



The Scottish Parliament
Pàrlamaid na h-Alba

Justice Committee

Lord Carloway
Lord Justice Clerk
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3 September 2015

Dear Lord Carloway

Members of the Scottish Sentencing Council

The Justice Committee considered the Scottish Sentencing Council (Procedure for Appointment of Members) Regulations 2015 on 1 September. The Committee agreed to make no formal recommendation in relation to the instrument. However, in considering the instrument, some concern was expressed that there appeared to be no requirement laid down either in the instrument or the parent Act for equality issues to be taken into account during the appointment process. The Committee noted that such a formal requirement is found in the appointment process for some other public or statutory bodies. The Scottish Government's "50:50 by 2020" campaign to achieve gender parity on the boards of private, public and third sector bodies was also noted.

The Committee respects the crucial principle of independence in judicial decision-making, but hopes you will agree that these comments, which relate solely to the issue of considering the importance of equality and diversity in making public appointments, and in seeking to achieve gender parity in those appointments, are not intended to compromise that principle.

We would be grateful if, as acting head of the Scottish judiciary and as prospective chair of the Council, you take these comments into account for the purposes of the Council's appointment process. We would also be grateful if this letter could be forwarded for consideration by the new Lord Justice General, following his or her appointment.

I am copying this letter to the Cabinet Secretary for Justice; for information, and in respect of the Scottish Ministers' statutory role in appointing three lay members to the Council, and in being consulted on prospective appointments of the Lord Justice-General.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Christine Grahame', written in a cursive style.

Christine Grahame MSP
Convener, Justice Committee