

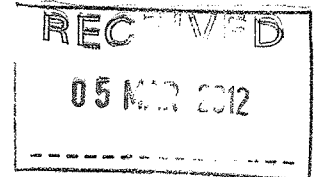


Ministry of
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**The Right Honourable
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Dr Hywel Francis MP
Chair
Joint Committee on Human Rights
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29 February 2012

Dear Dr Francis,

**EUROPEAN COURT OF HUMAN RIGHTS: ELECTION OF UNITED KINGDOM
JUDGE**

I am writing to inform you of the outcome of the selection process to find three candidates for the office of the United Kingdom Judge at the European Court of Human Rights (ECtHR).

The Judges of the Strasbourg Court are elected from a list of three names, submitted by State Parties to the Parliamentary Assembly of the Council of Europe (PACE). The term of our next Judge will begin at the start of November.

The selection process was conducted by a five person panel:

- Chair: The Right Hon The Lord Mance, Justice of the Supreme Court

Following the completion of the sift stage and in accordance with the agreed policy for resolving conflicts of interest, Lord Mance recused himself from the process because one of the applicants selected for interview was a personal friend. Lord Mance was replaced by The Right Hon The Lord Dyson, Justice of the Supreme Court, who chaired the panel from that point onwards.

- The Right Hon Lord Reed, previously Senator of the College of Justice and now Justice of the Supreme Court
- Professor Nichola Rooney, Commissioner of the Northern Ireland Judicial Appointments Commission
- Iain MacLeod, Legal Adviser, Foreign and Commonwealth Office
- Rosemary Davies, Legal Adviser, Ministry of Justice

Following completion of the interview stage, the selection panel submitted its recommended list of three candidates, which both the Foreign Secretary and I have now agreed.


The three UK candidates who will be considered by the Parliamentary Assembly of the Council of Europe (PACE) are:

- **Raquel Agnello** is a QC specialising in insolvency and pensions law. She sits in a judicial capacity as a Deputy Registrar in Bankruptcy in the High Court.
- **Ben Emmerson** is a QC in the human rights field, who has appeared in numerous domestic and international cases. He is the co author of one of the leading text books on human rights. He has judicial experience in the UK sitting as a Recorder in the Crown Court and as a deputy High Court judge.
- **Paul Mahoney** is a former Registrar of the Strasbourg Court who more recently has held judicial office in EU Tribunals. He has an extensive knowledge of European Convention of Human Rights (ECHR) jurisprudence and of the legal systems of other member states. He has published numerous articles in academic journals and contributed to books on human rights law and procedure.

PACE requires nominating states to submit their lists of candidates in alphabetical order to avoid any indication of a national order of preference.

The UK shortlist will be considered first by the Advisory Committee established by the Committee of Ministers of the Council of Europe to assess whether candidates on national shortlists meet the criteria for appointment as Judges of the ECtHR set out in the ECHR. This is a paper-based exercise.

Next, PACE's Sub-Committee on the election of Judges to the Court conducts interviews with the three candidates and makes confidential recommendations about their suitability. These recommendations will be available to members of PACE before they vote to elect one of the three candidates as the next UK at the ECtHR. The election will take place during PACE's part-session meeting in June. In accordance with its established practice, PACE will publish the names of the UK candidates and their CVs on its website once they are formally referred by the UK.



KENNETH CLARKE