

Improving Judicial Diversity

**Progress towards delivery of the ‘Report of the
Advisory Panel on Judicial Diversity 2010’**

Annual Report produced by the Judicial Diversity Taskforce

September 2012

A Report on the progress towards delivery of the 'Report of the Advisory Panel on Judicial Diversity 2010'



**Ministry of
JUSTICE**



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The Bar Council: www.barcouncil.org.uk

The Law Society: www.lawsociety.org.uk/home.law

The Chartered Institute of Legal Executives: www.cilex.org.uk

Table of Contents

Foreword	5
Executive Summary	6
Judicial Diversity Taskforce – Members Observations.....	8
Outstanding Recommendations – Progress Update.....	14
A Fundamental Shift in Approach	14
Encouraging new entrants to the Judiciary	18
The Selection and Recommendation Process for Judicial Appointments.....	29
Developing a Judicial Career.....	43
Judicial Culture, Terms and Conditions	48
Appendix 1 – Completed recommendations from previous Reports	52
Appendix 2 – Judicial Diversity Baseline measurement.....	53
Appendix 3 – Legal Professions Timetable	57
Appendix 4 – Diversity Statistics	66
Appendix 5 – Eligible Pool	74
Appendix 6 – Glossary of Terms and Abbreviations.....	78

Foreword

The report of the [Advisory Panel on Judicial Diversity](#)¹, chaired by Baroness Neuberger, was published in February 2010. It contained 53 recommendations, one of which was that a Judicial Diversity Taskforce, comprising the Ministry of Justice, senior members of the judiciary, the Judicial Appointments Commission, the Bar Council, the Law Society and Chartered Institute of Legal Executives, be constituted to oversee implementation of the recommendations.

The Judicial Diversity Taskforce published its first annual progress report in [May 2011](#)², and although this first report showed that progress had been made in respect of all of the recommendations, the Taskforce recognised that there was no room for complacency; there must be continued commitment by all members of the Taskforce to deliver the longer term initiatives, maintaining momentum and demonstrating substantial progress going forward.

We would like to thank everyone who has been involved in the significant achievements so far that demonstrate continued commitment towards achieving a more diverse judiciary, while recognising the resourcing constraints that all member organisations are working within.

This second progress report recognises that some of the 53 recommendations have now been closed or addressed previously and therefore in order to avoid unnecessary duplication of entries from the previous report these completed recommendations have been removed from the main body of the report and documented in [Appendix 1](#).

¹ <http://www.judiciary.gov.uk/publications-and-reports/reports/diversity/advisory-panel-recommendations>

² <http://www.justice.gov.uk/downloads/publications/moj/2011/judicial-diversity-report-2010.pdf>

Executive Summary

All the contributors to this report agree that the judiciary should more closely reflect the diversity of society and the legal profession as a whole.

In 2009 the Lord Chancellor's Advisory Panel on Judicial Diversity chaired by Baroness Neuberger concluded after a thorough investigation that *"...there is no quick fix to moving towards a more diverse judiciary. We will achieve significant transformation only if diversity is addressed systematically – not only within the appointments process, but throughout a legal and judicial career. Delivering a more diverse judiciary is not just about recruiting talent wherever it may be found, important though that is, but about retaining talent and enabling capable individuals to reach the top."*

The Panel's vision was that by 2020 there should be a much more diverse judiciary at all levels which:

- Remains as talented, respected and independent as it was in 2010;
- Recognises the concept of a judicial career;
- Seeks and finds talent in more unusual places;
- Gives opportunities to a wider range of individuals, and
- Is more flexible in its working practices.

The Judicial Diversity Taskforce comprising the Ministry of Justice, senior members of the Judiciary, the Judicial Appointments Commission (JAC), the Bar Council, the Law Society and The Chartered Institute of Legal Executives, was created to drive forward that change and to ensure that we build a solid platform to produce a more diverse judiciary.

This report is therefore a chance to reflect on the achievements to date, whilst acknowledging that there remains a long road ahead of us. The Taskforce is committed to providing strong and visible leadership to this ambitious programme of change.

Achievements

Twenty of the 53 recommendations from the Advisory Panel report have now been implemented in full with the remainder underway.

In the first year the Taskforce agreed a new data sharing policy paving the way for a more accurate measure to act as a baseline from which the Taskforce can evaluate the effectiveness of these initiatives and to assess the progress being made. This was a key recommendation of the Advisory Panel. Whenever possible the baseline will be refined and updated. For example, data on the diversity of the Tribunals judiciary has only recently become available but will be included into the measure following publication later this year.

All three branches of the legal profession have put in place programmes that promote judicial office to their members, and offer support and guidance throughout the selection process to those who do apply to be a judge.

In addition to the work they already do with schools, colleges and community groups Diversity and Community Relations Judges are also now involved in a Bar Council initiative to pair every law school with one or more court centres. The scheme aims to provide students, many of

whom will have come from backgrounds new to the legal profession, with a better understanding of advocacy, the court process and careers in the law.

The JAC now monitors a wider range of diversity characteristics including sexual orientation and religion. Its candidate seminars are now run as a joint programme with the legal profession co-ordinated through the JAC's Diversity Forum. These events help dispel persistent myths which exist around the selection process - such as a need for advocacy experience, or needing a High Court Judge as a referee. They also encourage talented individuals from a less traditional background to apply. Working with The Chartered Institute of Legal Executives and the Law Society the JAC has run 'candidate webinars' (web based seminars) reaching a much wider audience than are normally able to attend events. More are planned for the future.

The Law Society have launched their Solicitor Judges Division - a community of judges, providing regular communications to members of the judiciary and identifying judges willing to assist other solicitors interested in becoming judges.

A number of the Advisory Panel recommendations required a change in the law. The Ministry of Justice consulted on these at the end of last year. Several changes are now in the Crime and Courts Bill which is currently before Parliament. These changes include proposals to allow flexible working arrangements in the High Court and above, together with enabling the JAC to apply the 'tipping point' when it is considering applicants of equal merit for roles up to and including the High Court.

The Future

These are all notable achievements; however it is not the time to rest on our laurels. The Taskforce must continue to provide focus, energy and strong, visible leadership to this ambitious programme of change.

In November of this year, the Lord Chief Justice will be hosting an outreach event at which solicitors, barristers and chartered legal executives from all backgrounds will have the opportunity to interact with judges from the courts and tribunals, discuss their aspirations and learn about the different judicial roles that are open to them. It hopes to attract lawyers from under-represented groups including those who may not have considered judicial office, and will help them identify potential role models. The JAC will attend to answer questions.

Subject to the successful passage of the Crime and Courts Bill through both Houses of Parliament, work would be taken forward on the implementation of those recommendations covered by the legislation.

The Taskforce will also continue to be flexible and innovative in its approach, being proactive in addressing new issues that have arisen since the publication of the original report. The full report shows each recommendation with the actions taken to achieve it by those who are responsible for their implementation.

Judicial Diversity Taskforce – Members Observations

The Bar Council

For the judiciary to have the confidence of those who use the courts, and of society as a whole, it needs to be reflective of society. A diverse judiciary can only be drawn from a diverse legal profession. The Bar Council strongly commended the work and recommendations of Baroness Neuberger and her panel, and we continue to focus efforts on widening access and retaining diversity within the profession.

In recent years, the growth in the number of practising barristers has slowed, but the Bar's diversity profile continues to strengthen. Women account for 35 per cent of all practising barristers and Black and Minority Ethnic barristers comprise 10 per cent of the practising Bar. Over the last five years, the proportion of women entering the profession as pupils has fluctuated between 41 and 51 per cent, and the proportion of pupils from Black and Minority Ethnic backgrounds has swayed between 13 and 20 per cent.

The Bar Council's website contains a range of data and reports demonstrating the diversity of barristers at the different stages of their training and careers. This provides a transparent evidence base against which to measure our progress.

Please see: <http://www.barcouncil.org.uk/about-the-bar/facts-and-figures>.

The Bar Council's equality objectives and an action plan were published on our website in 2012, and focus on two priorities: widening access to the profession and retaining and strengthening diversity within it.

At the beginning of 2012, the Bar Council formed a Social Mobility Committee, Chaired by Taryn Lee QC, which is tasked with improving access to the profession and social mobility. The annual social mobility Bar Placement Scheme takes an increasing number of sixth form students every year. The Bar Council's work to attract school students with the ability to achieve a career at the Bar continues.

In addition, a regular programme of information events is run by the Bar Council's Equality and Diversity Committee and by Circuit Diversity Mentors, with input from the Judicial Appointments Commission. These aim to encourage eligible practitioners to consider applying for judicial appointment by explaining and demystifying the appointment process. Opportunities are provided for informal mentoring by those who have achieved appointments. Joint events with other professional bodies are also planned for the forthcoming year, as set out in this progress report.

Michael Todd QC, Chairman of the General Council of the Bar has said

"I welcome this opportunity to work with the Task Force and the Steering Group to support the implementation of the recommendations in Baroness Neuberger's Report on Judicial Diversity. We have worked, over many years, to widen access to the profession and to strengthen social mobility and diversity at the Bar.

"Improving the retention of women at the Bar is a key priority, and I am piloting plans for a Bar nursery situated close to most barristers' offices in London. This is a scheme which we hope to replicate in other parts of the country. We are also committed to a programme of events and activities to demystify the judicial appointment process and to encourage applications.

“I welcome the progress made to date, including the increased diversity of those appointed to the junior levels of the judiciary. Thanks to the concerted efforts of all members of the Taskforce, I look forward to seeing those achievements replicated at more senior levels.”

The Chartered Institute of Legal Executives (CILEx)

Since the publication of the first annual report, the Chartered Institute of Legal Executives, and colleagues from across the legal profession have continued to focus their efforts on the promotion of judicial appointments to all, regardless of background or socio-economic status. Since the last Report, our regional liaison team have visited almost 90 secondary state and independent schools and colleges across the regions, to inspire those who may never have considered a judicial career that the opportunity is open to them through the Chartered Institute. For our members who are further advanced in their chosen career path, we have strengthened the information and guidance available. Our judicial outreach events continue to be popular, resulting in a higher proportion of eligible Chartered Legal Executives stating they are more likely to apply for a judicial post. We are introducing a new programme to increase the number of members undertaking Judicial Work Shadowing, which is highly beneficial to those aspiring for a judicial career. Since 2008, 122 members have undertaken a period of shadowing. In December 2010, working with the JAC, we introduced and are promoting a new register of members who are keen to participate in pilot dry-run exercises for upcoming assessments. Over 500 members have viewed the 2012 CILEx/JAC [judicial webinar](#)³ with 51% of viewers more likely to apply for a judicial post.

Nick Hanning, the President of The Chartered Institute of Legal Executives has said

“We will continue to build on our outreach programme and are pleased to be working with colleagues at the JAC, Law Society and Bar Council to deliver joint outreach events for 2012, to strengthen the impact across our profession. I have been a member of the JAC’s Advisory Group since 2008 and look forward to continuing this role in support of the Taskforce recommendations. Our activity will be supported by new online webinars, accessible to all our members, developed in conjunction with the JAC. Our visits to schools, colleges, careers events and forums will continue, reaching as far and wide as possible.

Diversity and social mobility is at the heart of what we do and who we represent. As a newly chartered body, we will continue to build on these solid foundations to deliver the Recommendations of the Taskforce”

The Law Society

Achieving a more diverse judiciary remains a challenge. A judiciary which does not adequately reflect the society that it serves will not be as respected or accepted as it could be. But it is not a goal that can be achieved overnight. It will only happen when the legal profession from which the judiciary is drawn becomes more representative. That is beginning to happen in England and Wales, but it will be some time before that progress is reflected among those appointed as judges.

The Law Society has adopted a new Equality and Diversity Framework which outlines the measures needed to accelerate the rate of progress towards equality of opportunity, greater diversity within the profession and effective and inclusive working practices. This supplements our Diversity and Inclusion Charter, which is a public statement by its signatories of their commitment to implementing a framework for positive action across all strands of diversity.

³ <http://mediazone.brighttalk.com/event/JAC/fccc64972a-5985-intro>

Meantime those with an interest in the judicial appointments process must continue to ensure that it is fair to all applicants and continue to provide support for those who want to apply.

Lucy Scott-Moncrieff, the President of the Law Society has said

“I have sat and next year will go back to sitting as a Mental Health Tribunal Judge, so I know how interesting, challenging and horizon-expanding judicial work is. I hope that many more solicitors will dip a toe in the water or even better plunge right into the judicial pool. The Society is committed to raising awareness within the profession of the judicial opportunities available to solicitors. I am convinced that there remains vast potential within the solicitors’ profession for judicial appointment which has not been accessed. In that connection I want in particular to build on the initiative of my predecessor who hosted a meeting at the end of May addressed by the Lord Chief Justice and the chairman of the JAC of senior practitioners from a broad range of City firms to see if we can identify and address any obstacles to solicitors applying.”

Judicial Appointments Commission (JAC)

The JAC continues to work with others to increase the diversity of those applying for judicial office, both in line with its statutory duty and in order to progress the recommendations of the 2011 Advisory Panel Report.

Specifically in 2011/2012, the JAC has:

- Amended the text accompanying the JAC’s merit criterion ‘An ability to understand and deal fairly’ [Recommendation 20] following full consultation with key interested parties to include an explicit reference to diversity. This revised criterion amplifies the requirement to demonstrate a commitment to diversity, calling for an awareness of the diversity of the communities which the courts and tribunals serve and an understanding of differing needs.
- Trialled the operation of qualifying tests on line [Recommendation 25] enabling candidates to take the test with complete confidentiality and at a time and place of their choosing. A fourth exercise has been added to the programme and a full evaluation is expected in July 2012. If full implementation is accepted by the Commission this will have benefits for all candidates and in particular solicitors who may feel unsupported in their judicial ambitions within their practice and fear the repercussions of an unsuccessful application.
- Provided for candidates to obtain their own ‘candidate nominated’ references after they have been shortlisted [Recommendation 29]. This gives candidates even greater certainty on the point at which contact with referees is made and allows candidates to speak to their referee to ensure they are able to provide a suitable reference.
- Introduced Webinars as part of our outreach strategy with the intention of making the material accessible to a more diverse group of candidates [Recommendation 13] when compared with existing outreach events. Over 75 people participated in the JAC’s first live webinar (held in partnership with CILEx) and it has now been viewed by 438 people and over 553 times. 95 per cent of those viewers would like to see more such online events – which allows repeat - and home viewing, again boosting prospective candidate confidentiality and ensuring that everyone, no matter what point they are at in their legal career or where they are in the country, has access to information on making an application.
- Recruited a new cadre of panel members, which is more diverse and who have received comprehensive diversity training. A new appraisal system has also been introduced for them. [Recommendations 31 to 33].

The Chairman of the JAC, Christopher Stephens, said:

“The diversity of the judiciary is improving. Women candidates are performing well across the board and the JAC recently selected the 1000th woman for a judicial post. We would like to see a similar rate of progress among BAME candidates.

I am particularly pleased that Baroness Neuberger has recognised the work done in revising our merit criteria and with the positive response of candidates to the webinar and on-line testing initiatives.

We have made great strides this year and the support from the legal professions, judiciary and the Ministry of Justice continues to be strong. I am determined to attract more solicitors to the full range of judicial roles and am sure that real change will occur as we continue to work together.”

The Judiciary of England & Wales

Judges have continued working to improve diversity across the courts and tribunals. Their contribution to the work shadowing scheme and their involvement in local communities through the network of Diversity and Community Relations Judges (DCRJ) plays an important part in building relationships in the community. It provides opportunities to reach people from diverse backgrounds and challenge misconceptions about who can be appointed to judicial office, whilst also improving understanding of the role of a judge. Work undertaken with the professions has in addition forged closer links between judges and universities, particularly new universities where the demographic of students is more diverse.

The amalgamation of the Courts and Tribunals Services, together with the creation of a single team in the Judicial Office to provide Human Resources support for the judiciary, is supporting the development of the concept of a judicial career. In particular, the new organisation brings together key policy making across both jurisdictions; it facilitates the capture of information and the coordination of effort; it puts the administration in a better position to support the Senior President of Tribunals in promoting diversity amongst the tribunals judiciary; and it enables more ready identification of best practice and transferable skills.

Lord Chief Justice of England and Wales, the Right Honourable Lord Judge has said:

“The Advisory Panel correctly concluded that there is no single answer to the question of improving judicial diversity. Working towards that objective is a joint exercise involving both the judiciary and the professions and I continue to be impressed by the dedication and commitment with which all those concerned have set themselves to the task. Opportunities to achieve judicial office are not without limit, but potential applicants should not be deterred from seeking appointment whatever their background. On the contrary, the judiciary is enhanced by drawing into its ranks those from as diverse a range of backgrounds as possible. Diversity and Community Relations Judges and others play a key role in promoting this message and encouraging suitable people to consider a judicial career. Over the past 12 months members of the judiciary, together with the staff who support them, have worked hard against a backcloth of challenges and constraints and I am immensely grateful for all their efforts and commitment.”

The former Senior President of Tribunals, Lord Justice Carnwath has said:

“I am grateful for the opportunity to give my thoughts on the progress made towards improving judicial diversity from my perspective as the former Senior President of Tribunals.

