

Apologies: V McCloud.

1. **Minutes** of 25th January 2024 Approved
2. **Matters arising.** Matters 6 and 11 being on the Agenda no other matters arising
3. **Branch sec report**, sec not available, Chair reporting

Security issues: no reply save bare acknowledgment to our letter to LCJ but as reported in The Times, GMB included in press report following PFD's appearance at justice committee and PFD had clearly seen the letter sent by Stuart Fegan and adopted those issues . Times report covers issues: we did not leak letter but PFD has put it in public domain. CG commented in Meida in private capacity, our concerns echoed by many.

We had Further correspondence with LCJ re reports that immigration judges threatened with cessation in sittings if judgments not done the next day. This amounted to a Change in terms and conditions.

Nadine explained previously it had been 2 weeks for judgments but the expectation changed to the next day. This is different to other jurisdictions and not taking into account reasonable adjustments but the response is that sittings will stop and the LCJ did reply albeit rejecting in tone and reported a meeting had been convened which addressed our concerns.

First sign that LCJ will correspond directly with us, and that our intervention produced an immediate change.

We will continue to monitor the impact on immigration judges.

ACTION: to enquire at next meeting if any further impact on immigration judges.

4. **GMB CEC nominees.** It was reported that this week we had voting forms and no one from our branch is on the ballots. In response to our enquiry we learned that our nominees were ineligible as not existing regional

post-holders and did not therefore make it to the ballot. Apology from returning officer that this information had not been in the issue pack.

ACTION: Michelle and CG to chase up.

5, Draft **rule 35 development plan**, excellent, . This has been circulated.

Kyrie: not had it and this is a communication issue. Has this been circulated in what's app group and not via email?

CG: It has been overlooked , VM had filed at GMB , and shared in what's app but didn't advise GMB in time to be circulated by email. Still a problem that we do not have everyone's email address.

Michele also not seen it but Stuart has so can get it circulated.

Defer to comment before next meeting as already overdue and deal with this between meetings by circulation to Committee if meeting agree.

ACTION: draft rule 35 statement to be circulated for comment and filing

6. **Communication issues:**

CG: Thank you to all for email addresses, if not done so already please send me permission to have your email address.

Dawn: we need help, we don't know how to achieve our aims. No reference to judges branch at all on website. Nothing to celebrate or encourage judges to join. Need a 'store front' so that people can access it. Can GMB help us?

Previously talk about digital notice board, not yet happened. Need landing point that leads to document holder. Stuart also promised us a twitter feed as well as a digital notice board. Hasn't happened.

Notice board on website we could use. Michelle can help us take this forward. Have regional website and can give you a page here but it may be confusing so be better to have national page but can only have material that will be in the public domain.

Private documents, there is a log in space , not sure whether the branch can put material, need to look into this.

Dawn: not easy to find any information. No obvious place to direct people. Dawn content to be Comms officer. Michelle recommends using national space not region's own website.

ACTION: Michele to get in touch with Dawn to take this forward.

Kyrie: need to look at comms strategy so need to do a scoping paper, eg problems with split communication. Needs to be a careful loop, that's part of comms so is recruiting and so is comms of steps taken by committee.

Dawn: we don't have time and I'm not in a position to commit to doing a paper.

CG: it's in our development plan, branch sec responsibility and part of that report. Andy: comms is a central problem. Suggest Microsoft teams. Currently crippled by comms.

CG: Need email addresses first. Have some but not many.

ACTION: if not done so already need to let CG know happy for her to have our email address.

7. Policy

7.1 Disciplinary process defect , no hearing.

Motion by sec, proposed by CG and KK. Concerned by current disciplinary process, a member was dismissed without hearing, report goes to LCJ. Then it's implemented. No right of appeal, believe not article 6 compliant. He was told that as he threatened judicial review, his decision wouldn't be considered unless he agreed not to JR.

KK proposed. A Mithani seconded. Member has already blown whistle in respect of this. After a detailed debate over impact of this precedent and motion wording and current strategy of engagement:

“ This Meeting approves and directs that the Committee shall take such steps as it thinks fit to raise concerns over the apparent failure of the JCIO and LCJ/JO/LC to implement the provisions of the Judicial Concordat in relation to the ad hoc creation of a review tribunal to consider cases where an Investigating judge has recommended sanctions against a judge, such that in the most serious complaint cases the practice is to provide no right whatsoever to a judge to challenge the decision of the investigating judge or be heard and represented on the complaint.”

Motion approved as worded.

ACTION: the policy is adopted and promoted in respect of disciplinary. Union to write to LCJ setting out concerns.

7.2 actively seek to engage with both government and opposition. Andy: proposed this motion, but a query raised is it non political?

CG: defer for clarification, it's not as if we have an election date(!)

7.3 duty of care. K Established in July 2021, the scope is not recognised, we need to make sure it is defined so that we can enforce it, covers security, deployment etc. Senior judiciary don't seem to be fully aware of their responsibilities. All judges need to know the scope of the duty of care.

CG: describing a work program with amendments to official documents and the advice of HR. Need a document to work up the steps to achieve it.

