



**Council**  
**4 February 2014**  
**Appointment of Legal Assessors**

<b>Classification</b>	Public
<b>Purpose</b>	For decision
<b>Issue</b>	To obtain approval from the Council for the appointment of Legal Assessors.
<b>Recommendation</b>	To appoint the fourteen lawyers listed in the Annex as Legal Assessors to the General Osteopathic Council from 1 April 2015 to 31 March 2019.
<b>Financial and resourcing implications</b>	The costs of the Legal Assessors will be met within the Regulation department budget.
<b>Equality and diversity implications</b>	The recommendations for appointments have been made solely on merit. Summary equality and diversity data is provided in the report.
<b>Communications implications</b>	None
<b>Annex</b>	List of Legal Assessors
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## Background

1. The Osteopaths Act 1993 requires Council to appoint Legal Assessors who have the function of giving legal advice to:
  - a. The Investigating Committee
  - b. The Professional Conduct Committee
  - c. The Health Committee
  - d. The Registration Appeals Committee.
2. The existing pool of Legal Assessors has been in place for a number of years and over time their numbers have dwindled. As part of this year's Business Plan it was agreed to refresh the pool of medical assessors as previously agreed by the Remuneration and Appointments Committee.

## Discussion

3. The vacancies were advertised on the GOsC website. In addition, information about the vacancies was sent to the Association of Regulatory and Disciplinary Lawyers; the Faculty of Advocates in Scotland; and the Bar Council in Northern Ireland. Information about the vacancies was also emailed directly to a number of chambers and firms of solicitors in England and Scotland with a recognised specialism in public and regulatory law (as identified from published directories).
4. 34 applications were received. All applications were reviewed by a selection panel made up of the Chief Executive, Head of Regulation and an external member – Mandie Lavin (Director of Regulation at the General Optical Council, and former Director of the Bar Standards Board) .
5. The panel shortlisted 20 candidates and interviewed the candidates over a period of two weeks. As part of the interview process, all candidates were required to complete a timed case study exercise before the interview and to discuss the case study with the panel.
6. The Osteopaths Act 1993 requires that to be appointed, legal assessors must hold a ten year general qualification within the meaning of the Courts and legal Services Act 1990, or be an advocate or solicitor in Scotland, or a member of the bar or solicitor in Northern Ireland, of a least 10 years standing.
7. In addition to these requirements, candidates were assessed against a number of identified competencies set out in the Information Pack and recruitment material:
  - understanding of the statutory role of the GOsC
  - comprehensive knowledge of the principles underpinning healthcare regulation
  - sound knowledge of evidence and procedure applicable to regulatory tribunals

- understanding of information governance and confidentiality
  - effective drafting
  - intellectual flexibility
  - effective communication
  - promoting equality and diversity
8. The quality of applicants was extremely high. The panel considered it was worth appointing a relatively high proportion of candidates to maximise the potential availability of assessors to attend hearings, and to capitalise on the range of experience and backgrounds which will enable us to deploy individual legal assessors to meet the GOsC's needs in a variety of circumstances.
9. The panel was also pleased to identify a reasonably diverse range of suitable candidates for appointment. The recommended candidates include those with expertise in two of the three legal jurisdictions within the UK (England and Wales, and Scotland).

Women	BME	Disability
28%	21%	14%

10. Fourteen applicants have been recommended for appointment by Council. It is proposed that they should be appointed for a period of four years. Their names can be found in the annex.

**Recommendation:** to appoint the fourteen lawyers listed in the Annex as Legal Assessors to the General Osteopathic Council from 1 April 2015 to 31 March 2019.

**List of recommended Legal Assessors**

1. Fayyaz Azfal
2. Valerie Charbit
3. Andrew Davies
4. Jonathan Goldring
5. Andrew Granville Stafford
6. Joanne Hirst
7. Tom Kark QC
8. Gary Leong
9. Alastair McFarlane
10. Margaret Obi
11. Sarah Plaschkes QC
12. Andrew Webster
13. Richard Wheeler
14. Jonathan Whitfield QC