The judges and members of tribunals show a rather wider range of diversity to the courts. A majority of our judges are from a solicitor rather than a barrister background, almost half are

women and those identifying themselves as from a black and minority ethnic background make up over 10% of the judicial workforce. This tends to suggest that it is the nature of the jurisdictions and the way that they work that attracts a greater diversity i.e. a preponderance of fee paid appointments which allow greater flexibility to combine judicial appointment with a range of other work and caring responsibilities, the specialised nature of individual jurisdictions and perhaps a more collegiate way of working as part of a panel that includes experts.

These features of tribunals work provide us with an excellent judicial work force and starting point from which the Advisory Panel's recommendation of developing a single judicial career encompassing both courts and tribunals can begin.

I wish my successor well in taking this forward."

Ministry of Justice

Working with the other organisational members of the Taskforce, the Ministry of Justice identified those recommendations which would require changes to be made to primary legislation. These recommendations were incorporated into the MoJ consultation which was launched in November 2011, and concluded on 13 February 2012⁴; the response to consultation was published on 11 May⁵. The consultation received 96 responses from a range of interested organisations and individuals. The views expressed were considered carefully, together with the findings from the [House of Lords Constitution Committee's report on Judicial Appointments](#)⁶. The provisions that are being taken forward were included within the Crime and Courts Bill, which was introduced into the House of Lords on 10 May. These reforms will help achieve the proper balance between executive, judicial and independent responsibilities in appointments and create a more diverse judiciary that is reflective of society and appointed on merit.

Over the past 12 months, MoJ Analytical Services have started work on completing recommendation 7, which proposes the development of a measurable baseline against which progress in increasing judicial diversity can be gauged. The development of this work has been assisted by the agreement to share data collected by the JAC with other organisations, as well as the work recently completed by Judicial Office to reconcile information relating to the number of judicial office holders working within the Tribunals, together with details relating to protected characteristics.

The Right Honourable Lord McNally, Minister of State for Justice said:

"12 months ago I said that 'I am convinced that we will need a much greater sense of urgency and commitment if we are to achieve meaningful diversity.' Looking back on the preceding year, there has been some sterling work completed by the Taskforce, including the Ministry of Justice, through the publication of its consultation, the introduction of the Crime and Courts Bill and the development of the baseline, by the JAC through the changes that they have introduced to their merit criterion and the selection process, and the judiciary on their work on developing appraisal and crucial outreach work undertaken by the Diversity and Community Relations Judges. The work being led by the judiciary on judicial appraisal is vital, and I am of the view that an appraisal system owned by the judiciary will assist all office holders' development, regardless of how high up the career ladder they may be.

⁴ <http://www.justice.gov.uk/downloads/consultations/judicial-appointments-consultation-1911.pdf>

⁵ <https://consult.justice.gov.uk/digital-communications/judicial-appointments-cp19-2011>

⁶ <http://www.publications.parliament.uk/pa/ld201012/ldselect/ldconst/272/272.pdf>

However, I am still left with a feeling that collectively we 'could do better'.

More work needs to be done by the Legal Professions to tackle issues within the eligible pool, to encourage a more diverse number of applicants to apply for the right office at the right time in their career and to address the wider issue of retention within the professions, particularly amongst women and BAME. Similarly, more will need to be done by the Ministry of Justice, the JAC and the judiciary to embed the concept of career progression, to build on the work to introduce appraisals and to ensure that we do not grow complacent. Without fundamental changes to the professions and strong leadership from all I can not conceive of us having any real chance at improving the diversity of the judiciary in the long-term.

All of us involved within the Taskforce must provide strong visible leadership to ensure that all of the work completed to date doesn't founder on the rocks of apathy."

Outstanding Recommendations – Progress Update

A Fundamental Shift in Approach

Recommendation 1

There should be a fundamental shift of approach from a focus on individual judicial appointments to the concept of a judicial career. A judicial career should be able to span roles in the courts and tribunals as one unified judiciary.

Contextual paragraph from Advisory Panel report

(Para. 36) – The judiciary differs substantially from other professions in that there is a focus on judicial appointments, not a judicial career. This has meant that efforts to increase diversity have tended to focus on outreach and the selection process in order to affect individual appointments, rather than developing policies and processes to support diversity throughout a judicial career from the time an individual may first consider becoming a judge to progression to the most senior levels.

Organisation taking forward: Judiciary

Action completed to date:

Ministry of Justice – as part of the policy changes included within the Crime and Courts Bill, one of the clauses relates to allowing the flexible deployment of judges between tribunals and courts. This will give greater flexibility to meet business needs, support diversity and help develop the concept of a judicial career.

Judiciary - The creation of a single HR team in the Judicial Office is helping facilitate the concept of a judicial career by bringing together key policy making across both jurisdictions and facilitating the capture of information and the coordination of effort. It puts the administration in a better position to support the Senior President of Tribunals in promoting diversity amongst the tribunals' judiciary; and it enables more ready identification of best practice and transferable skills. In addition, the creation of the Judicial College ensures that all courts and tribunals judiciary are trained to the same high standards. The College is also now able to deliver training programmes across the jurisdictions in common areas such as judicial skills and the social context of judging

Future actions planned:

Ministry of Justice – upon completion of the legislative passage of the [Crime and Courts Bill](http://services.parliament.uk/bills/2012-13/crimeandcourts.html)⁷, the MoJ will work with the Judiciary and HMCTS in order to support implementation.

Judiciary - Progress towards developing this concept will be enabled through the creation of a single head of the judiciary and greater flexibility in deployment from Tribunals to Courts. Both of these require statutory change.

Forecast completion date: Ongoing: May 2012 – introduction of Crime and Courts Bill Implementation subject to completion of legislative passage.

⁷ <http://services.parliament.uk/bills/2012-13/crimeandcourts.html>

Recommendation 2

The recommendations made in this report must be implemented as an integrated package and sequenced carefully.

Contextual paragraph from Advisory Panel report

(Para 39) - Significant progress will take a fundamental shift in approach, to embed diversity throughout the system: through attracting, appointing, retaining, developing and promoting the best talent.

Organisation taking forward: Ministry of Justice

Action completed to date

As previously agreed, good progress could be achieved through effective communication and co-ordination amongst the delivery organisations without the need for elaborate integrated programme management.

There are regular quarterly meetings between organisations to ensure efforts are co-ordinated where necessary.

Future actions planned

This report draws together progress on all recommendations by Taskforce members.

The report was agreed by Judicial Diversity Taskforce members in July 2012.

Production of this progress report was deferred due to publication of the MoJ Consultation on Judicial Appointments and Diversity.

Regular quarterly meetings between organisations will continue over the next 12 months.

Forecast completion date: September 2012 – Ongoing annual progress report

Recommendation 4

This Judicial Diversity Taskforce should oversee an agreed action plan for change and publish an annual report setting out the progress made. The Advisory Panel on Judicial Diversity will meet again in 2011 to take stock of what the Taskforce has achieved.

Contextual paragraph from Advisory Panel report

(Para 42) – The tripartite group should be re-focused into a body with responsibility for overseeing change, and with a duty to report annually on progress so there can be public and parliamentary scrutiny of what is an area of legitimate public concern.

Organisation taking forward: Ministry of Justice

Action completed to date

The Taskforce Organisations continue to deliver according to the original delivery plan.

Future actions planned

Each Organisation continues to lead on delivery of its allocated recommendations, under the continued supervision of the Taskforce.

Senior Officials Steering group will undertake a review of the delivery plan towards the end of 2012 as part of the preparation for the production of the third annual progress report.

Forecast completion date: September 2012 – annual progress report. December 2012 – review deliver plan. Annually – Ongoing

Recommendation 6

The work already under way on the capturing, handling, sharing and regular updating of judicial data between the Ministry of Justice, Judicial Appointments Commission, and the Directorate of Judicial Offices is essential and should be in place within 12 months of this report's publication.

Contextual paragraph from Advisory Panel report

(Para. 50) – In other instances, different parts of the system are either collecting slightly different data or duplicating data collection. This makes reconciling the figures difficult or impossible.

Organisation taking forward: Ministry of Justice

Action completed to date

The JAC's diversity monitoring form has been updated following a consultation ([Data Sharing Consultation](#))⁸ and the new system was implemented in April 2011.

All data on successful candidates, with the candidates' consent, collected after 1 April 2011 are shared with the relevant parties.

A meeting took place in October 2011 to evaluate the effectiveness of the new form. Following feedback from the Judicial Office, improvements to the form have been incorporated and are now effective.

The improvements include the question, 'are you a Crown Employee' and details of candidates' salaried part time working and location preference.

Future actions planned

Completed. The JAC will continue to monitor the effectiveness of the form including the revisions in April 2012.

Forecast completion date: Completed (while remaining under review). Implemented – April 2011. Evaluation took place – October 2011. Evaluation completed – April 2012

⁸ http://www.judicialappointments.gov.uk/static/documents/JAC_Data_sharing_consultation.pdf

Recommendation 7

The Judicial Diversity Taskforce should use this information (see Recommendation 6) as a starting point to set a baseline against which it will measure future progress.

Contextual paragraph from Advisory Panel report

(Para. 52) - This work must ensure: - data is collected in a way that enables the evaluation of the impact of policy and procedural change – we need to be able to track progress and identify more clearly where there are potential blockages.

Organisation taking forward: Ministry of Justice

Action completed to date

MoJ Analytical Services have developed an initial baseline measurement, utilising the data available for courts based judicial office holders (see [Appendix 2](#)).

Judicial Office has completed a recent exercise to update the database relating to Tribunals judicial office holders, which has been used to produce a combined database.

Future actions planned

MoJ Analytical Services will undertake a review of the measurable baseline following the development of a combined judicial database and will produce a revised report.

Judicial Office will consider proposals to update the judicial database in order to collect and publish data received in accordance with the Equality Act 2010.

Senior Officials Steering group will undertake work to develop an aspirational target to put to the Taskforce for their approval out of committee.

Forecast completion date: Completed (while remaining under review)

Recommendation 8

One principal responsibility of the Taskforce must be to ensure that there is systematic, consistent monitoring and evaluation of what works and what does not.

Contextual paragraph from Advisory Panel report

(Para. 52) - This work must ensure: - data is collected in a way that enables the evaluation of the impact of policy and procedural change – we need to be able to track progress and identify more clearly where there are potential blockages.

Organisation taking forward: Ministry of Justice

Action completed to date

A guidance note on possible options for undertaking evaluation has been distributed to the relevant Taskforce delivery teams.

All of the Taskforce delivery plans have been reviewed to ensure that an appropriate action for evaluation is included within the delivery plan.

Future actions planned

All targeted actions for addressing the recommendations include proposals for the completion of appropriate monitoring and evaluation.

Forecast completion date: Ongoing

Encouraging new entrants to the Judiciary

Recommendation 9

Judges and members of the legal profession should engage with schools and colleges to ensure that students from under-represented groups understand that a judicial career is open to them.

Contextual paragraph from Advisory Panel report

(Para. 54) - As highlighted in the report on “Fair Access to the Professions”, it is important that the idea of a career in the judiciary is planted early no matter what branch of the legal profession an individual intends to enter.

Organisation taking forward: Judiciary & Legal Professions, CILEx, Law Society and Bar Council

Actions taken and planned

Judiciary: Judges at all levels undertake outreach work, encouraging schools, students and young lawyers to spend time in court, to help them to understand better how judges and courts work. A number of senior judges have signed up to the Speakers for Schools initiative to volunteer their time to speak at state secondary schools and colleges.

HHJ Dight, the lead DCRJ, has worked with the Supreme Court and the College of Law to set up a pilot aimed at encouraging students, mainly from a non-traditional background, who had not previously studied law, to spend a day in two very different courts and see at first hand the variety of court users, lawyers and judges. It is intended that, by having the chance to meet judges in an informal setting, students might identify suitable role models and consider the judiciary as a potential career in the future.

DCRJ have hosted events for several college students studying the CILEx courses to discuss how their coursework fits into the court system and have given talks to the Junior Lawyers Division on ‘Tips on advocacy’ from a judicial perspective.

The judiciary are playing a key role as Law School Liaison Judges of the Neuberger Monitoring and Implementation Group. The scheme facilitates and promotes student court visits, marshalling, lectures and informal talks and mooting to introduce as many students as possible to advocacy and the court system.

Judges have formed close links with The United Kingdom Law Students’ Association (UKLSA) which involves leaders from all branches of the legal profession, practising lawyers from all the non-traditional groups and students from many different backgrounds from all over the country.

Last year, the training event for DCRJ offered practical training and advice in providing effective outreach events to assist the DCRJ in implementing the Advisory Panel’s recommendations.

The Central Criminal Court (CCC) has worked in partnership with the City of London and a local British Sign Language (BSL) tutor to offer free BSL tours for deaf people at the CCC. These tours have been a great success and have assisted the CCC in making the justice system more accessible and understandable to a hard to reach group.

CILEx: Since the first Taskforce Report, the CILEx regional liaison team have visited almost 90 secondary state and independent schools and colleges across the regions, to inspire those who may never have considered a judicial career that the opportunity is open to them through the Chartered Institute. Former CILEx President, Susan Silver, delivered the keynote address at the 2011 Society of Black Lawyers’ Student Conference attended by over 150 students. CILEx has also worked alongside the Law Society and Bar Council in the successful delivery of a schools’ career event, attended by over 70 BAME (Black, Asian and Minority Ethnic) pupils, including a mock trial. CILEx continue to promote judicial appointments in all their careers literature which is delivered in schools, colleges and university careers fairs.

Law Society: The Law Society does include judicial appointments as part of the introduction to a legal career in its general outreach to schools and students.

Bar Council: In March 2011, the Bar Council launched 'Become a barrister' (www.become-a-barrister.com) a new portal for anyone interested in a career at the Bar. It includes a series of films and case studies aimed at demystifying entry to the profession. Since launching, the site has had over 12,000 hits, and the 'How to become a barrister' film has had over 9,000 views. The Bar Council has worked with Next Step, and Career Pathways (Skills for Justice) to provide clear and concise career profiles, content and links to a wide audience, from school students to mature entrants.

Through its 'Speak up for Others: a career as a barrister' programme, the Bar Council invites every school in the country with students in year 11 and sixth form to have an introductory talk from a barrister, based around a set of materials provided and maintained by the Bar Council. About 500 talks are delivered annually through the scheme. The Bar Council maintains a database of nearly 650 barristers who are interested in working with schools to raise awareness of career opportunities.

The Bar Council runs five annual regional careers days to encourage students to apply to university. The event includes focused sessions on appropriate qualification routes and tips on how to complete strong applications. In 2011, events were held in Leeds, Cardiff, Birmingham, London and Newcastle and these are being repeated in 2012.

The Bar Council, the Inns of Court and the Circuits co-sponsor the Bar Mock Trial competition. This annual event is run by the Citizenship Foundation and over 2,500 students from 175 non fee paying schools and Further Education colleges across the UK take part.

The Inner Temple runs a project for state school students to raise awareness of the opportunities at the Bar. The project provides students with information about citizenship and the legal system and promotes social mobility at the Bar. Run in conjunction with Pathways to Law and the National Education Trust, the Schools Project reached nearly 400 students from 100 different schools during in 2010-11.

The Bar Council continues to work with the Social Mobility Foundation (SMF) on the annual Bar Placement week. In 2011, 59 students selected by the SMF were placed in chambers for 3.5 days. They also took part in workshops, court visits and mock trials. 72 students have been selected for the July 2012 scheme, 18 of whom are returners from previous schemes and will attend an enhanced programme. Work continues to extend the Scheme to the Circuits. Onward progress of the students is monitored by the SMF.

The Bar Council and the Inns between them attend the vast majority of law fairs in England and Wales.

The Bar Council continues, with assistance from the Diversity and Community Relations Liaison Judges, to establish a scheme pairing every law school with one or more courts. The aim is to give law students a better understanding of advocacy, the court process and careers in the law. More than 40 judges based throughout England and Wales have signed up to help bring students into closer contact with the courts and the judiciary.

The Inner Temple in early 2012 has set up the Pegasus Access Scheme, which is open to university students that have previously participated in programmes run by the Social Mobility Foundation, Pathways to Law, the Inner Temple's Schools Project or the Warwick Multicultural Scholars Programme, or to students that would otherwise meet the criteria of these programmes. Priority will be given to those in their penultimate year of law or final year of non-law who had not been able to secure work experience while in university. This will allow students to solidify their career decisions in good time to obtain other university-level experience.

The Middle Temple runs a scheme for eight undergraduates from disadvantaged socio-economic backgrounds, placing them in Chambers for one week, and to shadow a judge for another week.

The Inns of Court jointly run an annual careers day for careers advisers, to which each careers adviser at each institution offering a qualifying law degree is invited, giving them the opportunity to hear from and talk to members of the Bar. Around 50 careers advisers attend annually.

Recommendation 10

Diversity and Community Relations Judges should have responsibility for organising contacts with institutions and the professions to promote a judicial career among those from under-represented groups.

Contextual paragraph from Advisory Panel report

(Para. 57) - Diversity and Community Relations Judges (DCRJ) act as a bridge between the judiciary and the community so that the public gains a better understanding of the justice system and the role of the judge.

