

Information pack for appointment to the Judicial Appointments Board for Scotland



The Cabinet Secretary for Justice and Home Affairs is seeking to appoint one legal member (Solicitor) to the Judicial Appointments Board for Scotland (JABS).

The appointments process for this board vacancy follows the [Code of Practice for Public Appointments](#) and is regulated by the [Ethical Standards Commissioner](#).

Key dates for this appointment round

Closing date	7 November 2024
Sift of applications	4 December 2024
Date applicants will hear about the outcome of their application	6 December 2024
Interviews	17 December 2024 Interviews will be held in person at St. Andrew's House, Regent Road, Edinburgh. It is unlikely that we will be able to offer an alternative interview date.
Ministerial decision	27 January 2025
Start date	1 April 2025

Dear applicant

I am delighted that you are considering applying to be a legal member of the Judicial Appointments Board for Scotland.

The Board is independent of government and the judiciary and makes an important contribution to the future of justice in Scotland by recommending people for appointment to a range of judicial roles in the courts and tribunals of Scotland. Our role is to select the most suitable people for these important offices on the basis of merit and to be satisfied they are of good character. We aim to do so in a fair and transparent way. We are also charged with having regard to the need for diversity amongst the range of individuals available for selection.

Being a member of JABS is an opportunity to engage with a variety of outstanding people: fellow Board members who are senior professionals, whether judicial, legal or lay; applicants and potential applicants for judicial office; leaders in government and in the legal profession. Board members past and present tell us how much they learn and how much they enjoy the teamwork within the Board.

We are seeking to recruit a Solicitor Member of the Board. To be eligible you must be a solicitor practising as such in Scotland. We are looking for someone who has credibility and standing with the profession and who is able to assess candidates' legal, judicial and personal skills and qualities for a range of judicial appointments. You will receive training on the Board's approach to doing these assessments.

On this occasion, we are seeking someone who can bring substantial experience from private practice to assist and participate in the work of the Board. You do not need to have had previous experience on the board of a public body but experience of the governance of organisations is desirable.

If you would like to have a more detailed conversation about the work of the Board, please contact me at lindsay.montgomery@jabs.gov.scot and I will be happy to arrange a telephone call.

Thank you for your interest in joining us at the Judicial Appointments Board for Scotland.

Lindsay Montgomery CBE

Lay Chairing Member

Judicial Appointments Board for Scotland

Information about the role

<p>Remuneration</p>	<p>Members of the Board receive £296 per day. Expenses incurred as a result of carrying out the duties of the appointment, including reasonable travel and subsistence costs and dependant carer and childcare expenses, will be reimbursed.</p> <p>The appointment is non-pensionable.</p>
<p>Time commitment</p>	<p>Members will be expected to devote between 30 to 40 days per year but the time commitment is very likely to vary year on year as the work of the Board is demand led.</p>
<p>Length of appointment term</p>	<p>The term of appointment will be for up to four years. There is the possibility of reappointment subject to evidence of effective performance and having regard to the skills, knowledge, understanding and experience required by the Board at the time. Any appointments and subsequent reappointments will not extend beyond a maximum of eight years.</p>
<p>Location of meetings</p>	<p>Board meetings and interviews will normally be held in person at Thistle House, 91 Haymarket Terrace, Edinburgh, EH12 5HE.</p> <p>There is provision for hybrid board meetings.</p> <p>Interviews are always held in person.</p>

<p>Disqualifications</p>	<p>A member of the Scottish Parliament cannot also hold a public appointment for public bodies listed in the schedule of the Scottish Parliament (Disqualification) Order 2020.</p> <p>Applicants will also be ineligible to apply for this appointment if they have already served a total of eight years as a Member of the Judicial Appointments Board for Scotland.</p> <p>You are ineligible for appointment as a Lay or Legal member if you are: a member of the House of Commons, the Scottish Parliament, the European Parliament, a Minister of the Crown, a member of the Scottish Government or a civil servant.</p> <p>Former ministers and senior crown servants (director general level and above) should seek advice from the Advisory Committee on Business Appointments (ACOBA) before applying for this role.</p>
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The Judicial Appointments Board for Scotland

