

## **BOARD MEETING MINUTES**

**Monday 16 June 2025**

**9:15 am to 15:15 pm**

**Thistle House  
Edinburgh**

### **Present:**

Mr Lindsay Montgomery CBE, Chairing Member

Mrs Liz Burnley, CBE

Mr Paul Cackette, CBE

Mrs Wilma Canning

Sheriff Jane Farquharson, KC

Mr Paul Gray

The Hon. Lady Shona Haldane, KC

Ms Emma Marriott

Dr Fiona McLean

Mr Gareth Morgan, QPM

Mr Peter Murray (by VC)

The Hon. Lord Robert Weir, KC (by VC)

### **Attendees:**

Mr Billy Love, Head of Operations (HoO)

Stuart Scott, Digital and Continuous Improvement Manager (DCIM)

Mrs Julie Tarbet, Appointments Manager

### **Guest attendee**

Dierdre Fulton (agenda item 7 only)

### **Apologies:**

Mr Jonathan Barne, KC

Mr Paul Cackette, CBE

President May Dunsmuir

Sheriff Principal Kate Dowdalls, KC

## **1. Welcome**

1.1 The Chairing Member (CM) welcomed everyone to the meeting.

1.2 There were no declarations of interest raised by Board members.

## **2. Business from previous meeting**

### **2.1 Minutes of the 28 April 2025 meeting**

2.1.1 The Board approved the minutes of the previous meeting.

## 2.2 Action Tracker

2.2.1 The HoO updated the Board and indicated that good progress had been made, with several issues from the April Board meeting now concluded. The Board was content with the update.

## 3. Chairing Member Oral Update

3.1 The CM provided an update on recent meetings with key stakeholders. In May, the CM and the Chief Executive (CE) met with the Cabinet Secretary. Additionally, the CM and the Head of Operations (HoO) met with Riley Power from the Judicial Office for Scotland (JO), where they discussed several matters, with a particular focus on anticipated recruitment priorities. The CM also met with the new Chief Executive of the Scottish Courts and Tribunals Service (SCTS).

3.2 The CM informed the Board that the recruitment process for the new CE is now progressing.

3.3 Deirdre Fulton and Lady Haldane attended an outreach event hosted by the Women's Network at Glasgow Sheriff Court. This event was part of the JABS Diversity Action Plan and aimed to share information about JABS approach to diversity. Lady Haldane reported that the event was very successful and that JABS' contribution was well received.

*Paul Gray joined the meeting at this point.*

## 4. Chief Executive Update

4.1 The CM explained that the outgoing CE had prepared the update before she retired from JABS. He introduced the paper and highlighted the staffing update. The Board noted the report.

## 5 Scottish Tax Chamber Recruitment

### 5.1 Light Touch Recruitment Exercise

5.1.1 The HoO gave a verbal update explaining the rationale for the light touch recruitment exercise and process. He explained that there had been a delay in bringing the paper to the Board owing to competing priorities and further information on the role profile being required. He confirmed that a paper would be brought to the Board once further issues had been clarified.

The Board noted the update.

**Action point 1: The Ligh-Touch Recruitment paper to be brought to the Board when various issues have been clarified.**

## **6. Policies**

### **6.1 Social Media Strategy and Policy**

6.1.1 The Digital and Continuous Improvement Manager (DCIM) spoke to the paper and outlined the development of the Social Media Strategy and Policy. The DCIM set out how this will link to the development of the new JABS website with the aim of increasing JABS social media profile, enhancing information about the role of JABS and the judicial recruitment process. The Board noted that an Equality Impact Assessment (EqIA) had been completed in relation to this policy. The Board discussed the Social Media Strategy and Policy.

The Board approved the policy.

### **6.2 Social Media Background Checks**

6.2.1 The DCIM spoke to the paper and updated the Board on the outcome of the Social Media Background check pilot. The Board noted that an EqIA had been completed for this pilot and welcomed this approach and advised they were keen to see this done - where appropriate - in the development of new policy areas.