Organisation taking forward: Judiciary

Action completed to date

Over the past year, the Diversity and Community Relations Judges (DCRJ) have:

- a) hosted school visits, giving talks about the role of a judge and taking questions from students;
- b) presided over moots and mock trials; and delivered speeches at other events;
- c) hosted marshalling schemes for schools, law students (studying for the Bar, Legal Practice Course and CILEX) and lawyers (both solicitors and barristers) from a range of backgrounds, including students who have come through the Social Mobility Foundation, and
- d) forged links with local universities to facilitate activities which promote a judicial career.

In 2011, the DCRJ role was extended to the District Bench and, following an expressions of interest exercise, 30 DCRJ were appointed, bringing the total number to over 60. This has resulted in a greater coverage of diversity activities across England and Wales. In the past year, DCRJ have attended events and hosted visits from students on the Social Mobility Foundation programme, established a relationship with organisations and local projects such as DebateMate (which runs debating competitions and provides debating mentors for school students), the Second Chance Project (a mentor project for young black youths) and the Prince's Trust programme (Seeing is Believing).

DCRJ are not only active in their role but also reactive to what is going on in their surrounding community. Many DCRJ have formed links with their local faith or interfaith organisations and community leaders. Last year, for example, one DCRJ met the chair of Federation of Muslim Organisations, and the elder at Keythorpe Street Mosque to discuss a report that had been published on the religious mix in Leicester and relations between the communities. DCRJ have given presentations both formal and informal on judicial appointments to wide variety of audiences such as the Young Solicitors group at events, including the Minority Lawyers Conference and an event for Solicitors' Association of Higher Court Advocates.

DCRJ also play a civic role in sharing crucial knowledge to create a better understanding of issues, such as forced marriages. Last year, a DCRJ attended a meeting with the police, social workers and Home Office researchers to discuss forced marriages in the Midlands region.

Future actions planned

DCRJ will continue to undertake further engagements with local educational and charitable institutions, legal professions and will participate in wider initiatives to create a better understanding of the justice system, the role of a judge and to promote interest in a judicial career in diverse groups.

Forecast completion date: Ongoing

Recommendation 11

Judges' Marshalls and judicial assistant's schemes should be extended, openly promoted, transparent as to process, targeted at under-represented groups, supportive of the work of the courts, and properly evaluated.

Contextual paragraph from Advisory Panel report

(Para. 59) - The DJO has contacted the Council of the Inns of Court on developing the Inns' marshalling schemes and, in particular, thinking about how the scheme could be targeted at groups under-represented in the judiciary. The Panel would like to see this scheme extended to other branches of the legal profession.

Organisation taking forward: Judiciary

Action completed to date

Around 45 judges, some of whom are DCRJs, have volunteered (as part of a Bar Council initiative) to act as Law Schools Liaison Judges responsible for forging links between the court and local law schools to encourage student court visits, lectures and informal talks, mooting and marshalling.

Courts and tribunals judges at all levels are making links with universities, particularly the new universities where the demographic of students is more diverse, and encouraging them to visit courts and to marshal a judge.

A judicial assistance scheme has not yet been rolled out in the High Court pending further research to assess the effectiveness of the judicial assistance schemes already operating in the Court of Appeal and Supreme Court.

Marshalling is undertaken by judges at all levels, including the High Court. For example, Mrs Justice Dobbs has had over 40 students marshal her in the past year.

Future actions planned

Work will commence on scoping, devising and piloting a judicial marshalling scheme in the courts and tribunals.

The Judicial Assistance scheme will be evaluated to assess the scheme's effectiveness in supporting development and consider options for extending it.

Forecast completion date: September 2012 – Evaluation commenced

Recommendation 12

The Panel recommends that the Bar Council, the Law Society and ILEX (now CILEx) set out a detailed and timetabled programme of change to improve the diversity profile of members of the professions who are suitable for appointment at all levels. They should bring this plan to the Judicial Diversity Taskforce within 12 months of the publication of this report. This plan should include information on how progress will be monitored.

Contextual paragraph from Advisory Panel report

(Para. 63) - Diversity in the judiciary must start with diversity in the legal profession. There will only be the potential for diverse appointments if the legal profession can attract and retain gifted men and women from all backgrounds up to the stage when they are ready and suitable for judicial appointment.

Organisation taking forward: Judiciary and Legal Professions

Actions completed and future actions planned

Details of activities planned by the Legal Professions over the coming year are detailed within [Appendix 3](#).

The Bar Council is committed to a programme of work to widen access to and improve the retention of diversity within the profession across all the protected characteristics and socio-economic backgrounds. It has published Equality objectives and an action plan reflecting these priorities <http://www.barcouncil.org.uk/about-us/how-we-help/bar-council-equality-objectives-2012-13/>. The Bar Standard Board has adopted similar regulatory focused equality objectives <http://www.barstandardsboard.org.uk/about-bar-standards-board/equality-and-diversity/equality-act-2010---publication-of-equality-objectives/>.

Law Society: The Law Society has a range of initiatives aimed at assisting members of the profession to apply for judicial appointments and has introduced measures targeted at specific groups which have been traditionally under-represented among those who are eligible to apply.

CILEx: The Chartered Institute is pleased to contribute to the programme of activities documented within Appendix 3.

Forecast completion date: Ongoing

Recommendation 13

The legal professions and the judiciary should put in place systems for supporting suitable and talented candidates from under-represented groups to apply for judicial appointment.

Contextual paragraph from Advisory Panel report

(Para. 71) - The professions and the judiciary should actively encourage gifted suitable candidates to apply for judicial office and for promotion.

Organisation taking forward: Judiciary and Legal Professions, CILEx, Law Society, Bar Council

Actions completed and future actions planned

CILEx: CILEx is a member of the Minority Lawyers' Conference organising committee and will continue to support this excellent event; ensuring support is available to under-represented groups. It will also support and promote other events aimed at under-represented groups, to complement Road shows. There are two planned events with the Law Society and Bar Council arranged for Autumn 2012.

CILEx continues to undertake equality proofing of all JAC selection exercises to ensure they do not inadvertently unfairly exclude any candidates.

Law Society: The Black Solicitors Network is running for the first time a mentoring scheme for 10 suitable BAME candidates. The Law Society provided two bursaries for solicitors attending the judicial training course organised by the Constitution Unit at University College London in November.

A new Solicitor Judges Division was instituted in May 2012. In part this is intended to reconnect solicitors holding judicial office to the Law Society. However, feedback indicates that judges are more than willing to assist peers to follow in their footsteps. A beneficial spin off from the Solicitor Judges Division may well be greater opportunities for solicitors wishing to apply to connect with solicitor judges and to gain an insight of their experience of the role and the JAC selection process.

Bar Council: Circuit based Diversity Mentors will continue to identify those ready for appointment and encourage them to apply. They will offer mentoring and advice to potential applicants and will encourage others on their circuit who have recent experience of the appointment process and of sitting to do the same.

Judicial information events linked to competitions are held throughout the year in London and on circuit. Some of the successful candidates in recent judicial competitions are present to mentor potential candidates.

Further judicial information events jointly hosted with the Law Society and CILEx are held and some of these are targeted at diverse groups of junior practitioners.

The Bar Council will continue to contribute to the JAC led Diversity Forum so that strategies to increase judicial diversity can be shared, comments on the appointment process can be fed back to the JAC and we can jointly evaluate progress in achieving greater judicial diversity.

Judiciary: The Lord Chief Justice has appointed two Senior Liaison Judges for Diversity in the High Court. Their roles include identifying and working towards removing any barriers to entry into the judiciary and progress for people from diverse backgrounds.

Judges at all levels of the Judiciary, including DCRJ continue to volunteer to mentor students from low income backgrounds and in the last year a number of DCRJ have commenced mentoring of newly qualified solicitors (some of whom are from an ethnic minority background) with an interest in a future judicial career.

The judiciary is planning to host an event later this year aimed at giving lawyers (from diverse backgrounds) who may or may not have considered applying for judicial office an opportunity to establish links with judges in the courts and tribunals, identify role models and prospective mentors to help them recognise their own potential.

Forecast completion date: Ongoing

Recommendation 14

The Judicial Diversity Taskforce should promote the availability of bursaries for people from under-represented groups to undertake Developing Judicial Skills courses.

Contextual paragraph from Advisory Panel report

(Para. 71) - The professions and the judiciary should actively encourage gifted suitable candidates to apply for judicial office and for promotion.

Organisation taking forward: Ministry of Justice

Action completed to date

Law Society: The Law Society provided two bursaries for the first UCL course November 2011.

Future actions planned

Law Society: The Law Society has agreed to provide the same funding this year for two solicitors from less obvious backgrounds. The choice as to the award of the bursaries will be down to UCL, providing that they comply with agreed eligibility criteria.

Ministry of Justice: The Ministry of Justice has agreed to provide funding for two places for the next course. The choice as to the award of the bursaries will be down to UCL, providing that they comply with agreed eligibility criteria, which includes reference to protected characteristics and social mobility.

CILEx: CILEx are discussing with UCL arrangements for bursaries for 2013.

Forecast completion date: July 2012 – Review of UCL Judicial Institute training course

Recommendation 15

The Judiciary should expand the judicial job shadowing scheme.

Contextual paragraph from Advisory Panel report

(Para. 79) - The scheme needs to be extended, promoted more consistently and targeted more specifically at under-represented groups who may not have had the exposure to court based work of other potential applicants. It will also need to be evaluated.

Organisation taking forward: Judiciary

Action completed to date

The new electronic application process for the judicial work shadowing scheme was launched earlier this year. This simplified process has brought about greater efficiencies, improved communication and formed the foundation for a possible expansion of the scheme in future. The financial pressures in the local courts and tribunals have meant that we have been unable to expand the scheme but it is hoped that the new system will simplify the administration process and increase efficiency.

In 2011, of the 577 applicants applying for judicial work shadowing, 81% were solicitors, 4% legal executives of CILEx, 62% were female, 21% were BAME and 3% declared a disability. Current available data shows that two judges were appointed following a work shadowing placement.

Future actions planned: Planned evaluation on the new electronic process in October 2012

Forecast completion date: October 2012 – Evaluation of electronic scheme

Recommendation 16

Developing Judicial Skills courses approved by the Judicial Studies Board should be developed to help aspiring judicial candidates understand and develop the skills they need for judicial appointment.

Contextual paragraph from Advisory Panel report

(Para. 81) - We recommend that a course in Developing Judicial Skills be developed. Such a course would combine practical sessions focused on the key skills required in being an effective judge along with a period of sitting in with an experienced judge.

Organisation taking forward: Judiciary

Action completed to date

The Judicial College (formerly the JSB) supported the setting up by the University College London (UCL) of a new Judicial Institute to develop a new judicial skills course for pre-appointment training. It was agreed that the Judicial College would monitor the outcome of any such training organised by UCL before deciding its involvement in pre-appointment training in the future.

The first course "Understanding Judging: Roles, Skills and Challenges" was run by UCL over the weekend of 12 & 13 November 2011. The Judicial College and Judicial Institute evaluated the pre appointment training undertaken by the Institute in November 2012. The first course was considered to have met its objectives and was well received by the participants.

Developing pre-appointment training is not a priority for the College at the present time.

The UCL Judicial Institute established an 'Increasing Diversity Bursary Scheme' in which at least 25% of course participants who (1) would have difficulty paying the course fee and (2) meet the Bursary's diversity criteria have their full course fees covered.

Forecast completion date: Closed

Recommendation 17

- a) Law firms should regard part time judicial service as positive for their practices and should encourage part-time service as proposed by the Solicitors in Judicial Office Working Group.
- b) A simplified payment regime should be introduced for solicitor fee-paid judges.

Contextual paragraph from Advisory Panel report

(Para. 85) - Solicitors and Legal Executives have not viewed applying for judicial office as the natural extension of a legal career in the same way as barristers. Firms have not always encouraged a judicial career or supported those applying for fee paid judicial office... The answer to this problem lies as much with law firms as with the JAC and the criteria for appointment.

Organisation taking forward: a) Legal Professions b) Ministry of Justice

Action completed to date

Law Society: The Society has adopted an Equality & Diversity Framework for 2012-15, which outlines the measures needed to accelerate the rate of progress towards equality of opportunity, greater diversity of the profession and effective, inclusive working practices. This supplements the Diversity and Inclusion Charter, which constitutes a public statement of commitment by its signatories and a framework for positive action across all strands of diversity (firms representing one-third of solicitors in private practice have signed up) and the Flexible Working Protocol, presenting a powerful business case and support to firms that wish to implement such practices.

A meeting was organised of senior representatives from a range of City based firms with a view to persuading them to adopt a more positive and supportive attitude towards colleagues who wish to apply for judicial office. Subsequent to the meeting, 20 leading firms have signed up to a declaration of commitment to [promote judicial appointments](#)⁹.

CILEx: Although not applicable to the Chartered Institute, it will support the Law Society on any campaign aimed at employers and will also continue to promote judicial roles as beneficial to its members.

Forecast completion date: Ongoing. January 2013 – Evaluate progress on City firm initiative

⁹ <http://www.lawsocietymedia.org.uk/Press.aspx?ID=1662>

Recommendation 18

Employed lawyers in the public sector with the relevant skills should be encouraged to apply for fee paid roles in jurisdictions where it is less likely that an actual or perceived conflict of interest will arise. They should also be encouraged to consider other opportunities to develop their skills, such as Developing Judicial Skills courses. The Panel looks to professional bodies to play their part in encouraging employers to permit this development.

Contextual paragraph from Advisory Panel report

(Para. 92) - Such part time roles should be encouraged and permitted, not only in the [GLS](#) and [CPS](#) but also by those lawyers employed in Local Authorities, and as legal academics. The professional bodies should work with their employed lawyer groups to promote part time judicial service, including as a magistrate, and take up of the Developing Judicial Skills courses available.

Organisation taking forward: Legal Professions

Actions completed and future actions planned

Law Society - The Law Society has continued to use opportunities to publicise the scope for employed solicitors to obtain judicial appointments, offering a dedicated outreach event to the Solicitors in Local Government group.

Bar Council - The Bar Council encourages employed members to seek judicial appointment and to attend its judicial information events.

CILEx - Although not applicable to the Chartered Institute, it will support the Law Society on any campaign aimed at employers and will also continue to promote judicial roles as beneficial to its members.

Ministry of Justice - Looking at the JAC programme for 2012/13, as published, there are a significant number of vacancies, salaried and fee-paid, open to members of the Employed legal professions to apply. The MoJ will therefore be working closely with representatives for the CPS and GLS, together with other Taskforce members, to better publicise those opportunities. The Civil Service Code of Conduct allows managers to authorise special leave with pay to enable employees to undertake their judicial appointment and on-going judicial training for a maximum period of 21 days each year.

Judiciary - A number of judges have recently spoken at a judicial careers seminar targeted at the Employed Bar, to encourage them to consider judicial office.

Forecast completion date: Ongoing

Recommendation 19

The terms and conditions for all employed lawyers should permit a part time judicial role.

Contextual paragraph from Advisory Panel report

(Para. 90) - In the past, Serious Fraud Office (SFO), other Government Legal Services lawyers and CPS lawyers were eligible to apply for appointments only in jurisdictions where the State was not habitually a party. In June 2003 the Attorney General and Lord Chancellor announced a revised policy meaning that:

- CPS and SFO lawyers are eligible to sit in tribunals where the Government is a party.
- CPS, SFO and GLS lawyers are eligible to sit as Recorders in civil work, except in civil matters that involve their own Department.
- CPS and SFO lawyers are eligible to sit on criminal matters as Deputy District Judges in cases not involving their own department.

Organisation taking forward: Legal Professions

Actions completed and future actions planned

CILEx: Although not applicable to the Chartered Institute, it will support the Law Society on any campaign aimed at employers and will also continue to promote judicial roles as beneficial to its members.

Ministry of Justice: Looking at the JAC programme for 2012/13, as published, there are a significant number of vacancies, salaried and fee-paid, open to members of the Employed legal professions to apply. The MoJ will therefore be working closely with representatives for the CPS and GLS, together with other Taskforce members to better publicise those opportunities. The JAC website has a case study of a CPS lawyer who is now a salaried employment judge <http://jac.judiciary.gov.uk/1395.htm>

Law Society: The Law Society supports this recommendation in principle but has no power to interfere with the contractual conditions between lawyers and their employees. We have given continued support for opportunities to be broadened for those lawyers employed at the CPS or within the Government Legal Service.

Forecast completion date: Ongoing

The Selection and Recommendation Process for Judicial Appointments

Recommendation 20

The JAC's merit criterion 3, "an ability to understand and deal fairly", should be replaced.

Contextual paragraph from Advisory Panel report

(Para. 97) - There is no incompatibility between the intention to increase judicial diversity and selection on merit: talent is not concentrated in people from one particular gender, ethnic or other background. So fishing for talent in wider pools increases the chances of landing more talented people as long as the definition of merit supports the appointment of the most talented applicants from a wide range of backgrounds.