The Judicial Appointments Board for Scotland (JABS) was established as a statutory advisory Non-Departmental Public Body on 1 June 2009, under the terms of the Judiciary and Courts (Scotland) Act 2008. Membership of JABS is provided for in Schedule 1 of the 2008 Act. There are currently fifteen Board Members: seven judicial/legal members and eight lay members including the Lay Chairing Member. Legal and lay members are appointed by the Scottish Ministers. Judicial members are appointed by the Lord President of the Court of Session. This appointment round is to fill a legal member vacancy so that the number of judicial and legal members will be equal to the number of lay members, as required by the governing legislation. Scottish Ministers are seeking to appoint a Solicitor Member to the Board.

The role of JABS is to recommend to the First Minister or other relevant Minister, individuals for appointment to judicial offices within the Board's remit. It makes these recommendations solely on merit and also has to be satisfied that those recommended are of good character. It makes recommendations for the following appointments:

- Senator of the College of Justice
- Sheriff Principal
- Sheriff
- Part-time Sheriff
- Summary Sheriff
- Part-time Summary Sheriff
- Chair of the Scottish Land Court
- Scottish Tribunal appointments
- The Parole Board of Scotland

The Board's mission is:

- To attract applicants with the skills, knowledge and ability for particular judicial roles whilst encouraging diversity in the range of individuals available for selection; and
- Make recommendations for appointment solely on merit, through processes that are, and are seen to be, independent, fair and transparent.

The role of the Board Member

The primary role of the legal member is to participate in decision-making on the suitability of individual applicants for judicial appointment and contribute to the development of the Board's policies. Only legal and judicial members assess candidates' legal knowledge and competence, whilst all panel members assess judicial and personal qualities. You will receive training in the Board's processes and its approach to appointment exercises. You will also have some involvement in the Board's governance.

Board Members undertake the following tasks:

- Attend Board meetings, which currently take place on the third Monday of each month. Meetings normally last a full day and start at 9:15 am;

- Participate in appointment exercises during the year in line with the Board’s programme of activity which is demand led;
- With Board colleagues make recommendations to the First Minister or relevant Minister for court and judicial appointments;
- Contribute to Board working groups or improvement projects;
- Join an annual workshop/strategy day;
- Attend training including for assessment and interview; and
- Participate in outreach events and stakeholder engagement about the work of the Board.

The selection panel

Chair	Denise Swanson, Deputy Director, Civil Law & Legal System
Panel member	Lindsay Montgomery CBE, Chair, JABS
Independent panel member	Christine O’Neill KC, Brodies LLP, Independent panel member

Please note that applicants will be asked to declare if they know any members of the selection panel. The panel will also declare if they know any applicants. Any actual or perceived conflicts of interest will be managed in line with the [Ethical Standards Commissioners Code of Practice for Public Appointments](#).

Person specification

We are looking for a new legal member (Solicitor) who can put their experience to good use on the board. The table below sets out the skills, knowledge, experience and attributes that we are seeking and explains how the criteria will be tested.

Eligibility requirements

Legal

- Must be a solicitor practising as such in Scotland

For this appointment round, we are looking to appoint:

- one legal member (Solicitor)

The priority criteria are weighted over the essential and desirable criteria, and the candidates who provide the strongest evidence against the priority criteria will be considered most able to fulfil the role. In the event that candidates provide evidence of equal merit against the priority criteria, the panel will then take into account the strength of the evidence presented against the essential and desirable criteria in determining the candidate(s) most able to fulfil the role.

- **In addition to providing information on how you meet the criteria below, please provide a statement outlining any ongoing or settled complaints to any relevant professional body or regulator.**

Priority criteria – applicants are expected to demonstrate evidence of all the priority criteria listed below.

