  

**We are looking for 10 outstanding individual for the post of Court Examiner**

**Reference number: PAT160077**

 **(please use the above reference in all correspondence)**

**Location:** The role is based in London

**Term of appointment:** Five years

**Time commitment:** Minimum of one day per month

**Remuneration:** The role is renumerated

**Expected start date of role:** October 2023

**Closing date for applications is 11am on 17 April 2023**

Applications should be submitted to the Ministry of Justice Public Appointments Team via PublicAppointmentsTeam@justice.gov.uk.

**Guidance on how to write a successful application is provided at Appendix 2.**

Alternative format versions of this candidate information pack are available on request from the Public Appointments Team, contact details as above.

[Twitter](https://twitter.com/mojpublicappts) Follow us to keep up to date with public appointments vacancies.

All public appointments are advertised on the Cabinet Office’s Public Appointments website (<http://publicappointments.cabinetoffice.gov.uk/>) and the Public Appointments Twitter feed (@publicappts).



Dear Candidate,

Thank you for your interest in becoming a Court Examiner. The following information will tell you more about the role of a Court Examiner and the application process.

Court Examiners are appointed by the Lord Chancellor under Part 34.15 of the Civil Procedure Rules. The posts are open to barristers or solicitor-advocates with three years standing.

I welcome applicants from the widest possible field who meet the criteria regardless of background for what is an interesting area of work. Court Examiners are required to take evidence from witnesses following a request from a foreign court or where witnesses are too ill and cannot attend the trial. An Examiner will work independently and must be able to organise themselves in order to fulfil the requirements of the role. No two depositions are the same, so you can also expect a great deal of variety in this work.

If after reading the material you have further questions about any aspect of this post, you are welcome to contact to Marcia Williams at Marcia.Williams@justice.gsi.gov.uk. If you have questions about the appointment process, you can contact Ria Vadgama in the Public Appointments Team at: PublicAppointmentsTeam@Justice.gov.uk. We welcome applicants from all that meet the selection criteria. If you believe you have the experience and qualities we are seeking, I hope you consider applying for this important position.

Sincerely,

**Amrita Dhaliwal**

**Head of Civil Procedure Policy, Ministry of Justice**

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**1.** **The role of the Court Examiner**

The Court Examiner was set up under the Civil Procedure Act 1997 (the Act). The panel currently comprises twelve Court Examiners.

A court may order a witness to be examined before trial as to their oral or documentary evidence, either by deposition under Rule 34.8, such as where someone is too ill to attend the trial, or where a foreign court requests evidence from a person who resides in this jurisdiction and not in the jurisdiction of the foreign court.

The examination must be conducted in the same way as if the witness were giving evidence at trial and the evidence must be recorded and a transcript provided which the examiner must certify as correctly reflecting the evidence given.

The roles will be based in London, and across the main regional areas although there may be the need for occasional travel where a witness is too ill to make the journey.

The Ministry of Justice is seeking to appoint up to ten Court Examiners to cover London and the regions.

**2. Other Important appointment Information**

**Eligibility**

**There must be no employment restrictions, or limit on your permitted stay in the UK.**

Barristers or solicitor-advocates who have been practising for a period of not less than three years.

**Essential criteria**

In addition to the requirements set out in Rule 34:15. Candidates will also need to demonstrate in their written application evidence of where their experience matches the essential criteria in the specification below.

* An in-depth expertise and proven experience of working in the area of civil and/or family law in practice and a willingness to become familiar with other areas of law;
* Excellent communication skills;
* The ability to analyse complex information, weigh evidence and justify decisions;
* The ability to convey authority in the exercise of a quasi-judicial role and a commitment to diversity.

**Tenure**:Public appointments are offered on a fixed term basis. We do this to ensure that the leadership of our public bodies is regularly refreshed to benefit from new perspectives and ideas.

The appointment will run for five years.