Organisation taking forward: Judicial Appointments Commission

Action completed to date

Judicial Appointments Commission: Following recommendations in the Advisory panel report, the JAC launched a consultation on changing the merit criterion 'An ability to understand and deal fairly' in February 2011. The consultation ended on 21 April 2011. A total of ten responses were received from key interested parties and in light of the responses received, the text to the criterion was amended. In order to allow for an adequate lead in time and communication of the changes to both future potential candidates and key interested parties the revised criterion was launched in [September 2011](#)¹⁰. The JAC has evaluated the revision of the wording with panel members, who confirmed that the change allowed for greater opportunity for evidence gathering.

Future actions planned

Completed. The JAC will continue to monitor the effectiveness of the revised wording, but there is, as yet, no measurable impact on diversity.

JAC will undertake an evaluation of the revised wording and whether it has had any impact upon applicants and their diversity as anticipated by the [Advisory Panel on Judicial Diversity](#)¹¹ through feedback from selection panels.

**Forecast completion date: July 2012 – Evaluation of impact of revised form of wording.
July 2012 – Completed (while remaining under review)**

¹⁰<http://jac.judiciary.gov.uk/application-process/112.htm>

¹¹<http://www.judiciary.gov.uk/publications-and-reports/reports/diversity/advisory-panel-recommendations>

Recommendation 21

The JAC should make use of the Equality Bill positive action provisions where the merits of candidates are essentially indistinguishable.

Contextual paragraph from Advisory Panel report

(Para.99) – We (*the Advisory Panel*) welcome the positive action provisions for recruitment or promotion in the Bill whereby possession of a protected characteristic can tip the balance in favour of that candidate where two or more applicants are essentially indistinguishable.

Organisation taking forward: Judicial Appointments Commission

Action completed to date

The Ministry of Justice launched its consultation on Judicial Appointments and Diversity¹² ([‘A Judiciary for the 21st Century’](#)) on 21 November, which includes a proposal that the Constitutional Reform Act 2005 be amended so as to make clear that where two candidates are of equal merit there is nothing to prevent the JAC from selecting one candidate over the other in the interest of increasing judicial diversity.

Following the MoJ consultation and subsequent publication of the Crime and Courts Bill, a designated team has been set up within the JAC to take this work forward.

Future actions planned

It is understood that the Lord Chancellor may issue guidance to the JAC under the provisions of the CRA. Proposals for implementing the provisions consistent with any guidance issued will be put to JAC Commissioners in the latter part of 2012.

Forecast completion date: May 2013 depending upon progress of the bill and MoJ guidance

Recommendation 22

All non-statutory¹³ criteria must be justified.

Contextual paragraph from Advisory Panel report

(Para. 101 & 102) - The JAC and others have expressed concern ... that the use of non-statutory criteria restricts the eligible pool, limiting the possibility of candidates from non-traditional backgrounds being appointed.

Organisation taking forward: Judicial Office

Action completed to date

All requests for non-statutory eligibility criteria require consideration of a thorough business case. Non-statutory criteria are only applied with the approval of the Lord Chancellor.

Evaluation of the effectiveness of the Delivery Team process in competition planning has been undertaken, and measures such as streamlining paperwork and only meeting when necessary have been put in place.

Future actions planned: Completed

Forecast completion date: Completed (while remaining under review)

¹²<http://www.justice.gov.uk/consultations/judicial-appointments-cp19-2011.htm>

¹³Non-statutory criteria are additional requirements for a judicial office specified by the Lord Chancellor, following consultation with the Judiciary, for particular posts.

Recommendation 23

Those applying for salaried judicial posts should normally be expected to have previous judicial experience. There should be provision for exceptional cases where candidates have demonstrated the necessary skills in some other significant way.

Contextual paragraph from Advisory Panel report

(Para. 106) - There should be a continued expectation that candidates will usually have had some form of judicial experience, preferably fee paid. Such service acts as a necessary probationary period.

Organisation taking forward: Judicial Office

Action completed to date

JAC running exercises on the basis of the revised criteria.

Future actions planned

JAC, MoJ, JO and HMCTS to evaluate effectiveness of the revised non-statutory eligibility criteria regarding the requirement for previous judicial experience.

Forecast completion date: Judicial Office to commence review in July 2012 with a view to completion by end October

Recommendation 24

In those rare cases where candidates have no previous judicial experience they must be tested for suitability for appointment in the same way as those applying for fee-paid office.

Contextual paragraph from Advisory Panel report

(Para. 107, 4th bullet) – **Those applying for salaried office who have no previous judicial experience must be tested in the same way as those applying for fee-paid office.** At present the selection process for fee paid judicial posts includes a role play exercise to test a candidate in the sort of situations they may encounter as a judge. The process for salaried appointments does not include this test on the assumption that candidates will have been tested when they apply for fee paid appointments. This could mean that candidates without judicial experience are not tested in what is seen as a key element of the selection process.

Organisation taking forward: Judicial Appointments Commission

Action completed to date Administering a role play for all candidates without judicial experience is prohibitively expensive. However, the JAC reviewed methods which would address the recommendation made, within the confines of the JAC budget settlement.

The use of situational questioning has been rolled out across the selection exercise programme having been successfully piloted in 2010. Situational questioning focuses on asking candidates what they would do in relation to a specific legal situation. The use of situational interviewing has received positive feedback from panel members and candidates.

Future actions planned

Completed. As part of its current change programme, the JAC will be reviewing the format and tools used at the Selection Day as well as the whole process for short listing. This will be a detailed project to be delivered over the next 18 months.

Forecast completion date: Completed (while remaining under review)

Recommendation 25

The qualifying test should be put online.

Contextual paragraph from Advisory Panel report

(Para. 114) – ...the introduction of an online test. This would allow:

- i) potential applicants to complete the first stage of the process more confidentially,
- ii) feedback to unsuccessful candidates on their test performance to be given automatically (e.g. in which quartile their test results fall),
- iii) the development of more effective self-assessment, so that candidates apply only when they are ready.

Organisation taking forward: Judicial Appointments Commission

Action completed to date

In October 2011, the JAC ran the first of a three pilot programme for online testing.

The test is an online version of the JAC qualifying test. The test, developed with members of the judiciary seeks to examine the candidate on their judicial knowledge and typically comprise of a scenario, extracts from rules or legislation, and a series of questions.

There were some technical issues, so a fourth pilot has been added, which is due to run in June 2012.

Future actions planned

A full evaluation of the pilot programme will be completed by end July 2012.

Following the findings of the evaluation the Commission will decide whether to roll out online testing across the programme for those exercises where a qualifying test would be administered.

Forecast completion date: September 2012- Review of policy

Recommendation 26

The qualifying test should be reviewed to ensure it is acting as an effective sift process.

Contextual paragraph from Advisory Panel report

(Para. 111) - An anonymous test is a transparent means of undertaking a first sift where there are very large numbers of applicants. The key issue is getting the right test.

Organisation taking forward: Judicial Appointments Commission

Action completed to date

The qualifying test is routinely reviewed following completion of the test for each selection exercise. A closedown report is produced covering all elements of the exercise. The report includes details of the qualifying test and a breakdown of those candidates who were shortlisted by gender, ethnicity, disability and professional background.

The JAC's Internal Assurance Working Group continuously reviews this method of testing to ensure it continues to work effectively as a short-listing tool.

The anonymity provided through on line testing is a significant step forward.

Future actions planned

The JAC's change programme includes a project to review every aspect of short listing including types of test and other supporting methods. This is a long term project, linked with one on selection day tools, which will be delivered over the next 18 months.

Forecast completion date: October 2013

Recommendation 27

All candidates for judicial appointment should have access to feedback, including on their performance in the qualifying test.

Contextual paragraph from Advisory Panel report

(Para. 116) - Feedback can be very important for unsuccessful applicants, particularly those from under-represented groups who have responded to the JAC's outreach events encouraging them to apply, or who have been persuaded to apply by their peers.

Organisation taking forward: Judicial Appointments Commission

Action completed to date

On request, candidates who attend a selection day receive feedback on their performance against the qualities and abilities written by the panel chair.

Personal feedback to candidates at the short-listing stage was considered too costly. In response to the request for general feedback, the JAC has published qualifying test feedback reports alongside the test papers since December 2009.

Feedback reports following a paper sift have been published on the JAC website since June 2011. The first part of the report outlines the Qualities and Abilities which were assessed at the paper sift. The second part of the report provides information on the overall performance of candidates in the paper sift, identifying areas where they performed well and where they performed poorly.

Future actions planned

Completed. The JAC believes that this feedback policy has been generally welcomed by candidates. There is no doubt that more specific feedback would be preferred and new technology may, in time, permit this and it will be kept under review.

Forecast completion date: Completed (while remaining under review)

Recommendation 29

Candidates should not be asked for references until after they have been notified that they have completed the qualifying test successfully.

Contextual paragraph from Advisory Panel report

(Para.118) - Under the current system, applicants are required to identify referees at the earliest stage in the application process... This requirement may deter some applicants from applying.

Organisation taking forward: Judicial Appointments Commission

Action completed to date

Where a qualifying test is used, JAC process is to only request references from referees of those candidates who have been shortlisted.

Candidates are required to supply details of their referees prior to qualifying test stage to enable the next stage of the process to proceed efficiently but it is made clear that the referees will only be contacted after qualifying tests have been completed.

The JAC has also piloted, and rolled out a process whereby candidates obtain their own 'candidate nominated' references after they have been shortlisted. This gives candidates even greater certainty on the point at which contact is made.

Future actions planned

Completed. Following a full evaluation of the pilot, candidates are invited to approach their referees only after they have been informed that they have been shortlisted after the qualifying test.

Forecast completion date: Completed (while remaining under review)

Recommendation 30

Clear guidance should be given to candidates and referees that references must be evidence based and relate to the skills being tested.

Contextual paragraph from Advisory Panel report

(Para. 119) - The quality of references remains variable. Determined measures need to be taken to improve the quality of references so that decisions are made on the basis of evidence of the candidate's skills and suitability for judicial office.

Organisation taking forward: Judicial Appointments Commission

Action completed to date

The JAC has always provided clear guidance on references which, is accessible via the JAC website.

This has been supported by articles and training sessions undertaken by JAC Commissioners and staff on the purpose and value of references within the selection process.

Future actions planned

Completed. There is evidence that the quality of references has improved. However, the JAC will continue to provide clear guidance to candidates on references, as well as providing appropriate articles and training, where appropriate.

The whole issue of references will also be taken up within the JAC Change Programme as an element of the overall selection process.

Forecast completion date: Completed (while remaining under review)

Recommendation 31

The JAC must assemble diverse selection panels. There should always be a gender and, wherever possible, an ethnic mix.

Contextual paragraph from Advisory Panel report

(Para.122) - The success of any recruitment exercise depends heavily on the composition and quality of selection panels. It is important that JAC selection panels demonstrate the highest levels of professionalism and are themselves diverse.

Organisation taking forward: Judicial Appointments Commission

Action completed to date

Analysis of panel membership identified that panels often contain a gender mix and sometimes contain an ethnic mix.

The JAC has recruited a new cadre of panel members which has achieved an improved gender and ethnic mix. The figures are:

22 Men

38 Women

5 BAME (8%) and

6 Disabled people (10%)

Future actions planned

Completed. Given this new cadre, it should be possible to achieve more diverse panels. The new cadre is being settled in and it will not be until September that old panellists leave.

Judicial members are allocated to the JAC and as such the JAC have no control over the gender or ethnicity of them, but wherever possible lay members and panel chairs are selected to compliment judicial members to provide this mix.

Forecast completion date: Completed (While remaining under review)

Recommendation 32

Panel chairs and members must receive regular equality and diversity training that addresses how to identify and value properly transferable skills and also to ensure that they are aware of any potential issues regarding their unconscious bias.

Contextual paragraph from Advisory Panel report

(Para.122) - They should be skilful in identifying ability and potential among a diverse pool of candidates and be able to value properly transferable but unusual skills-sets and career histories. Panel members should understand the demands of the judicial role and variety of skills required.

Organisation taking forward: Judicial Appointments Commission

Action completed to date

All panellists receive regular equality and diversity training as part of the selection exercises. Training is delivered prior to each exercise as part of continuous development.

The recently recruited new cadre of panel members took part in a two day induction programme which heavily featured equality and diversity throughout.

A new appraisal system has also been introduced and awareness of equality and diversity issues is part of this. Regular updates on new legislation and best practice are communicated at panel briefings before each exercise and through the panel newsletter.

Future actions planned

A range of evaluation methods will inform the JAC as to the success of the training including: panel member feedback, panel conduct (assessed through observation) and candidate feedback/comment and/or complaint.

Forecast completion date: Completed (while remaining under review)

Recommendation 33

All JAC selection panel chairs and members should be regularly appraised and membership periodically refreshed. Poorly performing panel members should be removed.

Contextual paragraph from Advisory Panel report

(Para.123) - The selection, training and appraisal of members of selection panels should be directed toward achieving these objectives.

Organisation taking forward: Judicial Appointments Commission

Action completed to date

A new appraisal system against a set of objectives for JAC panel chairs and independent members was implemented in 2010. Further training is given where necessary and poor performers do not have their contract renewed.

All panellists are required to act as a chair or independent member depending of the exercise and demand. As a result, the current performance system has been re-designed to be more effective, measuring performance against objectives throughout the year rather than just annually.

Future actions planned

Completed. The new appraisal system needs to bed in and any evidence of under performance will be addressed by further training. It has been made quite clear in Terms and Conditions that continued poor performance will result in the panellist not being used.

Forecast completion date: Completed (while remaining under review)

Recommendation 34

There should be a stable pool of high quality, appropriately trained judges available, who have the clear responsibility for sitting on selection panels. This pool should be regularly refreshed.

Contextual paragraph from Advisory Panel report

(Para.124) - It is extremely important that the judicial members of selection panels are appropriately trained... Few are used more than once because of the pressure of sitting requirements and it has not been the practice for judicial members to receive thorough or timely training for selection processes.

Organisation taking forward: Judiciary

Action completed to date

All judicial members are trained alongside panel members on the selection process. The training incorporates a practical model where the panel are given the opportunity to practise an interview with a 'dry run' candidate.

Following the exercise, all panel members, including the judicial member, are given feedback from the candidate and facilitator.

Future actions planned

The Judicial Office is aiming to develop a stable pool of judicial members to sit on JAC panels. Once the cadre of judicial members is finalised the JAC will work with Judicial Office to ensure that they are appropriately trained to sit on a JAC selection panel.

Forecast completion date: Ongoing

Recommendation 35

Fee paid judges should not normally be appointed for more than 3 renewable terms.

Contextual paragraph from Advisory Panel report

(Para.129) - To ensure that such fee paid opportunities are made more widely available, and that the pool of fee paid judiciary is regularly refreshed, we recommend that fee paid judges should not be able to stay in post until the statutory retirement age, but should ordinarily be appointable for a maximum of three renewable terms.

Organisation taking forward: Ministry of Justice

Action completed to date

The Ministry of Justice launched its consultation on Judicial Appointments and Diversity ('*A Judiciary for the 21st Century*') on 21 November 2011, which included a proposal that fee-paid judicial office holders should be limited to 3 renewable terms.

Future actions planned

Completed. The MoJ consultation concluded on 13 February 2012.

The consultation responses received made a strong case that the proposed reform would significantly impact specialist tribunal posts and could impact a relatively more diverse group of judges than had been assumed. Therefore, it was concluded that the policy should not be taken forward at this stage.

Forecast completion date: Completed (while remaining under review)

Recommendation 37

The Judicial Diversity Taskforce should lead an immediate review of the current forecasting mechanism.

Contextual paragraph from Advisory Panel report

(Para.136) - Consultees among the judiciary, the JAC, HMCS and the Tribunal Service all expressed dissatisfaction with the current process for forecasting and planning for competitions to fill expected vacancies.

Organisation taking forward: Ministry of Justice

Action completed to date

The Ministry of Justice convened a Working Group, comprising representatives from Judicial Office, JAC and HMCTS, to consider the issues relating to the end-to-end judicial appointments process, which included a review of the forecasting mechanism.

Future actions planned

The outcomes and proposals arising from the Working Group will be taken forward by the Judicial Appointments Steering group, who will provide direction and leadership for changes to the “end to end” judicial appointments process. This will include proposals relating to the forecasting mechanism, as well as enabling tools, such as IT.

Forecast completion date: Ongoing. June 2013 – Progress update included in Diversity Taskforce report for 2013

Recommendation 38

Judges should be required to give notice of their anticipated retirement date.

Contextual paragraph from Advisory Panel report

(Para.136) - The planning issue could also be assisted by more certainty over when judges planned to retire.

Organisation taking forward: Judicial Office

Action completed to date

The majority of judges provide notice of their retirement date. Letters of appointment and terms and conditions already include a request that judicial office holders provide early notice of their retirement. However, it is unclear whether such a proposal could be enforced.

Future actions planned

Closed. No further action is planned; however this issue will be kept under review as part of the wider work in relation to the end-to-end appointments process.

Forecast completion date: Closed. (while remaining under review)

Recommendation 39

The JAC should operate smaller, more regular selection exercises to aid career planning, with an annual competition for the main tiers of the judiciary wherever possible.

Contextual paragraph from Advisory Panel report

(Para.136) - In particular it was felt that smaller, more regular competitions would aid career planning. This would reduce the need for people to make applications for vacancies far from home or when they were not yet ready.