Priority criteria	Example indicators	How this will be assessed
<p>1. For this role you must have sufficient standing in the legal profession and have substantial experience as a solicitor in private practice.</p>	<ul style="list-style-type: none"> • You should demonstrate evidence of your professional standing and legal experience. This role involves assessing the legal competence of judicial office holders and other lawyers. It is important that legal members of JABS are regarded as having sufficient standing, reputation and credibility with the profession to enhance confidence in the judicial appointments process and outcomes. • Indicators of standing may include, but are not confined 	<p>You will be asked to provide evidence of no more than 500 words to demonstrate how you meet this priority criterion.</p> <p>Your evidence will be tested further at interview if you are shortlisted.</p>

	<p>to: leadership roles in your Firm or place of work; contribution to the work of a relevant professional body including representative roles; prizes, awards or additional qualifications/accreditations indicating professional achievement and excellence; experience of providing training and development to your peers; publishing authoritative articles; and/or involvement in high profile cases.</p> <ul style="list-style-type: none"> • In relation to experience you should indicate the breadth of work which you have undertaken and the areas of law in which you have specialised. 	
<p>2. For this role you must be able to make balanced and fair assessments of applications and, at interview, of candidates suitability for judicial appointments, for which you will receive training. In particular, as a legal member you will be required to assess candidates'</p>	<ul style="list-style-type: none"> • You will be required to make fair and balanced individual assessments of applications and at interview of candidates for appointments. • You must have the ability and practical knowledge required to assess an individual's knowledge of the law and competence in the interpretation and application of the law as well as assessing personal and judicial qualities. 	<p>You will be asked to provide evidence of no more than 500 words to demonstrate how you meet this priority criterion.</p> <p>Your evidence will be tested further at interview if you are shortlisted.</p> <p>If invited to interview you will be required to complete a practical exercise. An example application will be analysed</p>

<p>knowledge of and skills and competence in the interpretation and application of the law.</p>		<p>prior to interview and candidates asked to discuss their decision.</p>
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Essential criteria – applicants must demonstrate evidence of all of the essential criteria listed below.

Essential criteria	Example indicators	How this will be assessed
<p>1. As a Board member you must have the ability to understand and analyse complex information and to make objective balanced judgements in all aspects of the work of the Board.</p>	<ul style="list-style-type: none"> • Competent in the analysis of highly complex information where critical / important decisions are being made. • Able to display accuracy and sound judgement in decision-making. 	<p>You will be asked in the application form to provide evidence of how you meet this criterion, in no more than 300 words.</p> <p>Your evidence will be tested further at interview if you are shortlisted.</p> <p>If invited to interview you will be required to complete a practical exercise. An example application will be analysed prior to interview and candidates asked to discuss their decision.</p>
<p>2. Ability to work collaboratively, challenge constructively and work in a consensual environment.</p>	<ul style="list-style-type: none"> • Able to stand back, set aside personal views and listen objectively to others. • Ability to express disagreement constructively and respectfully. • Able to support attempts to achieve consensus and able to 	<p>You will be asked in the application form to provide evidence of how you meet this criterion, in no more than 300 words.</p>

	accept a consensus decision even if it goes against a personal view.	Your evidence will be tested further at interview if you are shortlisted.
3. Recognition of the need for and challenges of increasing diversity in judicial appointments.	<ul style="list-style-type: none"> • Evidence of valuing and being involved in the promotion of diversity in the workplace. • Demonstration of an awareness of diversity issues as they affect the legal profession and the judiciary. • Demonstration of an understanding of why it is important to have a diverse and representative legal profession. 	<p>You will be asked in the application form to provide evidence of how you meet this criterion, in no more than 300 words.</p> <p>As part of the final assessment stage you will be required to complete a practical exercise. This will involve you preparing a short oral response to a set question, sent to you in advance of the interview. The selection panel will ask follow up questions.</p>

Desirable Criteria - Although not essential, it would be desirable if applicants demonstrated the following:

Desirable criterion	Example indicators	How this will be assessed
1. An understanding of the frameworks required to ensure effective governance of an organisation.	<ul style="list-style-type: none"> • You are familiar with the principles of good governance and have experience of testing and applying these principles in practice in your workplace or through a role with e.g. a charity or the board of a company or public sector body. 	<p>If you meet this criterion, you will be asked in the application form to provide evidence of how you meet this criterion, in no more than 300 words.</p> <p>If you meet this criterion and are shortlisted for interview, evidence will be tested further at interview.</p>

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How to apply

You must apply for this vacancy online. Before you start you should prepare two documents which you will upload to the application.