KK will take this forward. Would like help if possible. Eg would want any policy statement on disability to include it. N will help.

Andy; also need to look at Health and safety at work. Andy will volunteer to help. Dawn: HR have said this relies on us putting in a grievance.

Nadine, Andy and Kaly will form a sub group and report back.

Part B **confidentiality warning:** all obliged to keep meeting and discussions confidential.

11. Members' Litigation Update

KT: case in court of appeal 13th June 2024. High court decided that JAC now free to get information from wherever they like and JAC are capable of filtering this information.

Not happy that union did not engage and were discharged as an interested party as didn't engage with the litigation. (we still have no explanation from union as to why they allowed this to happen)

Want the union to put out a press statement as KT can't. CG; want to put out a neutral press release in support of our member. AM; we should be grateful to Kate for taking on the JAC at great personal cost. MP has put questions to secretary of justice. A lot of people are concerned with the secrecy. Secret soundings was deciding factor, not recorded where they come from or check that they are correct.

Law society has complained about this. In midlands stranglehold on judges, all from 2 sets. Of 34 judges 25 are from 2 same sets. All recorders in Wolverhampton and stoke all no5 or St Philip's. Birmingham only 1 not number 5 or st Philips. One DDJ, no interview in DJ but CJ in crime, he was told his chambers would sort it.

People are saying no point applying especially if solicitor advocate.

Master of Rolls visiting on 8th May. Want to put pressure on. Extensively but inaccurately reported. Had a presider visit and say unhappy about the press coverage. May also be a documentary about what goes on behind the scenes. Case is against JAc but ties into everything especially bullying. Those investigating bullying as they are from same set/chambers as the accused. People are being intimidated to put up and shut up. All very incestuous so poor behaviour goes unchallenged.

CG: anyone want to object to press release. : applaud Kate for sticking with it, all grateful and in awe.

AM: Member and AM attended high court. What my judges want I will do my best to support so if anyone can attend court of appeal AM: AG needs our support too. CG: wide statements rejecting racism in his judgment disgraceful. Untenable position

CG: we approve the press release being issued in support of our member Kate Thomas.

ACTION: approve press release in support of Kate Thomas.

Union supports Ashock and considers the judgment untenable.

CG to obtain explanation from union as to why they allowed themselves to be discharged from Kate's case when the case was in line with the policy of the GMB. This information is important as members are asking "where is the Union in these cases?".

10. Held over from last meeting and taken out of order

Kyrie: my motion is that all **those holding a trade union office should be named and not entitled to anonymity**. In September at first meeting, it was agreed that names would be circulated as a point of contact.

Kyrie suggests that this was further discussed outside the meeting and then the decision was changed and was not what was agreed at the actual meeting. (This is not accepted and no minutes so unable to resolve)

Kyrie says Judicial oath without fear and favour. A few of us have been sorely tested. Judicial oath requires service and should continue to fulfill that part of the oath and undermines the officials position to fulfill their remit.

Contact details would be set out. Today not sure who is an official. Issues/mess that has arisen.

How are we going to act if we don't have officials contact details, how can people get in touch. Want formal view. Anonymity is in breach of GMB rules. Have left a message for Stuart to ask this question

CG: we never got a minute of that first meeting, I was chairing so wasn't making a note, we didn't record the meeting. The person who agreed to take a minute didn't and we therefore don't have a list of our officers or a note of what was agreed..Michelle not present, Stuart was. We don't have a list, if you do hold an office, let CG know.

ACTION : Does Stuart have a list of committee and their details. If you believe you are appointed to a post on committee please let CG know and office.

D: don't know what I'm doing so can't offer level of support until I know what I'm doing, we also need to be careful about giving incorrect advice. Need training. Insurance implications. We were reassured that didn't need to be known. Disagree with Kiri that oath extends to this work. So not prepared for name to go out. Can't recall what I've agreed to do.

N don't agree with motion. It's a judicial oath not GMB oath. At moment we are just branch committee members. Being known amongst members don't object. Open to get in touch through GMB. No prejudice to members.

A it's important as it's about communication, you have to declare who your officers are to be credible. Never had it suggested that officers not known in a union. Surprised that people haven't been for training, committee needs to skill themselves up or explain why they haven't in last 7 months.

Michele: unclear who officers are. There are rule book positions and then there are other positions as relevant or useful. There may a difference there, eg project workers may retain anonymity but also it's important about what people understood to be the case so that they have the opportunity to step down.

Some names can be circulated. Unusual question, in industrial branches employer usually knows this is particular issues for your branch, needs to be resolved, I'll pick it up outside our meeting.

N most of us with name disclosed to members but won't agree until know what our duties are. None of will be public until know what our duties are.

Kyrie need confirmed, proper legal advice. We are exposed, unpleasant for all of us. But being a named trade union official protects you from being sacked, it's a reason I was elected onto council of immigration judges.

ACTION: Content to defer until advice from union.

Officer holders to make selves known to CG and view on whether want to be named.

12. Training Michele to let us know about training opportunities.

D can we have protected time and training, differentiation between core officers, and also staff members

Concludes meeting. AM: thank you to CG for chairing the meeting so well.