Organisation taking forward: Ministry of Justice

Action completed to date

The Ministry of Justice convened a Working Group, comprising representatives from Judicial Office, JAC and HMCTS, to consider the issues relating to the end-to-end judicial appointments process, which included consideration of the proposal that the JAC should consider introduction of smaller, more regular selection exercises.

Future actions planned

The outcomes and proposals arising from the Working Group will be taken forward by the Judicial Appointments Steering group, who will provide direction and leadership for changes to the “end to end” judicial appointments process. This will include consideration of the proposal on smaller more frequent exercises, together with changes relating to all elements of the end-to-end process, as well as enabling tools, such as IT.

Forecast completion date: Ongoing. June 2013 – Progress update included in Diversity Taskforce report for 2013

Recommendation 40

The JAC should review the moderation process to ensure that the methods used during large selection exercises can identify effectively and value properly the diversity of talent available.

Contextual paragraph from Advisory Panel report

(Para.137) - It is important that the conduct of moderation supports the objective of effectively identifying judicial potential and valuing talent and experience from diverse backgrounds.

Organisation taking forward: Judicial Appointments Commission

Action completed to date

The JAC continues to conduct regular reviews of the moderation process through a range of quality assurance systems in place including closedown reports on every exercise. This ensures that lessons learnt from all exercises are incorporated on a regular basis into the overall selection policy and guidance.

Future actions planned

Completed. An internal assurance group has been formed to ensure that this and other issues are monitored for consistency and correct application.

The process of moderation will also be reassessed as part of the JAC Change Programme with regard to the selection day processes.

Forecast completion date: Completed. (while remaining under review)

Recommendation 41

The selection process for vacancies in the most senior courts should be open and transparent, with decisions made on an evidence base provided by the applicant and their referees in response to published criteria. No judge should be directly involved in the selection of his/her successor and there should always be a gender and, wherever possible, an ethnic mix on the selection panel.

Contextual paragraph from Advisory Panel report

(Para.138) - Appointments at the highest level of the court system are of particular importance in signalling that a judicial career is truly open to all. It is therefore essential that processes are not only fair but are seen to be open and fair.

(Para. 139) –The current processes for both the Court of Appeal and the Supreme Court require the significant involvement of the serving judiciary. Given the concern expressed to the Panel that selection panels may subconsciously recruit in their own image, this involvement runs the risk that the process is perceived, rightly or wrongly, as unfair. In particular we believe it is unacceptable for a judge to be directly involved in the selection of his or her successor.

Organisation taking forward: Ministry of Justice

Action completed to date

The Ministry of Justice launched its consultation on Judicial Appointments and Diversity (*'A Judiciary for the 21st Century'*) on 21 November 2011, which included a number of proposals concerning the process to select Deputy High Court Judges and the involvement of serving judiciary in the process to appoint their successors.

Future actions planned

The Ministry of Justice consultation concluded on 13 February 2012.

After considering the responses it was concluded that Lord Chief Justice requests to Circuit Judges and Recorders to sit in the High Court and temporary appointments as deputy judge of the High Court are subject to a process determined by the JAC.

Appropriate clauses were incorporated into the Crime and Courts Bill which was introduced on 10 May 2012.

Forecast completion date: May 2012 – introduction of Crime and Courts Bill. May 2012 – publication of response to consultation

Recommendation 42

The selection process for Court of Appeal appointments should be reviewed, with the implementation of a five person panel so there is no need for a casting vote provision.

Contextual paragraph from Advisory Panel report

(Para.140) - In Court of Appeal appointments the Lord Chief Justice has the casting vote if a selection panel comes to a tied result. Although the casting vote provision has never been used, we doubt this is a sustainable position and think an alternative approach with a five person panel should be considered.

Organisation taking forward: Ministry of Justice

Action completed to date

The Ministry of Justice launched its consultation on Judicial Appointments and Diversity ('*A Judiciary for the 21st Century*') on 21 November 2011, which included a proposal on the composition of selection panels for vacancies in the Court of Appeal and above.

Future actions planned

The MoJ consultation concluded on 13 February 2012. Upon analysis of the responses received, it was concluded that selection commissions and panels for these roles will be comprised of an odd number and a minimum of five members so that the Chair does not have a casting vote.

Appropriate clauses were incorporated into the Crime and Courts Bill which was introduced on 10 May 2012.

**Forecast completion date: May 2012 – introduction of Crime and Courts Bill.
May 2012 – publication of response to consultation**

Recommendation 43

The selection process to the Supreme Court for the United Kingdom should be reviewed to reduce the number of serving Justices involved and to ensure there is always a gender and, wherever possible, an ethnic mix on the selection panel. This review process should include consultation with the Lord Chief Justices of England & Wales and Northern Ireland and the Lord President of the Court of Session.

Contextual paragraph from Advisory Panel report

(Para.141) - In the Supreme Court, two members of the Court are involved in the selection process. Again we (The Advisory Panel) think this runs the risk of appointments being perceived to have been made on the basis of whether candidates will fit in rather than on whether they best meet the merit criteria.

Organisation taking forward: Ministry of Justice

Action completed to date

The Ministry of Justice launched its consultation on Judicial Appointments and Diversity (*'A Judiciary for the 21st Century'*) on 21 November 2011, which included a proposal on the composition of selection panels for vacancies within the UK Supreme Court.

Future actions planned

The MoJ consultation concluded on 13 February 2012. Upon analysis of the responses received, it was concluded that selection commissions and panels for these roles will:

- consist of only one serving judge of the Supreme Court;
- that judges will not be permitted to sit on panels selecting their successors;
- that the Lord Chancellor may be a member of the panel for the selection of the President, and
- The chair of the commission to select the President will be a lay member from one of the UK judicial appointment bodies.

Appropriate clauses were incorporated into the Crime and Courts Bill which was introduced on 10 May 2012.

Forecast completion date: May 2012 – introduction of Crime and Courts Bill. May 2012 – publication of response to consultation

Developing a Judicial Career

Recommendation 44

Clear career paths should be identified and published so that people understand the range of opportunities available within the judiciary. Such career paths should look across the courts and tribunals.

Contextual paragraph from Advisory Panel report

(Para.143 & 145) - The concept of a judicial career is key to achieving progress on a more diverse judiciary...This means identifying clearer career paths so that those considering joining the judiciary understand their options and know how they can develop the skills and experience required to progress from one section of the judiciary to another.

Organisation taking forward: Judiciary

Action completed to date

Developing the concept of a judicial career continues to be a key element to supporting diversity.

Progress towards achieving that concept remains largely dependent upon the creation of a single head of the judiciary and greater flexibility in deployment from tribunals to courts. Both of these require statutory change.

However, following amalgamation of the Courts and Tribunals Services, and the creation of a single HR for the judiciary team, the Judicial Office is now in a better position to support the promotion of clear career paths across the judiciary and to coordinate effort and resources.

Future actions planned

The judiciary advanced the case for deployment between tribunals and courts, which has been accepted.

The judiciary will host a judicial diversity event later in 2012 aimed at providing an insight into the different judicial roles across the courts and tribunals and why they should appeal to lawyers from diverse backgrounds.

Forecast completion date: End of 2012

Recommendation 45

There should be comprehensive mentoring for all new entrants to the judiciary. This should also be available to established judges who want it.

Contextual paragraph from Advisory Panel report

(Para.147) - Some judges new to fee-paid or salaried judicial office may also have access to a mentor to support them through their early period in office, although this is not as consistent as we would wish...An established mentoring scheme available for all would make asking for help and support, and receiving it, more "normal".

Organisation taking forward: Judiciary

Action completed to date

Mentoring programmes are in place for Deputy District Judges (in both county and magistrates' courts), Recorders and District Judges who have been appointed without previous fee-paid experience. There is also an informal mentoring scheme for new entrants in the High Court. The focus is on building confidence in handling judicial responsibilities through confidential advice, support and guidance.

Judges may retain mentors for up to two years after appointment. A pilot scheme was operated in which District Judges were mentored by Circuit Judges, to see whether this encouraged them to apply for promotion to the Circuit Bench; however this did not appear to offer the desired result.

Future actions planned

Completed. No immediate further action is planned. Mentoring is now in place for new entrants, and the effectiveness of arrangements for mentoring are kept under review.

Forecast completion date: Completed (while remaining under review)

Recommendation 46

An appraisal system owned and run by the judiciary should be implemented to cover all levels within the judiciary.

Contextual paragraph from Advisory Panel report

(Para.148) - Judicially led appraisal is key to enabling talented judges from diverse backgrounds to progress in their careers more effectively. Appraisal needs to address diversity specifically so that those with unusual career paths can access the development opportunities and advice they need to progress.

Organisation taking forward: Judiciary

Action completed to date

Current appraisal systems now in place in the courts and tribunals in England and Wales for the judiciary include:

- magistrates,
- deputy district judges (magistrates' courts), and
- Deputy district judges in the civil courts.

The majority of Chambers in tribunals have a well established system of appraisals which have been in place since the inception of the first-tier tribunal.

A working group was established in February 2011 to consider the potential of a Recorder scheme. The group recommended appraisal for appointees, beginning after their mentoring period and extending to those with more experience.

Future actions planned

With the single judicial HR team now in place in the Judicial Office, there is a new post established to take forward appraisal, amongst other projects (Head of Judicial Leadership Projects).

A proposal has been developed for recorder appraisal, more details of which will be available by end of 2012.

Forecast completion date: End of 2012 – outline proposals

Recommendation 47

Selection processes for opportunities for career advancement should be open and transparent and based on assessment of suitability against published criteria.

Contextual paragraph from Advisory Panel report

(Para.152) - For those in the judiciary who are interested not just in an initial appointment but in further advancement, there is a range of options available that might help them to develop their career.

- promotion – this will usually be by open competition;
- deployment under section 9(1) of the Senior Courts Act 1981;
- appointment to a particular representative/leadership role, and/or
- The award of a “ticket” to deal with specific types of work such as murder, attempted murder or serious sex offences.

Organisation taking forward: a) Ministry of Justice b) Judiciary

Action completed to date

The Ministry of Justice launched its consultation on Judicial Appointments and Diversity (*‘A Judiciary for the 21st Century’*) on 21 November 2011, which included a number of proposals concerning the process to select Deputy High Court Judges and the involvement of serving judiciary in the process to appoint their successors.

Judiciary: The senior judiciary and the JAC Commissioners have agreed a protocol for the authorisation of Circuit Judges and Recorders under the provisions of s9 (1) of the Senior Courts Act 1981.

Future actions planned

Ministry of Justice: After considering the responses it was concluded that Lord Chief Justice requests to Circuit Judges and Recorders to sit in the High Court and temporary appointments as deputy judge of the High Court are subject to a process determined by the JAC. Appropriate clauses were incorporated into the Crime and Courts Bill which was introduced on 10 May 2012.

Forecast completion date: May 2012 – introduction of Crime and Courts Bill. May 2012 – publication of response to consultation

Recommendation 48

The Judicial Studies Board should evolve into a Judicial College.

Contextual paragraph from Advisory Panel report

(Para.160) - The JSB's role is currently rightly focused on supporting the salaried judiciary in terms of their primary responsibilities in court. It could have a role in supporting wider judicial career development or supporting potential applicants for the judiciary, by helping them develop judicial skills. This would see the evolution of the JSB into a Judicial College, a role that the JSB has already started to shape.

Organisation taking forward: Judiciary

Actions completed to date and Future actions planned

The JSB became the Judicial College on 1 April 2011. Since then the College has been responsible for delivering high quality training which meets the needs of courts' and tribunals' judicial office holders. It provides training of the highest professional standard that:

- satisfies the business requirements of judicial leaders;
- promotes the professional development of judicial office holders;
- strengthens the capacity of judicial office holders to discharge their judicial functions effectively, and
- Enhances public confidence in the justice system.

The College has agreed its strategy for 2011-2014. In that it states that judicial training has three elements:

- substantive law, evidence and procedure and, where appropriate, subject expertise;
- the acquisition and improvement of judicial skills including, where appropriate, leadership and management skills, and
- The social context within which judging occurs.

The Judicial College has no plans to develop training courses or modules to support those who are not existing judicial office holders and as such no further action will be taken on this recommendation.

Forecast completion date: Closed

Judicial Culture, Terms and Conditions

Recommendation 49

A pro-active and coherent campaign of mythbusting should be undertaken, led by the Judicial Diversity Taskforce. It should be persistent, targeted on talent and started early.

Contextual paragraph from Advisory Panel report

(Para.164) - One of the most striking factors to emerge from our consultation was the mismatch between how some groups perceive the judicial culture and the reality that applies in many areas. As identified earlier in this report, some talented individuals think that the judiciary is not for them, on the basis of some well established misconceptions.

Organisation taking forward: Judicial Diversity Taskforce

Action completed to date

Judiciary: As recorded against Recommendation 11 above, around 45 judges, some of whom are DCRJ, have volunteered to act as Law Schools Liaison Judges (as part of a Bar Council initiative). In this role they are responsible for forging links between the court and local law schools and encouraging student court visits, lectures and informal talks, mooting and marshalling.

Courts and tribunals judges at all levels are making links with universities, particularly universities where the demographic of students is more diverse, and encouraging them to visit courts and to marshal a judge.

Future actions planned

Myth busting will be the theme of the 2012 DCRJ annual training event, equipping judges with the knowledge and skills to act as role models within their courts and to communicate effectively directly and via the media.

As recorded against Recommendation 44 above, the judiciary will host a judicial diversity event later in 2012 aimed at providing an insight into the different judicial roles across the courts and tribunals and why they would appeal to lawyers from diverse backgrounds.

Forecast completion date: Ongoing

Recommendation 50

All official material should be reviewed to ensure it does not assume a particular previous experience or background.

Contextual paragraph from Advisory Panel report

(Para. 164) – One of the most striking factors to emerge from our consultation was the mismatch between how some groups perceive the judicial culture and the reality that applies in many areas. ... some talented individuals' think that the judiciary is not for them, on the basis of some well established misconceptions. These include:

- You need to be part of the “club”

(Para.167) – Some simple changes could help in this regard. In particular the language used can seem to assume a certain previous experience.

Organisation taking forward: Ministry of Justice

Action completed to date

Ongoing review of all official material published in support of selection exercises.

Future actions planned

Planned review of terms and conditions in light of changes arising from the Crime and Courts Bill.

Forecast completion date: Ongoing

Recommendation 51

It should be assumed that all posts are capable of being delivered through some form of flexible working arrangement, with exceptions needing to be justified.

Contextual paragraph from Advisory Panel report

(Para.176) - As in any profession, some posts will need to be filled by those working fulltime. However, the current restrictions on flexible working in the most senior courts should be tested. More flexible working could require an increase in the judicial establishment in terms of actual numbers, if not full time equivalents, which is set by statute.

Organisation taking forward: Ministry of Justice

Action completed to date

The Ministry of Justice launched its consultation on Judicial Appointments and Diversity (*'A Judiciary for the 21st Century'*) on 21 November 2011, which included a proposal that the principle of salaried part-time working should be extended to judicial office holders in the High Court and above.

Future actions planned

The MoJ consultation concluded on 13 February 2012.

Based upon the overwhelming support for this proposal in the consultation, the existing legislation will be amended so that the current statutory limits on the number of High Court and Court of Appeal judges contained within the Senior Courts Act 1981 are expressed in terms of 'full-time equivalent'. In relation to the Supreme Court it was agreed to amend the maximum number of judges of the Supreme Court, so that it is specified as 'full-time equivalent'.

Appropriate clauses were incorporated into the Crime and Courts Bill which was introduced on 10 May 2012.

Forecast completion date: May 2012 – introduction of Crime and Courts Bill. May 2012 – publication of response to consultation

Recommendation 52

Judicial terms and conditions should reflect the needs of a modern diverse judiciary.

Contextual paragraph from Advisory Panel report

(Para.177) – A key way of embedding diversity is to ensure that judicial terms and conditions of appointment reflect the needs of a modern diverse organisation.

Organisation taking forward: Judicial Office

Action completed to date

The 'terms and conditions' have remained under review to ensure that they continue to reflect current advice on flexible working and reasonable adjustments, etc.

Future actions planned

As part of an ongoing programme of work around 'terms and conditions' proposals are being drawn up for establishing a more effective means of communicating information to all judicial office holders. Developing and advertising central contact points for 'terms and conditions' enquiries, dispersing this expertise locally, and producing a more structured approach to easily accessible intranet guidance, coupled with targeted paper-based handouts, make up some of the key aspects of the projects envisioned.

Forecast completion date: To have proposals in place by Autumn 2012 and to implement by end of 2012/13

Recommendation 53

There should be no change to the current policy on return to practice but there should be more information made available to individuals about what the restriction on return to practice means.

Contextual paragraph from Advisory Panel report

(Para.182 & 183) - We have not identified any substantive evidence that such a change would increase diversity... Those applying for judicial office should, however, be aware that judicial office is a long-term commitment and of the options open to them if they decided to leave their judicial career in the future.

Organisation taking forward: Judicial Office

Action completed to date

The 'terms and conditions' have remained under review to ensure that they continue to reflect current advice on return to practice.