Document 1: A one page tailored CV outlining roles and/or positions held and activities undertaken which are relevant to this role.

Document 2: Your evidence demonstrating how you meet the priority, essential and desirable criteria listed above. Please title each section and note the word count.

When completing the online application, you will need to enter information in all the boxes before proceeding, therefore you will need to enter '**N/A**' in optional boxes that you are not providing evidence for. **Please note** that you will not be able to update your answers or supporting documents once you have submitted your application. Late applications will not be accepted by the selection panel.

If you use assistive technology, please contact the Public Appointments Team for an accessible application form by email at public.appointments@gov.scot.

In addition to providing information on how you meet the criteria above, please provide a statement outlining any ongoing or settled complaints to any relevant professional body or regulator.

The assessment process

The assessment process will happen as follows:

1. The selection panel will assess all application forms against the criteria for appointment (see the person specification). Those who demonstrate evidence that most closely meet the criteria tested at this stage will be shortlisted for interview. The selection panel will interview candidates, the questions they ask will relate directly to the criteria for appointment. You will be required to complete **two practical exercises**. For the first one, you will be asked to **prepare a verbal response** to a question that you will receive in advance of the interview. The second exercise will be **an example application** for you to analyse prior to interview and then asked to discuss your decision at interview. Full details of this will be sent in advance to candidates invited to interview.

2. The selection panel will also ask questions relevant to the fit and proper person test (see below) which will include questions about the [Principles of Public Life](#).
3. The selection panel will review the evidence provided and agree on which candidates have most closely met the criteria for selection and should be recommended to the appointing Minister.
4. The appointing Minister will make a decision about whom to appoint based on evidence from the selection panel. The appointing Minister may request to meet with candidates before making a final decision.
5. Appointees will be asked to complete pre-appointment checks which will include a Disclosure Check (there is no charge for this). Appointment is conditional on satisfactory completion of these.

Guaranteed interviews

This appointment round will provide guaranteed interviews for disabled people who meet the criteria for the role being tested at the application stage.

Fit and proper person checks

In the context of public appointments, a fit and proper person is someone who is suitable because they meet the requirements of the role, and their past or present activities and behaviour means they are suitable. Tests are built into different stages of the appointment process to ensure that:

- Conduct to date has been compatible with the public appointment
- Membership is not barred by the body's constitution e.g., criminal record or bankruptcy (see disqualifications)
- There are no unmanageable conflicts of interest
- Political activity is declared
- There is disclosure of any ongoing or settled complaints to any relevant professional body or regulator
- There is agreement to abide by the [Principles of Public life in Scotland](#)
- There is confirmation that the time commitment required for the role can be met.

Social media checks for candidates invited to interview

The selection panel may consider publicly available information about candidates which is posted by candidates on social media. Any findings that the selection panel agree are pertinent to the role or that may call into question suitability for the appointment, credibility of the appointments process or the public body will be discussed with candidates at interview. Consideration of any issues will take place openly and transparently to

establish the facts. Candidates will be given an opportunity to respond to any concerns. This information will be handled in line with the Privacy Notice for public appointments: [Privacy notice - Public appointments: guide - gov.scot \(www.gov.scot\)](#)

Gender Representation on Public Boards (Scotland) Act 2018

- This board does currently meet the 'gender representation objective' that the board should have at least 50% women.

How to apply

Start the application process apply by clicking this link: [Appointment Listings at Scottish Government \(icims.com\)](#)

Find the advert for the board you want to apply for. Follow the instructions on the advert to register online and complete the relevant sections. Then download the document called 'application form', complete the form (this should be a word document or pdf) and return it by the closing date to [PA Applications Mailbox@gov.scot](mailto:PA.Applications.Mailbox@gov.scot)

Common questions and answers

Who can I contact to speak about this role?	Please contact the Chairing Member of JABS, Lindsay Montgomery Email: Lindsay.Montgomery@jabs.gov.scot .
Who can I speak to about a disability related reasonable adjustment?	Please contact the Public Appointments Team Email: public.appointments@gov.scot Telephone: 0300 244 1898 Deaf, deafblind and BSL users can contact the team via contactSCOTLAND-BSL
I am having a problem with the application process who can I speak with?	Please contact the Public Appointments Team (see contact details above).
Do you have any advice about how to complete an application form?	Yes. More information is provided here: Introduction - Public appointments: guide - gov.scot (www.gov.scot)
Do you have any advice for candidates attending interviews?	Yes. More information is provided here: Introduction - Public appointments: guide - gov.scot (www.gov.scot)