**Standards in Public Life:** Public appointees are required to uphold the Committee on Standards. [Seven Principles of Public Life](https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2) You are also expected to adhere to the [Code of Conduct for Board Members of Public Bodies](http://www.gov.uk/government/publications/code-of-conduct-for-board-members-of-public-bodies/code-of-conduct-for-board-members-of-public-bodies-june-2019)

**3.** **Advisory Assessment Panel membership**

**The Panel will be:**

* Amrita Dhaliwal, Head of Civil Procedure Policy, Civil Justice and Law, Access to Justice, Ministry of Justice (Panel Chair)
* Judicial representative, A High Court Judge nominated by the President of te King’s Bench Division; and
* Carly Jones MBE, Independent Panel Member.

The AAP Chair will report to the Lord Chancellor on the outcome of the interviews. The Lord Chancellor is responsible for making the appointment.

**4.** **The appointment process and timeline**

These appointments will be made under Part 34.15 of the Civil Procedure Rules:

[PART 34 - WITNESSES, DEPOSITIONS AND EVIDENCE FOR FOREIGN COURTS - Civil Procedure Rules (justice.gov.uk)](https://www.justice.gov.uk/courts/procedure-rules/civil/rules/part34#34.15)

The [Commissioner for Public Appointments](https://publicappointmentscommissioner.independent.gov.uk/) ensures that appointments are made in accordance with the Governance Code and the principles of public appointments. All appointments follow a recruitment process set out in the [Governance Code for Public Appointments](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/578498/governance_code_on_public_appointments_16_12_2016.pdf).

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| --- | --- |
| **APPLICATION**Personal Statement, CV and supporting documents must be sent by the closing date. | 11am on 17 April 2023 |
| **SIFT** The Panel will meet to assess the applications.Candidates will be informed of the outcome by e-mail approximately 2wks prior to the interview date. | June 2023 |
| **INTERVIEWS**Shortlisted candidates will be interviewed by the Panel. References will be taken before interview. |  August 2023  |
| **INTERVIEW RESULTS**Candidates will be informed of the outcome by e-mail approximately 4wks after interviews.**Candidates will be updated if there are any changes to this timetable.** |  October 2023 |
| **APPOINTMENT** Appointment letters sent to the successful candidate |  October 2023 |
| **ANNOUNCEMENT**Appointments are publicly announced and security checks started | Late October/ November 2023 |

**Feedback**

Please note that it is not possible to provide specific, individually tailored feedback following the sift stage but we will provide, on request, feedback to those who are interviewed.

**Interviews**

Interviews may take place via MS Teams. If you accept an invitation to interview, we will take two references in advance of the interview. By providing the details of two referees you are consenting to us approaching them in this way.

If you cannot attend an interview on one of the dates shown, please advise us as soon as you can. It may be possible to arrange an alternative date at the discretion of the AAP. **Please note, if travel is required to attend interviews, travel expenses are not reimbursed.** The Lord Chancellor or another Minister may ask to meet each of the candidates before or after interview.

If called for interview, the AAP will explore your experience and expertise to determine whether you meet the essential criteria for the role. You may be asked to deliver a short presentation at the commencement of the interview. This will be confirmed in your invitation to interview letter.

**Security Clearance**

For the successful candidate, confirmation of appointment will be subject to basic clearance checks, covering confirmation of identity and right to work in the UK plus a criminal record check. This will involve completion of several paper and electronic forms and can take up to **five weeks** to process following completion of the forms.

**If you have any questions** about any aspects of this post, you are welcome to contact Ria Vadgama at Ria.Vadgama@justice.gov.uk .

**5.** **How to apply**

**To make an application, please send:**

* **A CV** **(maximum two sides of A4)** detailing your qualifications, employment history and any appointments or offices you hold. Please also provide your preferred contact number and email address.
* **A personal statement (maximum two sides of A4)** providing evidence against the role criteria and your suitability for the post. Please consider the role and criteria carefully in preparing your statements. Information from AAP indicates that applications which offer specific and tailored examples against the criteria, making clear the candidate’s role in achieving an outcome are often the strongest. Structuring the statement around the criteria using relevant headings also aids clarity.

**Guidance on how to write a successful application can be found at Appendix 2.**

**Supporting Documents form (attached separately on cabinet office website)**

Please also complete and return the Supporting Documents form which seeks the following information:

* **Conflicts of interest and Previous Conduct**: If you have any interests that might be relevant to the work of Court Examiners, and which could lead to a real or perceived conflict of interest if you were to be appointed, please provide details in your supporting documents.