Future actions planned

As part of an ongoing programme of work around 'terms and conditions' proposals are being drawn up for establishing a more effective means of communicating information to all judicial office holders. Developing and advertising central contact points for 'terms and conditions' enquiries, dispersing this expertise locally, and producing a more structured approach to easily accessible intranet guidance, coupled with targeted paper-based handouts, make up some of the key aspects of the projects envisioned.

Forecast completion date: To have proposals in place by Autumn 2012 and to implement by end of 2012/13

Appendix 1 – Completed recommendations from previous Reports

The following table documents those recommendations which were directed by the Taskforce as either being completed or closed in the first annual Taskforce progress report.

Recommendation	Description	Approved status
Recommendation 3	The tripartite judicial diversity strategy between the Lord Chancellor, the Lord Chief Justice and the Chairman of the Judicial Appointments Commission should be extended to include the leaders of the legal profession (Bar Council, Law Society and Chartered Institute of Legal Executives) and the Senior President of Tribunals. It should be refocused on implementing the changes we have recommended.	Completed
Recommendation 5	There should not be diversity quotas or specific targets for judicial appointments.	Closed
Recommendation 28.	The JAC should capture its statistical data in a way that would allow the monitoring of the number of people who chose to re-apply following a previous unsuccessful application.	Closed - The JAC are currently exploring ways to extract this information from their database and hope to have further information on the number of candidates and their profile who apply more than once by Autumn 2012
Recommendation 36.	There should be a staged period of induction where the appointed person has little or no experience of sitting judicially or of the relevant jurisdiction.	Completed

Appendix 2 – Judicial Diversity Baseline measurement

Background

The Report of the Advisory Panel on Judicial Diversity 2010 recommended the setting up of a baseline against which to measure future progress in improving judicial diversity. Ministry of Justice Analytical Services were commissioned by the Judicial Diversity Taskforce to develop this baseline based upon known statistical data.

The baseline represents the change in the judicial diversity (gender, and Black Asian and Minority Ethnic status (BAME)) that would happen without the interventions arising from the Report. The Report’s vision is to have a “much more diverse judiciary” by 2020. It is not possible to untangle the impact of interventions arising from the Report from those of other initiatives and wider cultural changes, therefore Analytical Services have produced judicial diversity projections based on a set of assumptions.

Key Results (table 1)

	% BAME	% female
1 st April 2011 Courts (reported statistics ¹⁴)	5.1%	22.3%
1 st April 2020 <i>forecast estimates for the <u>baseline</u></i> . ¹⁵		
• All Office Holders	11%	40%
• Tribunals	12%	45%
• Courts	8%	32%
General Population ¹⁶	11%	51%

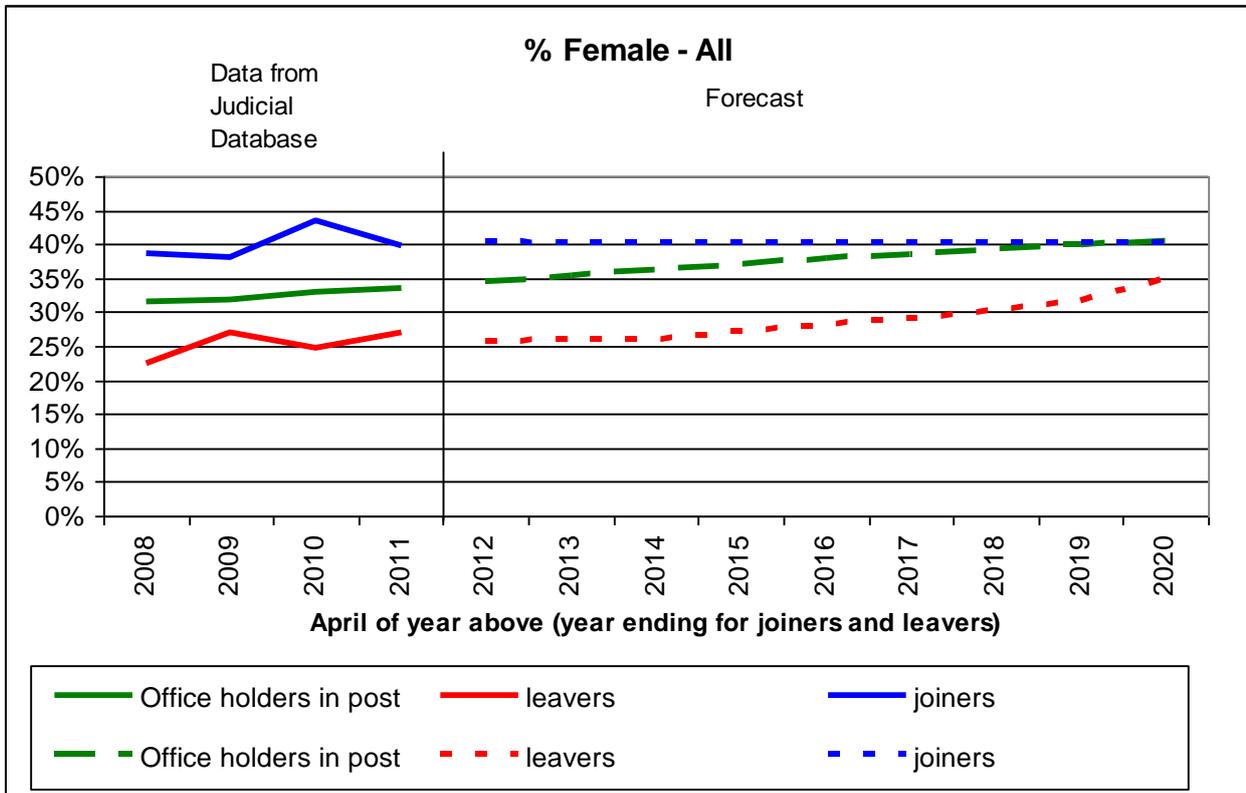
¹⁴Judicial Office website: <http://www.judiciary.gov.uk/Resources/JCO/Documents/Stats/judicial-diversity-stats-gender-ethnicity-profession-2011.xls> (Not all judges declare their ethnicity and so the ethnicity figure is calculated as a percentage of those members of the judiciary who have agreed to provide ethnicity data and from whom this information has been collected.)

¹⁵Based on an extract from the Judicial Database

¹⁶This is an estimated figure for those aged 18 and over based on mid-year population estimates 2010 for gender and [ONS Population Estimates by Ethnic Group \(PEEGS\) 2009](#) for ethnicity.

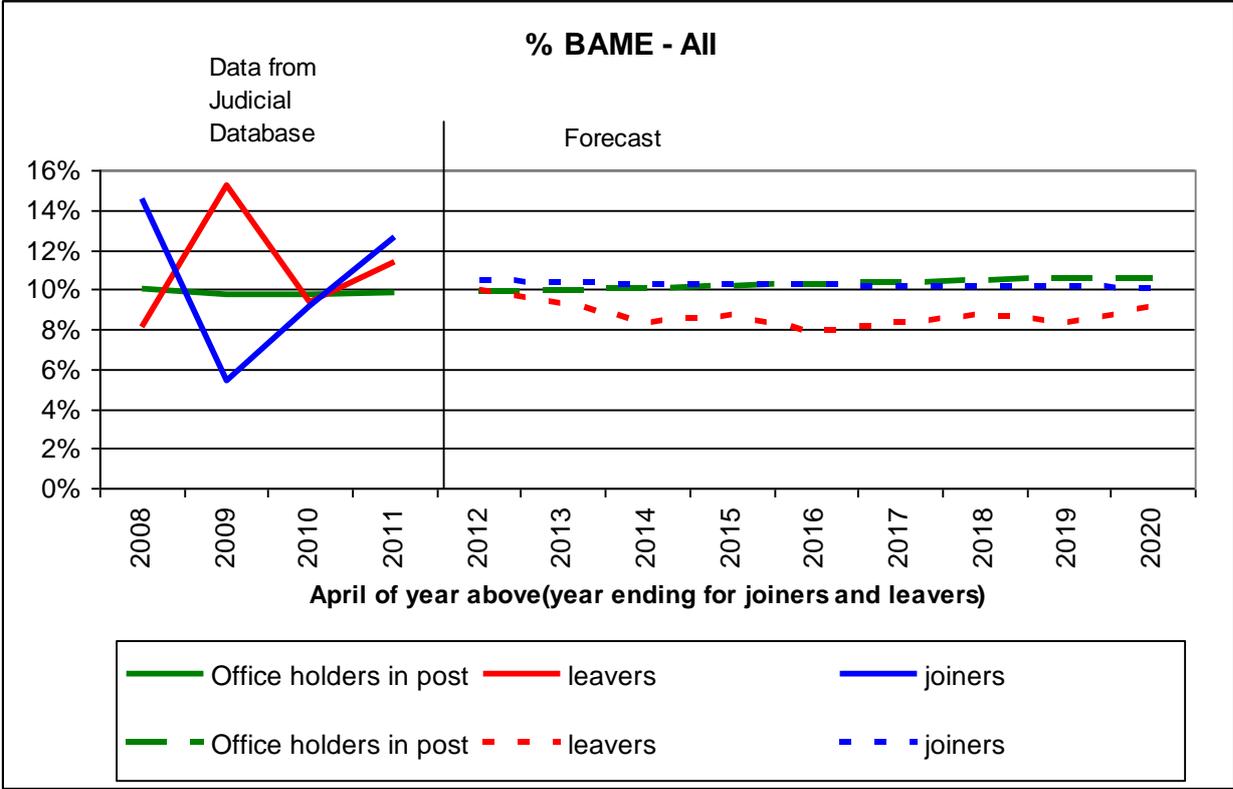
Percentage of female Judicial Office holders (Courts and Tribunals)

This chart reflects the outcomes produced by the stock-flow model and it shows the projections to 1st of April 2020 for female judicial office holders.



Percentage of BAME Judicial Office Holders (Courts and Tribunals)

This chart reflects the outcomes produced by the stock-flow model and it shows the projections to 1st of April 2020 for Black, Asian and Minority Ethnic judicial office holders.



Analytical Approach (including key assumptions)

A stock-flow model was used. The likely numbers and diversity of those leaving the judiciary, “leavers” and of those joining the judiciary, “joiners”, was estimated in each future year. The impact of these joiners and leavers on the office holders’ population was calculated for each future year, allowing us to project future diversity. The analysis was derived from the Judicial Database, which has not been used in this way before and therefore there may be data quality issues.

- **Leavers:** The office holder’s age is a good predictor of when they are likely to leave the judiciary (based on the statistical approach of logistic regression¹⁷)
- **Joiners¹⁸:** The assumption is that the mix of joiners in terms of their age and diversity over the recent years will be the same as the mix of joiners in the future for four categories of office holders; Recorders, Deputy District Judges, legally qualified tribunal members and non-legally qualified tribunal members.

¹⁷See technical paper “Logistic Regression Analysis and Reporting: A Primer” at <http://www.indiana.edu/~jopeng51/teaching-logistic.pdf>

¹⁸The Judicial Appointments Commission hold and publish eligible pool data. They advised that there was a risk in using the eligible pool data, i.e. that it may not be a good predictor for the diversity of future joiners. Therefore this data was not used.

- **Judicial Office Holders in post:** While a number of factors could change the future requirements for total number of judicial office holders, for the purpose of the baseline projection it has been assumed that their numbers will remain constant, which is based on advice from MOJ workforce colleagues.

Appendix 3 – Legal Professions Timetable

Recommendation 12

'The Panel recommends that the Bar Council, the Law Society and CILEx set out a detailed and timetabled programme of change to improve the diversity profile of the professions who are suitable for appointment at all levels. They should bring this plan to the Judicial Diversity Taskforce within 12 months of the publication of the report. This plan should include information on how progress will be monitored.'

Month	Activity	Organisation	Evaluation/Monitor
January 2012	Programme of one day training courses on applying for judicial appointments (London)	Law Society	Evaluate by May 2012 through discussions with attendees
	Event linked to launch of DDJ (MC) selection exercise in February for BSN and other minority groups	Law Society	Evaluate by May 2012 through discussions with attendees
	Free standing Committee with dedicated staff support created to develop a social mobility strategy to include key objectives to be achieved within 2012.	Bar Council	Publish objectives and monitor progress by end December 2012
	Event linked to DDJ (Civil) competition	Bar Council	Diverse attendance, mentoring opportunities provided.
	Publication of bar wide survey providing base line information across all the protected characteristics. To be repeated every two years.	Bar Council	This along with the annual Bar Barometer will assist the Bar Council to measure outcomes of its diversity initiatives.
February 2012	Programme of one day training courses on applying for judicial appointments (London)	Law Society	Evaluate by June 2012 through discussions with attendees
	Provide case studies and CILEx material for the Professions for Good 'Social Mobility Toolkit' which will be published online to all professions in February 2012.	CILEx	Monitor feedback on usability of the material provided by September 2012

Month	Activity	Organisation	Evaluation/Monitor
	Meeting with JAC to discuss and agree outreach programme for 2012, change to support literature and feasibility for a CILEx mentoring scheme	CILEx	Monitor Outreach outcomes and usage of new literature and successful introduction of mentoring scheme by end December 2012
March 2012	Programme of one day training courses on applying for judicial appointments (Cardiff, Bristol & Leeds)	Law Society	Evaluate by July 2012 through discussions with attendees
	Live Webinar to CILEx members	CILEx	Evaluate feedback from subscribers by October 2012. Publish online evaluation after the event to all CILEx members
April 2012	Programme of one day training courses on applying for judicial appointments (Newcastle)	Law Society	Evaluate by August 2012 through discussions with attendees
	With support from JAC, Judicial Office and DCRJ, identify judicial mentors for CILEx members and develop a scheme to support their aspirations by end 2012	CILEx	Quarterly review based on feedback from end users and mentors. First review to be completed in March 2013
	Programme of Meet the Judges sessions arranged for the remainder of the year	Law Society	Evaluate by December 2012 through discussions with attendees
	Informal mentoring scheme for BSN members introduced	Law Society	Evaluate by December 2012 through discussions with participants
	Re-visit proposal to find nursery premises or crèche spaces within a mile of the Temple and on circuits where there is a demand	Bar Council	Decision on potential premises by November and facilities operational by May 2013

Month	Activity	Organisation	Evaluation/Monitor
	Improvements to the Bar Council data collection and storage systems that will enable collection and analysis of diversity information across the protected characteristics and socio-economic background and assist in the evaluation of our diversity initiatives.	Bar Council	Evaluate new collection system and its effectiveness by December 2012
May 2012	Meet the Judges – London A panel of four solicitor judges relate their experience of being a judge and then meet informally with solicitors who are intending to apply for a judicial appointment.	Law Society	Evaluate by December 2012 through discussions with attendees and publish findings
	Meet the Judges – Nottingham	Law Society	Evaluate by December 2012 through discussions with attendees and publish findings
	Meet the Judges - Newcastle	Law Society	Evaluate by December 2012 through discussions with attendees and publish findings
	Meeting of 50 senior partners from a range of City firms with a view to generating a more positive attitude towards solicitors wishing to apply for judicial appointments	Law Society	Evaluate by September 2012 through discussions with attendees and publish findings
June 2012	How to apply for CPS upgrade/QASA/Judicial appointment, to be held in Middle Temple London	Bar Council S E Circuit	Evaluate by October 2012 through discussions with attendees and publish findings
	Society of Asian Lawyers (SAL)/ JAC Candidate Seminar. Attended by High Court Judge Rabinder Singh and a member of a JAC selection exercise team to cover the selection process, encourage applications	Society of Asian Lawyers	Evaluate by October 2012 through discussions with attendees and publish findings

Month	Activity	Organisation	Evaluation/Monitor
	Meet the Judges - Leeds	Law Society	Evaluate by December 2012 through discussions with attendees and publish findings
	Meet the Judges - Bristol	Law Society	Evaluate by December 2012 through discussions with attendees and publish findings
	Launch of Law Society Equality & Diversity Section Assist Solicitor firms on the management and resolution of diversity issues	Law Society	Evaluate by December 2012
	Collection of Diversity Data Solicitors firms required to facilitate the collection of diversity data by providing information about the whole of their workforce.	Law Society	Starting from 2013 diversity data to be collected and published annually.
July 2012	Judicial information event linked to forthcoming salaried judge competitions, held at 7 Bedford Row chambers	Bar Council, Equality and Diversity Committee	Evaluate by November 2012 through discussions with attendees and publish findings
	Meet a Judge- Coventry. A local district judge will talk about their experiences	CILEx	Evaluate by November 2012 through discussions with attendees and publish findings
August 2012	Review Law Society website to consider further materials which could be produced to support the selection process	Law Society	Ongoing evaluation and monitoring
	With support from JAC, Judicial Office and DCRJ, identify judicial mentors for CILEx members and develop a scheme to support their aspirations by early 2013	CILEx	Quarterly review based on feedback from end users and mentors. First review to be completed in June 2013