I can't attend the interview in person, can I attend remotely?	Yes. You can request to attend the interview using MS teams. Please contact the Public Appointments Team (see contact details above).
Will you reimburse expenses for attending an interview?	Yes. You can claim reasonable expenses, further information will be provided with the invitation to interview.
What does 'appointed on merit' mean?	Appointed on merit means that the people who are appointed most closely meet the criteria that is sought for the board vacancy at a point in time. People are assessed on the evidence that they present in the appointments process and the findings of the fit and proper person test.
What role does the Ethical Standards Commissioner (ESC) have in the appointments process?	The ESC regulate and monitor the public appointments process . The Commissioner plays a role in ensuring appointments are made on merit and use fair methods. More information about the Commissioner's role is provided here: Public appointments Information leaflet Ethical Standards Commissioner
Can I apply if I am not a British citizen?	Yes. You can apply for and be appointed to the Boards of Public Bodies if you are not a British citizen however you must be legally entitled to work in the UK.
Would remuneration for a public appointment impact on my benefits?	Possibly. Taking up a remunerated public appointment may affect benefits payments. This will depend on individual circumstances and you should seek advice from your benefits provider. More information is provided here: Public appointments and welfare benefits: information - gov.scot (www.gov.scot)
Do the selection panel see information from the diversity monitoring form?	No. Diversity monitoring information provided by applicants is not shared with the selection panel. If applicants opt for a guaranteed interview this information will be shared with the selection panel following shortlisting. Sometimes information about a reasonable adjustment is shared with the selection panel to ensure that requirements are met (e.g. if a BSL interpreter is required).

<p>Do I need to provide an email address and contact details at application stage?</p>	<p>In order to meet the requirements of the Baseline Personnel Security Standard (BPSS) the Scottish Government must be able to verify the credentials of applicants for public appointments should they be recommended for appointment. To ensure that this is possible all applicants must provide an address and contact details at application stage. If applicants do not provide this information their application will be rejected.</p>
<p>How will my personal information be handled?</p>	<p>All personal information will be handled with great care and in line with UK GDPR and data protection requirements. Further information can be found in the Privacy Notice on the application system.</p>
<p>Can I get feedback on my application or interview?</p>	<p>Yes. Feedback is available on request.</p>
<p>Is any training provided if I am offered and take up an appointment?</p>	<p>Yes. Each board has their own induction process and training offer. New appointees are also invited to attend an induction day hosted by the Scottish Government.</p>
<p>Is it possible to hold more than one public appointment?</p>	<p>Yes. It is possible to have more than one public appointment. You should check that you can make the time commitment for an additional appointment and that there are no unmanageable conflicts of interest.</p>
<p>Are public appointments announced?</p>	<p>Yes. Every appointment is announced here: Public appointments: news releases - gov.scot (www.gov.scot) The board may also announce new appointments on their own website and social media platforms. Information published will include a biography and details of any political activity within the last 5 years.</p>
<p>What standards are expected of board members?</p>	<p>The conduct expected of board members of Scottish public boards is set out here: Members of devolved public bodies: model code of conduct - December 2021 - gov.scot (www.gov.scot)(this includes the Principles of Public Life)</p>
<p>How can I complain about the public appointments process?</p>	<p>Further information about the complaints process for public appointments can be found here: How to apply - Public appointments: guide - gov.scot (www.gov.scot)</p>

	<p>Anyone concerned about public appointments can raise a complaint and have it independently investigated by the Ethical Standards Commissioner. Investigation process public appointments Ethical Standards Commissioner</p>
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For further information

Please contact the Public Appointments Team, Scottish Government

Email: public.appointments@gov.scot

Phone number: 0300 244 1898

Deaf, deafblind and BSL users can contact the team via [contactSCOTLAND-BSL](#)

