amendment.

Secretariat

Our members of staff are civil servants, assigned to the Board by the Scottish Government.

Chief Executive
Appointments Manager and Secretary to the Board
Policy Officer
Administrator

Michael Garden
Kerry Love
Dorothy Smith
Alessandra Asteriti

Website

The Judicial Appointments Board for Scotland's website is fast becoming the primary source of information on, the Board, judicial vacancies, news items, and forthcoming and recent appointments. We know from the data gathered that many of the applications we receive for judicial appointments are from applicants who first saw the advert on our website.

Online application

Following feedback from applicants and to make the application process more user friendly, the Board has commissioned an online application form for future appointment rounds. It is a secure and straightforward way to apply for judicial appointments. Applicants are required to register and set up a username and password the first time they apply online for a judicial vacancy. Thereafter applicants will have the option to retrieve their previous application form, and update it if they wish, to apply for future judicial vacancies. The Board plan to pilot the online application during the first appointment round it runs in 2013-14. We look forward to providing feedback on how it has been received in the next Annual Report.

Financial Statement

The Board is funded by the Scottish Government. The Board's expenditure during the financial year 2012 - 2013 is set out below:

Please note that the figures are taken from the Board's own records and may not reflect any figures subsequently published by the Scottish Government.

Expenditure	Year to 31st March 2013 (£)
Secretariat staff salaries	153,945.42
Chairing Member's salary and Members' fees	49,033.79
Travel and Subsistence – Board Members	2,989.15
Travel and Subsistence – Secretariat Staff ²	1,923.00
Training	1,204.79
Accommodation (including rent, maintenance and utilities)	55,015.50
Hire of Rooms for Interview Panels	1,120.80
Catering – Board and Interview Panels	1,724.67
Office running costs	20,410.90
Annual Report 2011–2012 – publishing costs	600.00
Professional services	2,760.00
Total	290,728.02

² Included in the Secretariat Staff Travel and Subsistence costs is the travel and subsistence costs of the Independent Observer.

Annex: Board Members

The Board comprised ten members with an equal number of lay and judicial/legal members, including a lay Chairing Member. The Board membership during the period covered by this Annual Report was as follows:

Lay Members



Sir Muir Russell KCB FRSE (Chairing Member)

Sir Muir was Principal of the University of Glasgow from 2003 to 2009. Prior to his appointment at the University of Glasgow he was Permanent Secretary to the Scottish Executive. He was born in 1949 and was educated at The High School of Glasgow and Glasgow University, where he took a first class honours degree in Natural Philosophy. He is Chairman of Trustees of the Royal Botanic Garden Edinburgh. He is a non-executive Director of NHBC (the National house-building Council) and chairs its Scottish Committee. He is a Deputy Chairman of the Governors of the Glasgow School of Art, a Member of the Board of the Moredun Research Institute, and the Chairman of the Dunedin Concert Trust. He was elected as a Fellow of the Royal Society of Edinburgh in 2000 and holds honorary degrees from the Universities of Strathclyde, Glasgow and Edinburgh. Sir Muir was appointed in October 2008 for three years, he has been reappointed until September 2014.



Ms Elspeth MacArthur

Elspeth MacArthur's background is in human resources. She was Director of Human Resources at the University of Edinburgh until 2007. Ms MacArthur is also a member of the Board of Management at the John Wheatley College, Glasgow and a Director of the Scottish Community Development Centre. She is also a lay member of the Employment Tribunal (Scotland). Ms MacArthur was appointed in July 2007 for three years she was re-appointed in July 2010 for three years until July 2013.



Professor Andrew Coyle CMG

Andrew Coyle is Emeritus Professor of Prison Studies in the University of London and Visiting Professor in the University of Essex. Between 1997 and 2005 he was founding Director of the International Centre for Prison Studies King's College. He is a prisons adviser to several United Nations bodies and to the Council of Europe. He is a member of the Foreign Secretary's Expert Panel against Torture and of the Administrative Justice and Tribunals Council. He worked for 25 years at a senior level in the prison services of the United Kingdom. While in the Scottish Prison Service he was Governor of Greenock, Peterhead and Shotts Prisons. Between 1991 and 1997 he was Governor of Brixton Prison in London. He was appointed a Companion of the Order of St Michael and St George in 2003 for his contribution to international penal reform. He is a Fellow of King's College London. Professor Coyle was reappointed in November 2011 for three years until 31 December 2014.



Dr Michael Ewart

Dr Ewart joined the then Scottish Office in 1977, where his career began in the Education Department. In 1991 he became Deputy Director of the Scottish Courts Administration and guided the Scottish Court Service to agency status, becoming its first Chief Executive in 1994. In 1999 he returned to the Education Department, first as Head of Schools Group, and from 2002, as Head of the Education Department. From April 2007 until November 2009, he was Chief Executive of the Scottish Prison Service. Dr Ewart is now Director of the Scottish International Education Trust, a Board Member of the Scottish Ballet, a member of Phoenix Futures UK and chair of its Scottish Committee. Dr Ewart was appointed in August 2010 for four years.