Month	Activity	Organisation	Evaluation/Monitor
September 2012	Law Society and JAC candidate seminar – Maidstone Attended by a Judge and a member of a JAC selection exercise team to cover the selection process, encourage applications	Law Society	Evaluate by January 2013 through discussions with attendees and publish findings
	Interlaw and JAC candidate seminar Attended by a Judge and a member of a JAC selection exercise team to cover the selection process, encourage applications	Interlaw	Evaluate by January 2013 through discussions with attendees and publish findings
	BAME group (CILEx, Black Solicitors Network, Bar and Law Society) and JAC candidate seminar – Leeds Attended by a Judge and a member of a JAC selection exercise team to cover the selection process, encourage applications	BAME group	Evaluate by January 2013 through discussions with attendees and publish findings
	Black Lawyers Directory (BLD) and JAC candidate seminar – London Attended by a Judge and a member of a JAC selection exercise team to cover the selection process, encourage applications	Black Lawyers Directory	Evaluate by January 2013 through discussions with attendees and publish findings
	Disabled Lawyer Judicial information event, 2nd Floor meeting room, Bar Council To include invited speaker from JAC on the appointment process and disabled judge speakers to provide advice on applying and practical experience of sitting.	Bar Council, Law Society, CILEx	Evaluate by January 2013 through discussions with attendees and publish findings

Month	Activity	Organisation	Evaluation/Monitor
	<p>Publication of guide Guide to assist chambers in the fair recruitment of pupils, tenants and employees from the widest possible pool. Practical courses based on the Guide to be offered to chambers.</p>	Bar Council	Evaluate by assessment of compliance with new regulation on recruitment training for members of chambers.
	<p>Publication of on-line Guide On-line guide for disabled students to raise awareness of opportunities to practise at the Bar through assistance available from the Access to Work scheme.</p>	Bar Council	Evaluate through feedback from colleges, law students and rates of entry of disabled students.
October 2012	<p>CILEx and JAC candidate Webinar – London Attended by a Judge and a member of a JAC selection exercise team to cover the selection process, encourage applications, and give tips on how to prepare for application.</p>	CILEx	Evaluate by February 2013 through discussions with attendees and publish findings
	<p>Law Society and JAC candidate seminar – Newcastle Attended by a Judge and a member of a JAC selection exercise team to cover the selection process, encourage applications, and give tips on how to prepare for application.</p>	Law Society	Evaluate by February 2013 through discussions with attendees and publish findings
	<p>Law Society and JAC candidate seminar - London</p>	Law Society	Evaluate by February 2013 through discussions with attendees and publish findings
	<p>BAME group (CILEx, Black Solicitors Network, Bar and Law Society) and JAC candidate seminar – London and Birmingham Attended by a Judge and a member of a JAC selection exercise team to cover the selection process, encourage applications</p>	BAME group	Evaluate by February 2013 through discussions with attendees and publish findings

Month	Activity	Organisation	Evaluation/Monitor
	Meet the Judges – Cardiff	Law Society	Evaluate by December 2012 through discussions with attendees and publish findings
	Meet the Judges - Birmingham	Law Society	Evaluate by December 2012 through discussions with attendees and publish findings
	Women in the legal profession Attended by a Judge and a member of a JAC selection exercise team to cover the selection process, encourage applications, and give tips on how to prepare for application.	Law Society, Bar Council, CILEx	Evaluate by February 2013 through discussions with attendees and publish findings
November 2012	BAME group (CILEx, Black Solicitors Network, Bar and Law Society) and JAC candidate seminar – Leeds Attended by a Judge and a member of a JAC selection exercise team to cover the selection process, encourage applications	BAME group	Evaluate by February 2013 through discussions with attendees and publish findings
	Meet the Judges – Manchester	Law Society	Evaluate by December 2012 through discussions with attendees and publish findings
	Meet the Judges - Cambridge	Law Society	Evaluate by December 2012 through discussions with attendees and publish findings
	Meet the Judges - Southampton	Law Society	Evaluate by December 2012 through discussions with attendees and publish findings

Month	Activity	Organisation	Evaluation/Monitor
	<p>Bar Council Managing Career Break seminar JAC speaker on appointment process to raise awareness of opportunities that are open to sit for those returning from a career break.</p>	Bar Council Equality and Diversity Committee	Evaluate by March 2013 through discussions with attendees and publish findings
	<p>Professions and Lord Chief Justice Diversity Event Attended by the LCJ, Lord Chancellor, the President of CILEx, Chairman of the Bar, the President of the Law Society, Chairman of JAC, and Diversity and Community Relations Judges. The event is intended to publicise judicial roles, providing an insight into the different judicial roles across the courts and tribunals and why they would appeal to lawyers from diverse backgrounds.</p>	CILEx, Law Society, Bar Council, Judicial Office	Evaluate by March 2013 through discussions with attendees, the tracking of selected individuals and publish findings
	<p>Annual Bar Conference Workshop at annual Bar Conference on widening access to the profession. Aim to raise awareness of steps proposed by the independent reviewer on social mobility and child poverty on fair access to the professions.</p>	Bar Council	Evaluation by feedback from attendees and impact on the diversity of the profession.
December 2012	<p>Law Society and JAC candidate seminar – Wales Attended by a Judge and a member of a JAC selection exercise team to cover the selection process, encourage applications, and give tips on how to prepare for application.</p>	Law Society	Evaluate by April 2013 through discussions with attendees, the tracking of selected individuals and publish findings
	<p>Launch of the Minority Lawyers Division</p>	Law Society	Evaluate by April 2013 through discussions with attendees, the tracking of selected individuals and publish findings

Month	Activity	Organisation	Evaluation/Monitor
January 2013	Bar Council and JAC candidate seminar – London Attended by a Judge and a member of a JAC selection exercise team to cover the selection process, encourage applications, and give tips on how to prepare for application.	Bar Council	Evaluate by May 2013 through discussions with attendees, the tracking of selected individuals and publish findings
	Bar Council and JAC candidate seminar – Regional Attended by a Judge and a member of a JAC selection exercise team to cover the selection process, encourage applications, and give tips on how to prepare for application.	Bar Council	Evaluate by May 2013 through discussions with attendees, the tracking of selected individuals and publish findings
	BME group (CILEx, BSN, Bar and Law Society)/ JAC candidate seminar – Regional Attended by a Judge and a member of a JAC selection exercise team to cover the selection process, encourage applications, and give tips on how to prepare for application.	BAME group	Evaluate by May 2013 through discussions with attendees, the tracking of selected individuals and publish findings

Appendix 4 – Diversity Statistics

The following provides background statistical information relating to the current gender and ethnicity make-up of the Legal Professions and the Judiciary.

Population of England & Wales

The statistical breakdown on gender and ethnicity are figures for those aged 18 and over based on mid-year population estimates 2010 for gender and ONS Population Estimates by Ethnic Group (PEEGs) 2009 for ethnicity

	% BAME	% female
General Population ¹⁹	11%	51%

Table 1: Statistical breakdown on gender and ethnicity for the population of England and Wales

Based upon data taken from the 2009/10 Family Resources Survey, the [Office for Disability Issues](#)²⁰ estimated that 22% of the adult population in Great Britain in 2009/10 had a disability.

Bar Council²¹

Overall, as at 23 December 2010:

Queen's Counsel (Silk) barristers

Self employed Queen's Counsel

	2006	2007	2008	2009	2010	2011
Self employed Queen's Counsel	1,278	1,223	1,273	1,318	1,397	1,486

Self employed Queen's Counsel by gender

	2006	2007	2008	2009	2010	2011
Male	1,160	1,107	1,146	1,179	1,245	1,310
Female	118	116	127	139	152	176

Queen's Counsel by ethnicity

	2006	2007	2008	2009	2010	2011
BAME	46	44	49	57	68	78
White	1,169	1,120	1,166	1,207	1,273	1,347
No data	63	59	58	54	56	61

¹⁹Calculations are based on figures available on the ONS website which were rounded to the nearest 100.

²⁰http://research.dwp.gov.uk/asd/frs/2009_10/index.php?page=intro

²¹<http://www.barcouncil.org.uk/about-the-bar/facts-and-figures/statistics/>

All practising barristers

Barristers are entitled to hold a practising certificate upon their successful completion of pupillage. This is renewed annually and grants barristers the right to practice as barristers. All barristers with practising certificates may work as self employed or employed. The majority are self employed.

	2006	2007	2008	2009	2010	2011
Total barristers in practice	14,890	15,030	15,182	15,270	15,387	15,581

All practising barristers by gender

	2006	2007	2008	2009	2010	2011
Male	9,920	9,924	9,999	10,011	10,033	10,117
Female	4,970	5,106	5,183	5,259	5,354	5,484

All practising barristers by ethnicity

	2006	2007	2008	2009	2010	2011
BAME	1,432	1,466	1,493	1,545	1,564	1,594
White	11,347	11,421	11,580	11,721	11,885	12,039
No data	2,111	2,143	2,109	2,004	1,938	1,948

Self employed barristers

All self-employed barristers

This includes sole practitioners and barristers practising in chambers

	2006	2007	2008	2009	2010	2011
All self employed barristers	12,034	12,058	12,136	12,241	12,420	12,674

Sole practitioners

	2006	2007	2008	2009	2010	2011
Sole practitioners	298	309	351	391	419	427

All self-employed barristers by gender

	2006	2007	2008	2009	2010	2011
Male	8,381	8,327	8,364	8,381	8,443	8,567
Female	3,653	3,731	3,772	3,860	3,977	4,107

All self-employed barristers by ethnicity

	2006	2007	2008	2009	2010	2011
BAME	1,098	1,109	1,132	1,175	1,203	1,235
White	9,474	9,489	9,573	9,724	9,907	10,114
No data	1,462	1,460	1,431	1,342	1,310	1,325

Employed barristers

Employed barristers are practising barristers who are employed by a 'Recognised Body', either under a contract of employment (e.g. with a private company) or by virtue of an office under the Crown (such as the Crown Prosecution Service) or the institutions of the European Communities.

	2006	2007	2008	2009	2010	2011
Employed barristers	2,856	2,972	3,046	3,029	2,967	2,907

Employed barristers by gender

	2006	2007	2008	2009	2010	2011
Male	1,539	1,597	1,635	1,630	1,590	1,550
Female	1,317	1,375	1,411	1,399	1,357	1,357

Employed barristers by ethnicity

	2006	2007	2008	2009	2010	2011
BAME	334	357	361	370	361	351
White	1,873	1,932	2,007	1,997	1,978	1,925
No data	649	683	678	662	628	623

Pupil barristers

Pupillage is a compulsory one-year training period spent in an authorised pupillage training organisation (PTO): either barristers' chambers or another approved legal environment).

Pupil barristers by gender

	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
Male	276	250	238	261	280	184	241
Female	251	261	264	249	210	223	181
No data	29	4	25	52	25	53	22

Pupil barrister by ethnicity

	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
BAME	88	85	107	105	68	71	58
White	434	423	394	394	420	333	349
No data	34	7	26	54	27	56	37

Pupil barristers by university attended

	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
Oxford/ Cambridge	161 (31%)	147 (29%)	161 (32%)	161 (32%)	157 (32%)	109 (24%)	155 (35%)
Russell Group (without Oxbridge)	165 (32%)	177 (35%)	174 (35%)	189 (37%)	164 (34%)	103 (22%)	123 (28%)
All other universities	197 (37%)	185 (36%)	162 (33%)	158 (31%)	164 (34%)	195 (42%)	122 (27%)
No data	n/a	n/a	n/a	n/a	n/a	53 (12%)	44 (10%)

Called to the Bar

'Call' is the date at which barrister are formally recognised to have passed the vocational stage of training have been admitted to the Bar. In 2010-11 27% of students called were international students.

	2005/06	2006/07	2007/008	2008/09	2009/10	2010/11
All Called to the Bar	1,640	1,736	1,742	1,772	1,852	1,494

Gender profile of those Called to the Bar

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
Male	794	909	832	851	876	757
Female	846	870	919	921	977	737

Ethnic profile of those Called to the Bar

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
BAME	413	504	670	721	819	738
White	830	859	1,052	1,020	1,006	718
No data	397	413	20	31	28	28

Law Society for England and Wales

- As at 31 July 2011²², there were 159,524 solicitors on the Roll, but the figure is affected by transitional arrangements in place at the time for the Roll renewal process.
- In 2010–11, excluding those whose ethnicity was unknown, solicitors from Black Asian and Minority Ethnic (BAME) groups accounted for 12.6% of all solicitors on the Roll, 12% of all solicitors with practising certificates, and 10.9% of all solicitors in private practice.
- Over one-third of practising certificate holders in 2011 (37.1%) was employed by organisations based in London. These organisations were responsible for the employment of just under one half (49.5%) of all BAME practising certificate holders.
- Women now account for 46.5% of solicitors with practising certificates. Whereas the total number of solicitors holding practising certificates has grown by 40.8% since 2001, the number of women holding practising certificates has nearly doubled, having increased by 79.7%.
- 74.8% of men holding practising certificates work within private practice, compared to only 69.1% of women.
- In 2011 the average age of a male practising certificate holder was 44.5 years compared to only 38.4 years for female practising certificate holders.
- In 2011, the average age of a female solicitor in private practice was 37.8 years compared with 44.9 years for men. The average age of a sole practitioner was 52.4 years compared with 48.6 years for partners and 54.2 years for all solicitors in private practice.
- Of new admissions, 59.1% were women, and those from BAME groups represented 22.1% of all admissions where ethnicity was known.
- Around one third of solicitors (35%) came from families where one or both parents were in a professional occupation²³. Almost three quarters (73%) came from backgrounds where either mother or father (or both) had occupations falling within the two highest occupational groups.
- Seven percent of solicitors had attended either Oxford or Cambridge, this compares to 14% of PC holders in 1999²⁴.
- Solicitors from professional backgrounds were more likely to have attended an ‘Ancient’ university (12%), (Universities founded before 1900, including Oxford and Cambridge), compared to those from other occupational backgrounds (8%).
- A higher proportion of solicitors from other occupational backgrounds had attended ‘New’ universities (established post 1992) or other institutions (colleges or polytechnics) (44%) compared to those from professional backgrounds (33%).

The Chartered Institute of Legal Executives

As at [December](#) 2011²⁵, the number of members of the Chartered Institute were approximately 22,000, and of those who were willing to share information about their backgrounds

²²<http://www.lawsociety.org.uk/aboutlawsociety/whatwedo/researchandtrends/researchpubs/view=researchpubsarticle.law?PUBLICATIONID=435267>

²³Law Society’s Annual Omnibus Survey 2009

²⁴Punt, T. Cole, B, Routes into the solicitors’ profession and the utilisation of professional time’ Research Study No.36 The Law Society

²⁵http://www.ilex.org.uk/about_ilex/equality_and_diversity/diversity_statistics/ilex_membership_diversity_stat.aspx

- 74% were women;
- 12% were BAME (this rises to 29% amongst students)
- 82% of members do not have a parent who attended university, and only 2% of members have a parent who is a lawyer.

Tribunals Judicial Office Holders (as at April 2012)

The number of Tribunals judges in office (as at 1 April each year recorded) by women and ethnic background.

Judicial Diversity, Gender and Ethnicity, 2012²⁶ - Source - Judicial Database 2012

Year	Total number of Judges	% Women	% BAME out of known ethnicity	% BAME out of total number of judges
2012	2060	39.6%	9.4%	8.7%

Note: The figures have been taken from the judicial database and do not include those non-legal Tribunals Office holders.

The database of the ethnic origin of the judiciary may be incomplete as (a) judicial office holders are asked to provide the information on a voluntary basis and (b) such details have only been collected since October 1991. Further ethnicity data was collected from judicial office holders in post through a diversity survey undertaken by the Judicial Office in 2007. In May 2009, the Judicial Office began collecting ethnicity data from all new judicial appointees with the help of Ministry of Justice.

Not all judicial office holders declare their ethnicity and so the ethnicity figure is calculated as a percentage of those members of the judiciary who have agreed to provide ethnicity data and from whom we have collected this information. 508 of the Tribunal judicial office holders have not declared their ethnicity.

Government Legal Service

As at November 2011, there were 2002 members of the Government Legal Service, which includes 145 lawyers currently out on career breaks, working abroad, in the European Community or in non GLS teams etc and 408 working on a part-time basis.

Type of Lawyer	Number
Lawyers	1700
Senior levels	245
Trainees	57

- 62% of the total GLS population are women. At Senior Civil Service level, 46% are women. At the most senior levels (Top 200 - Pay bands 2&3) 38% are women.
- The 2013 targets set by the Cabinet Office for the percentage of women at SCS level in the Civil Service are 39% of the total SCS cadre and 34% of the SCS Pay band 2&3 cadre.

²⁶ Because the focus of the Advisory Panel report was on legally qualified judicial office holders, the figures recorded here do not include non-legal tribunal's officeholders. Full details of the diversity of Tribunals judges and members will be available from the [Judiciary website](#).

- Of those who responded to the GLS ethnic monitoring questionnaire, 14% of the total GLS population has declared that they are BAME. At Senior Civil Service level, 7% have declared that they are BAME.
- The 2013 target set by the Cabinet Office for the percentage of people from an ethnic minority background at SCS level is 5%.
- Comparable figures for BAME representation in the legal profession published by the Bar and the Law Society show that in 2009–10, excluding those whose ethnicity was unknown, solicitors from Black, Asian Minority and Ethnic (BAME) groups accounted for 10.3% of all solicitors in private practice and BME barristers comprised 10% of the Self Employed Bar.
- Around 20% of the GLS total population works on a formal part-time or job share basis (men as well as women at all grade levels). 19% of the GLS/SCS population works on a formal part-time or job share basis. There are also some home workers among those working part-time. Additionally, some full-time people work from home on a regular basis as part of a formal arrangement, including a significant number at SCS level. 10% of the total GLS population (full and P/T) has declared a formal home working arrangement as part of a regular working pattern.
- The proportion of staff who declared a disability in response to the GLS questionnaire (as a % of those who responded) stands at 4% of the total GLS population.