Given the nature of public appointments, it is important that those appointed as members of public bodies maintain the confidence of Parliament and the public. If there are any issues in your personal or professional history that could, if you were appointed, be misconstrued, cause embarrassment, or cause public confidence in the appointment to be jeopardised, it is important that you bring them to the attention of the Assessment Panel and provide details of the issue/s in your supporting letter. In considering whether you wish to declare any issues, you should also reflect on any public statements you have made, including through social media. The Advisory Assessment Panel may explore any issues with you before they make a recommendation on the appointment. Failure to disclose such information could result in an appointment either not being made or being terminated.

Conflicts might arise from a variety of sources such as financial interests or share ownership, membership of, or association with, particular bodies or the activities of relatives or partners. If you need further advice, please contact Ria Vadgama at PublicAppointmentsTeam@justice.gov.uk

* Signifcant Political Activity
* Number of other public appointments held
* Referee details – please give names/contact details of two referees (who will be contacted if you are shortlisted for interview);
* Diversity monitoring form

**Please send your CV, personal statement and supporting documents to:** **PublicAppointmentsTeam@justice.gov.uk** **quoting reference PAT160077 in the subject line of your email. We will acknowledge receipt.**

**6.** **Diversity and Inclusivity**

We want to ensure any appointee to the Department’s arm’s length bodies is committed to promoting diversity, in its broadest possible sense. This will include embedding a commitment to the principles of levelling up and championing opportunity for all across the organisation, helping to ensure that the organisation is one in which a genuinely diverse range of views can be expressed, without fear or favour.

We encourage applications from all candidates regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

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**Arrangements for candidates with a disability:**

An offer of an interview will be given to candidates with disabilities who supply sufficient evidence to meet the minimum selection criteria for the role.

**Reasonable Adjustments:**
If you have a disability and require any arrangements or adjustments for any part of the recruitment or selection process, please state clearly on your form and contact Ria Vadgama (quote PAT160077 in any correspondence) by e-mail to; PublicAppointmentsTeam@justice.gov.uk

**Further information can be found via this link:** <https://publicappointments.cabinetoffice.gov.uk/recording-whether-or-not-you-have-a-disability/>

**7.** **Complaints Process**

If you have a complaint about any aspect of the way your application has been handled, we would like to hear from you. In the first instance please write to or e-mail the Public Appointments Team at the address or e-mail address given below quoting the appropriate reference number.

Maggie Garrett, Ministry of Justice, Head of the Public Appointments Team, ALB Centre of Expertise, Ministry of Justice, E-mail address: PublicAppointmentsTeam@justice.gov.uk

Complaints must be received by the Public Appointments Team within 12 calendar months of the issue or the closure of the recruitment competition, whichever is the later.

We will acknowledge your complaint within two working days of receipt and reply within 20 working days of receipt. We will tell you if we cannot meet this deadline for any reason and provide an expected reply date.

Taking it further: If you are still concerned after receiving your reply you can write to:

Commissioner for Public Appointments, Room G/8, Ground Floor, 1 Horse Guards Road,

London, SW1A 2HQ: publicappointments@csc.gov.uk .

The Commissioner for Public Appointments (CPA) regulates and monitors appointments to public bodies to ensure procedures are fair. More information about the role of the Commissioner, the Governance Code for Public Appointments and the complaints process is available here

Alternatively, please contact the Commissioner’s office on 020 7271 6729, or 0207 271 3305 for a printed copy of the complaints process.

1. **Checklist**

Please refer to the table below to ensure you send us all the necessary information.

|  |  |
| --- | --- |
| **Documents to be completed and sent:** | **Tick**  |
| Your CV *(maximum two side of A4)*  |  |
| Supporting Statement *(maximum two side of A4)* |  |
| Supporting Documents:* Conflicts of Interest and previous conduct;
* Significant political activity
* Number of other public appointments held; and
* Please also supply details of your referee’s.
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**9. Your personal Information**

In accordance with the Public Appointments Order in Council 2019(4)(5), we will process your application in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and the Ministry of Justice’s Information Charter, which can be found at <https://www.gov.uk/government/organisations/ministry-of-justice/about/personal-information-charter>.