6.2.2 The outcome from the pilot was successful, with no adverse findings on candidates. It was agreed that this be reviewed and the policy updated if required. The DCIM explained that the application form and guidance note will be updated to include further information for applicants on this check.

The Board approved the paper.

**Action point 2: BMU to update the application form and guidance note with information on the Social Media Background checks.**

### **6.3 Eligibility**

6.3.1 The HoO introduced the paper which examined the potential consequences of the Special Case on JABS approach to determining eligibility, and - in particular - how this may impact on the qualifying periods for some court roles. Further advice was requested from Brodies following the April Board Meeting and the CM had met with Brodies to discuss this matter further.

6.3.2 The Board considered the advice and agreed its position, subject to minor rewording to improve clarity and understanding.

6.3.3 It was agreed that there should be engagement with relevant stakeholders on this matter to explain the Board's position and approach.

**Action point 3: HoO to clarify the wording of the Board's agreed position.**

**Meetings with Stakeholders to be arranged at the appropriate time.**

## 7. Programme for Change

### 7.1 Programme for Change Update

#### 7.1.1 PfC Update

Deirdre Fulton (DF) provided a verbal update on the Programme for Change (PfC) workstream. She explained that progress had been affected by the significant resources JABS has dedicated to competition work. Nevertheless, incremental changes are underway. The current focus is on developing a realistic plan in place for the PfC work planned to be completed by the end of 2025.

7.1.2 DF then set out the four areas of work to be undertaken over the next few months:

1. Refinement of the consultation process to provide greater clarity on what this should look like.
2. The potential use of qualifying tests as used by JAC (Judicial Appointments Commission) and NIJAC (Northern Ireland Judicial Appointments Commission), of which focus is on two elements of testing - one to reduce the number of applications before the shortlisting period and second to introduce consider for example role play to give more evidence during the recruitment process.
3. The refinement of job description and person specification for each judicial role. This work should be undertaken by the JO. The aim is to have a detailed job description and a shorter role profile with an associated person specification. DF would aim to provide an update on this at the October Board meeting but indicated that additional time may be required to refine.
4. Work was ongoing on the development of a revised skills and qualities framework, however the development of job descriptions will aid this work.

7.1.3 DF confirmed that a small sub-group would be set up to review the application form following the refinement of the role profiles and person specification, and creation of the skills and qualities framework. Once this exercise has been carried out, consultation with stakeholders will then take place.

**Action point 4: DF to provide an update on the development of the role profile and person specification at the October Board meeting.**

**Action point 5: Board members are to let CM know if they wish to participate in the sub-group.**

### 7.2 Consultations

7.2.1 DF introduced the paper and reminded members that following discussions at the Board in early 2025, a small working group was set up. This group met in April 2025 to develop the proposed new consultation approach on seeking professional assessments for candidates, and to provide draft guidance for assessors and candidates. Wilma Canning, a member of the group, explained that they were now

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seeking the Board's views on the policy with the aim piloting the new approach in one of the upcoming competitions.

7.2.2. The Board held a broad discussion including on some of the issues which would need to be addressed before introducing the approach. This included:

- Potential impact on assessors
- Whether candidates may face challenges in finding two assessors
- How panels would use the information

7.2.3 The Board considered a test and learn approach as sensible way to introduce the revised consultation approach, recognising that the current approach to consultation did not gather information on all candidates. The Board agreed that it would be helpful in the first instance to consult with key stakeholders and get their feedback on the proposed approach.

The Board Indicated it would like to see an EqlA developed for this.

**Action point 6: Engagement with relevant professional bodies to explain what is being considered, including the challenges identified by the Board. EqlA to be developed for this policy.**

### **7.3 Motivations to apply for judicial office**

7.3.1 The CM spoke to the paper and provided an overview form report which is based on survey of members of the English and Welsh judiciary. The Board discussed and noted the survey.

