
STATUTORY INSTRUMENTS

2013 No. 2192

The Judicial Appointments Regulations 2013

PART 5

Selection of Lords Justice of Appeal

Membership of selection panel

23.—(1) A selection panel appointed under section 79(1) to select a person for appointment as a Lord Justice of Appeal must consist of five members.

(2) The first member is the Lord Chief Justice or the Lord Chief Justice's nominee.

(3) The second member is a person designated by the first member.

(4) Unless paragraph (9) applies, the third member is the chairman of the Commission or the chairman of the Commission's nominee.

(5) The fourth member is a lay member of the Commission designated by the third member.

(6) The fifth member is a person designated by the first member after consulting the third member.

(7) The first member is the chairman of the selection panel.

(8) Only a Head of Division or Lord Justice of Appeal may be a nominee under paragraph (2) or designated under paragraph (3).

(9) If—

(a) there is no chairman of the Commission;

(b) the chairman of the Commission is incapacitated; or

(c) the chairman of the Commission has not nominated a person under paragraph (4),

the third member is a lay member of the Commission selected by the lay members of the Commission other than the chairman of the Commission.

(10) Only the following may be designated under paragraph (6)—

(a) an England and Wales Supreme Court judge;

(b) a Head of Division;

(c) the Senior President of Tribunals;

(d) a puisne judge of the High Court;

(e) the holder of an office listed in Schedule 14;

(f) a member of the Commission who is not a Lord Justice of Appeal.

(11) The following also apply to nominees, or those designated, under this regulation—

(a) a person may not be a nominee, or a designated member, if that person is disqualified;

(b) a person may not be appointed to the selection panel as the nominee of, or as a designated member by, more than one person;

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- (c) a person appointed to the selection panel otherwise than as a nominee, or as a designated member, may not be a nominee or a designated member.
- (12) A person is disqualified for the purposes of this regulation if that person is willing to be considered for selection.
- (13) Paragraph (14) applies where a person chooses a person to be a member of a selection panel (whether as a nominee, as a designated member or otherwise).
- (14) The person making the choice must, in doing so, have regard (alongside all other relevant considerations) to the fact that it is desirable that the members of the selection panel should include—
 - (a) both women and men; and
 - (b) members drawn from a range of different racial groups (within the meaning of section 9(3) of the Equality Act 2010).