Courts Based Judicial Office holders in England & Wales

The number of courts judges in office (as at 1 April each year recorded) by women and ethnic background in England and Wales.

Judicial Diversity, Gender and Ethnicity, 1998 to 2011 (Source - Judicial Database 2012)

Year	Total number of Judges	% Women	% BAME out of known ethnicity	% BAME out of total number of judges
1998	3174	10.3	-	1.6
1999	3312	11.2	-	1.7
2000	3441	12.7	-	2.1
2001	3535	14.1	-	1.9
2002	3545	14.5	-	2.0
2003	3656	14.9	-	2.2
2004	3675	15.8	-	2.5
2005	3794	16.9	-	2.9
2006	3774	18.0	-	3.8
2007	3545	18.7	-	3.5
2008	3820	19.0	5.0	4.1
2009	3602	19.4	4.5	3.6
2010	3598	20.6	4.8	3.9
2011	3694	22.3	5.1	4.2
2012	3575	22.6	5.2	4.2

Note: The database of the ethnic origin of the judiciary may be incomplete as (a) candidates are asked to provide the information on a voluntary basis and (b) such details have only been collected since October 1991. Further ethnicity data was collected from judiciary in post through a diversity survey undertaken by the Judicial Office in 2007. In May 2009 the Judicial Office began collecting ethnicity data from all new judicial appointees with the help of Ministry of Justice Figures from 2008 onwards are not directly comparable with earlier years as the data has been widened to include four new types of judicial post

Statistical data on the percentage of BAME judicial office holders out of known ethnicity between 1998 and 2007 is not available.

Authorisations to sit as a Deputy High Court Judge

The following table details the total number of serving judicial office holders (both fee-paid and salaried) together with legal professionals who have been authorised under section 9(1) of the Senior Courts Act 1981 to be able to sit as a Deputy High Court Judge (as at 08 November 2011).

	No. of authorisations	No. of Barrister holding authorisation	No. of Solicitors holding authorisation	Recorders (Fee-Paid)	Circuit Judges (Salaried)	Female	Male
Section 9 (1)	397	357	40	162	235	73	324
		90%	10%	41%	59%	18%	82%

The following table shows the gender breakdown of the number of authorisations made in the last 3 years.

Section 9 (1)	No. of authorisations	Female	Male
Total	74	19 26%	55 74%

Appendix 5 – Eligible Pool

The following document the eligibility criteria for some of the fee-paid and salaried judicial office holders, together with details (where known) of the diversity of those posts based upon current JAC eligible pool figures.

Judicial Office	Who is eligible to apply	Diversity of eligible pool	Diversity of current office holders ²⁷
High Court Judge ²⁸	<p>Statutory eligibility</p> <p>Under section 10(3)(c) of the Senior Courts Act 1981, as amended by paragraph 13 of Schedule 10 to the Tribunals, Courts and Enforcement Act (TCE) 2007, no person shall be qualified for appointment as a puisne judge of the High Court unless that person -</p> <p>(i) satisfies the judicial-appointment eligibility condition on a 7-year basis; or</p> <p>(ii) is a Circuit Judge who has held that office for at least 2 years.</p> <p>Non Statutory eligibility</p> <p>There is no upper or lower age limit for candidates apart from the statutory retirement age of 70. It is the Lord Chancellor’s policy that the age at which someone is appointed to the Office of the High Court must allow for a reasonable length of service before retirement, usually about five years.</p>	<ul style="list-style-type: none"> • 20% women • 4% BAME • 37% Solicitors 	<ul style="list-style-type: none"> • 15.7% women • 4.5% BAME (where declared – of the 108 office holders 20 or 18.5% did not declare their ethnicity) • 1% Solicitors
Circuit Judge ²⁹	<p>Statutory eligibility</p> <p>Under section 16(3) of the Courts Act 1971, no person shall be qualified to be appointed a Circuit Judge unless -</p> <p>a) he satisfies the judicial-appointment eligibility condition on a 7-year basis;</p> <p>b) he is a Recorder; or</p> <p>c) he has held as a full-time appointment for at least 3 years one of the offices listed in Part IA of Schedule 2.</p> <p>Non statutory eligibility</p> <p>“The Lord Chancellor requires that candidates applying for salaried judicial posts should normally</p>	<ul style="list-style-type: none"> • 20% women • 4% BAME • 37% Solicitors 	<ul style="list-style-type: none"> • 15.9% women • 2.5% BAME (where declared – of the 665 office holders, 67 or 10% did not declare their ethnicity) • 12.5% Solicitors

²⁷ <http://www.judiciary.gov.uk/publications-and-reports/statistics/diversity-stats-and-gen-overview> - Judicial Office, Diversity statistics and general overview, April 2011

²⁸ http://www.judicialappointments.gov.uk/static/documents/JAC_OS_Dec_10_report.pdf - JAC Official Statistics December 2010

²⁹ http://www.judicialappointments.gov.uk/static/documents/JAC_Official_Statistics_December_2011.pdf - JAC Official Statistics December 2011

Judicial Office	Who is eligible to apply	Diversity of eligible pool	Diversity of current office holders ²⁷
	be expected to have previous judicial experience. Provision will be made for exceptional cases where candidates have demonstrated the necessary skills in some other significant way”.		
Salaried Judge of the Upper Tribunal, Immigration and Asylum Chamber ¹⁹	<p>Statutory eligibility</p> <p>A person is eligible for appointment only if the person –</p> <p>a) satisfies the judicial-appointment eligibility condition on a 7-year basis</p> <p>b) is an advocate or solicitor in Scotland of at least seven years’ standing,</p> <p>c) is a barrister or solicitor in Northern Ireland of at least seven years’ standing, or</p> <p>d) in the Lord Chancellor’s opinion, has gained experience in law which makes the person as suitable for appointment as if the person satisfied any of paragraphs a) to c).</p> <p>Non statutory eligibility</p> <p>Before being considered for appointment, individuals <i>must</i> either have previous service in a judicial office or substantial Immigration or Asylum experience. It is desirable that individuals have both.</p> <p>Candidates applying for salaried judicial posts should normally be expected to have previous judicial experience. Provision will be made for exceptional cases where candidates have demonstrated the necessary skills in some other significant way.</p> <p>There is no upper or lower age limit for candidates apart from the statutory retirement age of 70 for all judges. The age at which someone is appointed as a salaried Judge of the Upper Tribunal for the Immigration and Asylum Chamber must allow for a reasonable length of service before retirement, usually about three years.</p>	<ul style="list-style-type: none"> • 20% women • 4% BAME • 37% Solicitors 	TBC
District Judge (Magistrates) ⁹	<p>Statutory eligibility</p> <p>Under s22(1) of the Courts Act 2003, as amended by paragraph 38(2) of Schedule 10 to the Tribunals, Courts and Enforcement (TCE) Act 2007, Her Majesty may, on the recommendation of the Lord Chancellor, appoint a person who satisfies the judicial-appointment eligibility condition on a 5-year basis to be a District Judge (Magistrates’ Courts).</p>	<ul style="list-style-type: none"> • 19% women • 5% BAME • 40% Solicitors 	<ul style="list-style-type: none"> • 27.7% women • 3.9 % BAME (where declared – of the 137 office holders, 34 or 25% did not declare their

Judicial Office	Who is eligible to apply	Diversity of eligible pool	Diversity of current office holders ²⁷
	<p>Non statutory eligibility</p> <p>There is no upper or lower age limit for candidates apart from the statutory retirement age of 70 for all judges. The age at which someone is appointed to the office of District Judge must allow for a reasonable length of service before retirement. For the purposes of this selection exercise, this is usually three years.</p>		<p>ethnicity)</p> <ul style="list-style-type: none"> • 65% Solicitors
<p>Recorder (Civil)¹⁸</p>	<p>Statutory eligibility</p> <p>Under section 21(2) of the Courts Act 1971, as amended by paragraph 9, Schedule 10 of the Tribunals, Courts and Enforcement Act 2007, no person shall be qualified to be appointed a Recorder unless he satisfies the judicial-appointment eligibility condition on a 7-year basis.</p> <p>Non statutory eligibility</p> <p>There is no upper or lower age limit for candidates for this post apart from the statutory retirement age of 70 for all judges. However, a minimum age for appointments will be determined in part by the requirement to have qualified as a barrister or a solicitor for appointment for the number of years required by statute. The age at which someone is appointed must allow for a reasonable length of service, usually about three years.</p>	<ul style="list-style-type: none"> • 37% women • 8% BAME • 14% Barristers 	<p>Information based upon statistics for collective figures for Recorders as specific figures for civil appointments are not published.</p> <ul style="list-style-type: none"> • 16.5% women • 6.5% BAME (where declared – of the 1221 office holders, 286 or 23% did not declare their ethnicity) • 5.2% Solicitors
<p>Fee Paid Employment Judge, Employment Tribunal³⁰</p>	<p>Statutory eligibility</p> <p>Under Regulation 8(1) and (2) of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004, as amended by the 2008 Regulations, there shall be three panels of members of Employment Tribunals (England and Wales) and three panels of members of Employment Tribunals (Scotland). Under Regulation 8(3)(a), a panel of full-time and part-time¹ Employment Judges consists of persons:</p> <p>(i) who satisfy the judicial-appointment eligibility condition within the meaning of section 50 of the Tribunals, Courts and Enforcement Act 2007 on a</p>	<ul style="list-style-type: none"> • 37% women • 8% BAME • 14% Barristers 	<ul style="list-style-type: none"> • TBC

³⁰http://www.judicialappointments.gov.uk/static/documents/offical_stats_oct_to_march_2011_final.pdf - JAC Official Statistics June 2011

Judicial Office	Who is eligible to apply	Diversity of eligible pool	Diversity of current office holders ²⁷
	<p>5-year basis;</p> <p>(ii) being an advocate or solicitor admitted in Scotland of at least five years' standing; or</p> <p>(iii) being a member of the Bar of Northern Ireland or solicitor of the Court of Judicature of Northern Ireland of at least five years' standing;</p> <p>Non statutory eligibility</p> <p>There is no upper or lower age limit for candidates apart from the statutory retirement age of 70. The age at which someone is appointed must allow for a reasonable length of service before retirement, usually about three years.</p> <p>Welsh Language</p> <p>The ability to conduct a hearing in Welsh is essential for two of the posts in the Wales Region.</p>		
<p>Deputy District Judge (Civil) ¹⁸</p>	<p>Statutory eligibility</p> <p>A person is eligible for appointment if he/she is qualified for appointment as a District Judge or holds, or has held, the office of District Judge. Under Section 9 of the above Act, as amended by the Courts and Legal Services Act 1990 and paragraph 15 of Schedule 10 of the Tribunals, Courts and Enforcement (TCE) Act 2007, the statutory requirement for appointment as a District Judge is to satisfy the judicial appointment eligibility condition on a 5-year basis.</p> <p>It is the Lord Chancellor's policy that lawyers working in the Government Legal Service will be able to apply for appointment as Deputy District Judge (Civil), but not able to sit on cases involving their own Department.</p> <p>Non statutory eligibility</p> <p>There is no upper or lower age limit for candidates for this post apart from the statutory retirement age of 70 for all judges. The age at which someone is appointed must allow for a reasonable length of service, usually about two years.</p>	<ul style="list-style-type: none"> • 39% women • 9% BAME • 14% Barristers 	<ul style="list-style-type: none"> • 25.5% women • 5.1% BAME (where declared – of the 444 office holders, 29 or 6.5% did not declare their ethnicity) • 89.2% Solicitors

Appendix 6 – Glossary of Terms and Abbreviations

Term	Definition
Advisory Panel on Judicial Diversity	The Advisory Panel was established in April 2009, and it reflected concerns across the legal community that, despite efforts over many years, significant progress on judicial diversity had not been made (http://www.judiciary.gov.uk/publications-and-reports/reports/diversity/advisory-panel-recommendations)
Association of Women Solicitors	The Association of Women Solicitors aims to be the essential national network helping to promote the potential and success of each women solicitor at every stage of their career.
Bar Council	The General Council of the Bar (Bar Council) is the Approved Regulator of the Bar of England and Wales. It discharges its regulatory functions through the independent Bar Standards Board.
BSB	The Bar Standards Board is responsible for regulating barristers called to the Bar in England and Wales.
Black Solicitors Network	The Black Solicitors Network is the primary voice of black solicitors in England and Wales; committed to achieving equality of access, retention and promotion of black solicitors.
CILEx	The Chartered Institute of Legal Executives (CILEx) is the professional and regulatory body which represents 22,000 trainee and practising Chartered Legal Executives. Their role is to enhance the role and standing of Chartered Legal Executives and other members of CILEx in the legal profession.
CPS	Crown Prosecution Service - The Crown Prosecution Service is the Government Department responsible for prosecuting criminal cases investigated by the police in England and Wales.
DCRJ	Diversity and Community Relations Judges form links with their local community in order to provide a better understanding of the justice system and the role of a judge within the criminal, civil and family jurisdictions.
DJO	Directorate of Judicial Offices is the former title for the Judicial Office of England & Wales
EHRC	Equality and Human Rights Commission
Eligible Pool	The eligible pool is the approximation of the number of people who are able to meet the job-specific entry requirements laid down for that particular judicial post.
Employed Barrister Committee	The Employed Barristers' Committee (EBC) represents and promotes the interests of the employed Bar within and beyond the Bar Council.
GEO	Government Equalities Office
GLS	The Government Legal Service employs around 2000 lawyers and trainees, providing legal services to 30 Government organisations across the entire spectrum of their activities.
HMCS	Her Majesty's Courts Service From 1 April 2011, Her Majesty's Courts Service and the Tribunals Service integrated to form Her Majesty's Courts and Tribunals Service.

Term	Definition
HMCTS	HM Courts & Tribunals Service - HM Courts and Tribunals Service is responsible for the administration of the criminal, civil and family courts and tribunals in England and Wales and non-devolved tribunals in Scotland and Northern Ireland.
The InterLaw Diversity Forum	The Interlaw Diversity Forum for Lesbian, Gay, Bisexual and Transgender (“LGBT”) Networks (the “Interlaw Diversity Forum”) is an inter-organisational forum for the LGBT networks in law firms and all personnel (lawyers and non-lawyers) in the legal sector, including in-house counsel (the “LGBT Legal Community”)
JAC	Judicial Appointments Commission - The Judicial Appointments Commission (JAC) is an independent commission that selects candidates for judicial office in courts and tribunals in England and Wales, and for some tribunals whose jurisdiction extends to Scotland or Northern Ireland.
JO	Judicial Office – Judiciary of England & Wales – the Judicial Office supports the judiciary in upholding the rule of law and in delivering justice impartially, speedily and efficiently
JSB	Judicial Studies Board – now known as the Judicial College
Judicial College	The Judicial College ensures that high quality training is provided to enable judicial office-holders to carry out their duties effectively and in a way which preserves judicial independence and supports public confidence in the justice system.
Judicial Diversity Taskforce	Oversight Group convened to manage the implementation of the Advisory Panel recommendations. Membership includes representation from Ministry of Justice, Judiciary of England and Wales, Judicial Appointments Commission, Tribunals Service, Bar Council, Law Society and The Chartered Institute of Legal Executives.
Law Society	The Law Society represents, protects and promotes solicitors across England and Wales.
Lawyers with Disabilities Division	The Lawyers with Disabilities Division is committed to promoting equality of opportunity for people with disabilities - whether they are solicitors, would-be solicitors, or clients.
Legal Professions	Collective for the Bar Council , Law Society and The Chartered Institute of Legal Executives
Lord Chief Justice	Head of the Judiciary of England and Wales and President of the Courts of England and Wales
LSB	The Legal Services Board is responsible for overseeing the regulation of lawyers in England and Wales.
MoJ	Ministry of Justice - The Ministry of Justice works to protect the public and reduce reoffending, and to provide a more effective, transparent and responsive criminal justice system for victims and the public.

Term	Definition
Senior Officials Steering Group	Advisory group to the Judicial Diversity Taskforce, created to provide advice to the Taskforce in determining priorities and determine the best way forward for improving the diversity of the judiciary. Its membership reflects that of the Taskforce and is made up of Senior Officials from each of the Taskforce member organisations.
TJO	Tribunals Judicial Office - the Judicial Office supported the Tribunals judiciary in upholding the rule of law and in delivering justice impartially, speedily and efficiently
TS	Tribunals Service From 1 April 2011, Her Majesty's Courts Service and the Tribunals Service integrated to form Her Majesty's Courts and Tribunals Service.
UK Association of Women Judges	The focus of the UK Association of Women Judges is on matters of particular concern to women, principally the issues that they face in the law and the justice system, as well as issues of particular concern to women judges.
UKSC	United Kingdom Supreme Court - The Supreme Court is the final court of appeal in the UK for civil cases. It hears appeals in criminal cases from England, Wales and Northern Ireland.

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