



Judicial Appointments Board for Scotland

Mr Andrew Howlett
Assistant Clerk
The Public Petitions Committee
The Scottish Parliament
Edinburgh
EH99 1SP

38-39 Drumsheugh Gardens,
Edinburgh, EH3 7SW
DX: ED29 Edinburgh

Tel: 0131 528 5101
Fax: 0131 528 5105

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CONSIDERATION OF PETITION PE1458

I am writing to you in response to your letter of 25th April seeking a response from the Judicial Appointments Board for Scotland to the following questions:

- What is your view, and the reasons for it, on what the petition seeks?
- How effective are the systems currently in place that deal with such interest of members of the Judiciary in Scotland?

The role of the Board is to recommend to the Scottish Ministers individuals for appointment to judicial offices within the Board's remit and to provide advice to Scottish Ministers in connection with such appointments. **It is crucially important to clarify for Members of the Committee that the Board has no role in relation to the conduct of individual members of the judiciary once they have been appointed.**

That said, the Board is very concerned to ensure that it only recommends candidates who demonstrate the highest personal propriety. To that end various steps are taken in the course of appointment competitions to establish whether there are any reasons that may raise doubts about a candidate's suitability for judicial office. For example:

- Candidates are asked to make a declaration of good character and conduct in their application for judicial office.
- Three references are sought, one of which is specifically a character reference.
- For Senator and Sheriff Principal appointment rounds a judicial reference is sought from the Lord President.

- The Board consult with the Law Society, Faculty of Advocates, Crown Agent and Scottish Legal Complaints Commission to identify if there is any reason why a candidate would not be fit for office.
- For shrieval appointment rounds, the Board also consult with the Lord President and, if relevant, Sheriffs Principal.
- At interview the Board explores the need for impartiality with those seeking to be recommended for judicial office.

I hope you find this response helpful.

Sir Muir Russell
Chairing Member