**Action point 7: HoO to add 2024 Judicial Attitude Survey to the agenda for the next Board meeting for discussion by the Board.**

### **7.4 Competition Survey Reports**

7.4.1 The DCIM spoke to the paper which detailed feedback received from the Sheriff 2025 and First-tier of Scotland Tribunal Legal Member 2025 competitions pilot surveys. He updated that the response rates were good, that responses from the applicants were generally very positive and constructive and would be used where appropriate to improve the recruitment process. He felt that some of the questions required refinement.

The Board agreed that JABS should continue to issue surveys and requested that that the findings from the two most recent competitions should be summarised and added to the JABS website.

**Action point 8: DCIM to add a summary of the Sheriff 2025 and First-tier of Scotland Tribunal Legal Member 2025 competitions findings to the JABS website.**

*NB – Peter Murray and Shona Haldane left the meeting at this agenda item.*

## 8. Corporate

### 8.1 Budget Update 2025/6

8.1.1 The HoO introduced the paper and updated the Board on the current JABS budget position. He informed the Board that a temporary member of staff will be recruited for a new finance role in the BMU. The role is part time. It is the intention to fill this role on substantive basis later, once a recruitment exercise can be undertaken. The Board recognised the challenges which had been faced in budget monitoring in 2024-2025 because of the system changes and other factors and welcomed the addition of a part-time finance role. The Board stressed the importance of there being available fuller information on the estimated and actual cost of competitions.

### 8.2 Annual Report Cover Paper and Draft Annual Report

8.2.1 The CM introduced the paper and explained that it was the first draft of the Annual Report, and the aim was to publish it in September 2025. He asked the Board to comment at this stage on the content, tone or if there were any gaps. The Board noted the initial draft of the report, and a more developed version will be available for the August meeting.

**Action point 9: Board members were asked to provide any comments on the Annual Report to the HoO by 4 July 2025.**

### 8.3 Diversity Report Cover Paper and Diversity Report

8.3.1 The CM spoke to the paper and provided highlights from the report. It is anticipated that this report will be published around the same time as the Annual Report (September 2025). He explained that the report provided a statistical breakdown of competitions over the past seven years and would be of interest to stakeholders. The data does not allow JABS to make a detailed analysis, but the report was intended to provide stakeholders a useful reference point and could be analysed against any data they themselves hold. He explained that the Diversity Reference Group would undertake additional work on gaps in the diversity information. The Board were content with the initial draft of the report and a more developed version will be available for its August meeting.

## 9. Current and Future Competitions

### 9.1 Current and Upcoming Rounds

9.1.1 The HoO gave a brief overview of the paper and details on current and potential upcoming rounds. The Board noted the paper.

### 9.2 Lessons identified from SH25 and Tribunal Competitions

9.2.1 The HoO spoke to the paper and gave a brief overview of the key findings from the Sheriff 2025 and First-tier Tribunal Legal Member Competitions *High Level Wash*

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*Up Report.* He confirmed that the Upper Tribunal Wash Up meeting will be held on 23 June 2025 and BMU will hold its own Wash Up and Competitions Closure meeting by the end of July. The CM commented that the wash up meetings and lessons identified summaries were very helpful and that an action plan from the three competitions should be developed and the information shared with PfC.

The Board noted the report and agreed an action plan is developed and that the Wash Up analysis is shared with those working on PfC.

**Action point 10: BMU to prepare a Wash Up action plan for the three competitions and shared with those working on PfC.**

## **10. Policies continued**

### **10.1 Records Management Plan Update**

10.1.1 The HoO spoke to the paper and reminded the Board that the Records Management Plan was submitted to the Keeper at the National Records of Scotland (NRS) in June 2024 and a response was not received until February 2025. NRS provided comments on the plan and several actions are in place to address these points.

The Board were content with the actions and noted the plan will be resubmitted to the Keeper by 31 July 2025.

## **11. AOCB**

11.1 The CM updated the Board that a complaint had been received from an applicant from a recent competition and that JABS complaints process has been enacted. A further update will be provided at the next Board meeting.

11.2 The date of next meeting is 18 August 2025.