Ms Jeane Freeman

Jeane Freeman is a consultant in public affairs. She was founder and Chief Executive of Apex Scotland between 1987 and 2000 when she joined the senior civil service in Scotland, working in education. She was a member of both the McLean and Cosgrove expert committees considering effective sentences and work with violent and sexual offenders. In 2002 she was appointed as senior political policy adviser to the First Minister and in 2005, she left government to start her own company. Jeane was a member of the Parole Board for Scotland from 1995 to 2000 and again from 2006 to 2011. She was appointed as a non executive member of the Board of the Scottish Police Authority in 2012 and as Chair of the Board of the Golden Jubilee National Hospital in January 2011. Ms Freeman was appointed in November 2011 for four years.

Judicial Members



Sheriff Kenneth Ross (until December 2012)

Sheriff Ross was appointed a Sheriff in 1997, serving at Linlithgow until 2000 and since then at Dumfries. He is a graduate of Edinburgh University and qualified as a solicitor in 1973. From 1975 until 1997 he was a partner in the firm of Gillespie, Gifford & Brown, Solicitors, Dumfries. He served on the Council of the Law Society of Scotland from 1987 until 1996, convening the Complaints and Guarantee Fund Committees. He was President of The Law Society of Scotland in 1994-95. He sat as a Temporary Sheriff between 1987 and 1997 and was a member of the Scottish Legal Aid Board between 2004 and 2010. Sheriff Ross was appointed in October 2008 for three years; his appointment has been extended until 31 December 2012.



The Right Honourable Lady Dorrian

Lady Dorrian was appointed a Judge of the Supreme Courts in 2005, having served as a Temporary Judge since 2002, she was appointed to the Appeal Court in 2012. She is a graduate of the University of Aberdeen (LLB). She was admitted to the Faculty of Advocates in 1981 and was Standing Junior Counsel to the Health and Safety Executive and Commission between 1987 and 1994. Lady Dorrian served as Advocate Depute between 1988 and 1991 and as Standing Junior to the Department of Energy between 1991 and 1994. Lady Dorrian was appointed Queen's Counsel in 1994. Between 1997 and 2001 she was a member of the Criminal Injuries Compensation Board. Lady Dorrian was appointed in July 2011 for four years.



Sheriff Principal Bruce Kerr

Sheriff Principal Kerr was appointed Sheriff Principal of North Strathclyde on 1st January 1999. He began his career as an Advocate and was admitted to the Faculty of Advocates in 1973, taking Silk in 1986. He served as a Temporary Sheriff before being appointed Sheriff of Glasgow and Strathkelvin in September 1994. As a practising Advocate Sheriff Principal Kerr was Standing Junior Counsel to the Home Office in Scotland (1982-1985) and was Advocate Depute from 1986-1989. Sheriff Principal Kerr was appointed in October 2011 for two years.



Sheriff David Mackie (from January 2013)

David Mackie was appointed a Sheriff in 2002 and has been the resident Sheriff in Alloa since 2004. He is a graduate of Edinburgh University and from 1976 was in private practice as a solicitor. Called to the Scottish Bar in 1991 he practiced as an Advocate until his appointment to the Shrieval bench. He was Standing Junior Counsel to the Ministry of Defence (Procurement) from 1996 until 2002. He is Chairman of the Edinburgh branch of SASO (Scottish Association for the Study of Offending) and sit on the National Competition Appeal Panel of the Scottish Rugby Union. A director and latterly chairman of Venture Trust from 2001 until 2011 he is now a director of Chance 4 Change.

Legal Members



Mr James McNeill QC (from September 2012)

James McNeill, born in 1952, was educated at Dunoon Grammar School, Cambridge and Edinburgh Universities. He was admitted as an Advocate in 1978 and held the appointment of Standing Junior Counsel to the Inland Revenue in Scotland between 1988 and 1991, when he took silk. He sits as one of the Judges of the Courts of Appeal of Guernsey and Jersey and as a Convenor of the Presbyterial Commissions of the Church of Scotland. His principal outside interest is in music and between 2004 and 2010 he chaired the Music Committee of the Board of the Scottish International Piano Competition. Mr McNeill was appointed in September 2012 for four years until September 2016.



Mr Martin McAllister

Martin McAllister is a partner with Taylor and Henderson Solicitors based in Saltcoats, Ayrshire. He is a former President of The Law Society of Scotland and has convened several of its Committees including Legal Aid, Professional Practice and Professional Conduct. Mr McAllister is currently a part time tutor at Strathclyde University, a part time Convenor of The Mental Health Tribunal for Scotland and the Private Rented Housing Panel. Mr McAllister was reappointed in August 2011 for three years until August 2014.



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