Your data will be held securely and access will be restricted to those dealing with your application or involved in the recruitment process. Your data may also be shared with the Commissioner for Public Appointments and other relevant government departments, including the Cabinet Office, as part of a complaint investigation or review of the recruitment process. Cabinet Office will handle data in accordance with their Privacy Notice <https://publicappointments.cabinetoffice.gov.uk/privacy-notice>. Your data may also be disclosed as required by law or in connection with legal proceedings.

Your data will be stored for up to two years and processed for the purpose of the recruitment process, diversity monitoring and, if successful, your personal record. If appointed, your data will be stored for the duration of your tenure and may be shared with the organisation to which you are appointed, unless you specifically request us not to.

Should you wish your data to be removed from our records, please contact publicappointmentsteam@Justice.gov.uk .

**Appendix 1 - The seven principles of public life**

All candidates for public appointments are expected to demonstrate a commitment to, and an understanding of, the value and importance of the principles of public service. The seven principles of public life are:

**Selflessness**

Holders of public office should act solely in terms of the public interest.

**Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

**Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

**Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

**Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

**Honesty**

Holders of public office should be truthful.

**Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

**Appendix 2 –** **Guidance for those applying for an MoJ Public Appointment**

When applying for a public appointment, we require three pieces of documentation: **Your CV, 2. Supporting Statement, 3. Supporting Documents.**

This guidance gives some helpful tips on how best to present yourself to the panel who will be reviewing your application. There is no official or ‘correct way’ to write your CV or supporting statement, this is simply a guide you may wish to refer to or use as a template.

1. **CV** *- Here are a few pointers to keep in mind whilst writing or updating your CV:*
* **Please write your name at the top;**
* **Do not write more than 2 pages**. We appreciate this may be a challenge and your achievements could spread across several pages. However, please be mindful the panel may have a large number of applications to assess so brevity would be appreciated.
* **Avoid spelling and grammatical errors**;
* **Tailor it to the position you’re applying for.** Make sure to draw attention to how you have met the essential and desirable criteria throughout your achievements in life. An opening paragraph at the top of the front page would be beneficial;
* **Use an updated CV.** Explain your current role or your most recent role that fits to what you are applying for, including dates of the positions you have held;
* **Avoid big blocks of solid text.** Using bullet points will help those reading the CV;
* **Always explain what abbreviations stand for;**
* **Only include key information.** The panel do not need to know about your hobbies unless they specifically match the criteria of the role you are applying for. Personal details including name, address, phone number & email address should be included. There is no legal requirement for you to put your age, or any other protected characteristic (under the Equality Act 2010) on your CV.
1. **Supporting Statement**

Your supporting statement is an opportunity to prove to the panel your reasons for applying for the role as well as highlighting your skills and attributes.

* **Do not write more than 2 pages.**
* **Use models to help structure your paragraphs**. There are two models you may find useful when writing your supporting statements:
	+ **The WHO Model** – **W**hat was your personal role? **H**ow you did it? And what was the **O**utcome? placing emphasis on the successful outcome.
	+ **The STAR approach** – Situation: briefly describe the context and your role, Task: the specific challenge, task or job that you faced, Action: what you did, how and why you did it and Result: what you achieved through your actions.
* **Use the essential criteria as headings.** The essential criteria for roles can be found on the advert on the Cabinet Office website and within the Candidate Information Pack. It is useful to the panel when assessing your application. For example;

**Demonstrate intellectual capacity with the ability to make evidence-based decisions**

You would write a paragraph using evidence from your current role or from recent examples of how you have demonstrated your ability to make evidence-based decisions whilst achieving goals. You would link this work to the public body you are applying for, how your work directly benefits the ALB and how your skil set can contribute to its future.

1. **Supporting Documents (attached separately on Cabinet Office website)**
* Please fill in the supporting documents form. If you are invited for interview, due diligence checks will be undertaken. Although completing the diversity monitoring form is voluntary, it would greatly help the MoJ to build a world class organisation and recruit public appointees who are as diverse as the society they represent.