

# **Judicial Selection and Recommendations for Appointment Statistics, England and Wales, October 2009 to March 2010**

**A statistical bulletin by the Judicial Appointments  
Commission (JAC)**

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# Judicial Selection and Recommendations for Appointment Statistics, England and Wales, October 2009 to March 2010

## Introduction

This bulletin has been prepared by the Equality and Fair Treatment Team of the Judicial Appointments Commission (JAC). It presents key statistics on completed selection exercises and recommendations for appointment of judges in England and Wales, between October 2009 and March 2010.

This is the second bi-annual statistics on completed selection exercises and recommendations for appointment to be published by JAC.

The main source of data for details of candidates for this report was the Equitas database, which is maintained by the Ministry of Justice (MoJ). It contains records of all the completed selection exercises and data from the non-compulsory Application Monitoring Form.

The report also draws from Law Society, Bar Council and Judicial Office publications to derive data for eligible pools. The data from Judicial Office provides data on serving judicial office holders. The Law Society and Bar Council provide data on solicitors and barristers who are on the Roll (solicitors) and have been called to the Bar (barristers).

This bulletin covers the following selection exercises completed between October 2009 and March 2010:

- District Judge (Civil) (England and Wales)
- Salaried Judge of the Employment Tribunal (England and Wales)
- Fee Paid Member (Disability) of the Social Entitlement Chamber of the First Tier Tribunal (England and Wales)
- Fee Paid Medically Qualified member (Expert and Non-Specialist) of the Social Entitlement Chamber (England and Wales)
- Lay Panel Member – Landowner, Farmers and Drainage Agricultural Lands Tribunal (England and Wales)

Detailed data tables and additional data are available in Excel format. They can be found in **Annex A** and can be downloaded from: [judicialappointments.gov.uk](http://judicialappointments.gov.uk).

This bulletin does not include the Fee Paid Chairman of the Competition Appeal Tribunal, as this was a singleton post and releasing data which has not been amalgamated with similar exercise could compromise candidate confidentiality. We will release and analyse data from this exercise when there are similar exercises with which to amalgamate.

Please direct any feedback or questions you may have about this statistical bulletin to the contact points given in the **Explanatory Notes** section. This section also includes information about statistical revisions and forthcoming changes to the bulletin.

## **Key findings**

### **District Judge (Civil) (England and Wales)**

- There was a statistically significant increase in the proportion of applications received from the eligible under-represented candidates (women, Black and Minority Ethnic (BME), solicitors and disabled candidates) in the 2009-10 completed selection exercises compared to the 2007-08 exercises.
- The gap between under-represented groups and the reference groups (men, White, barristers and non-disabled candidates) recommended for appointment narrowed in 2009-10.
- For example, the gap between recommendations for appointment of applicants who were solicitors and those who were barristers narrowed from a 12% difference in 2007-08 to only 2% this year; the gap between women and men applicants narrowed from a 5% difference in 2007-08 to a negligible difference this year; and the gap between applicants with a declared disability and those without narrowed from 9% in 2007-08 to a negligible difference this year.
- The gap between White applicants and BME applicants recommended for appointment reversed from a 3% difference in favour of BME applicants in 2007-08 to an 8% difference in favour of White applicants in 2009-10.
- However recommendation as a percentage of the shortlist made showed no change from the previously completed selection exercise under JAC which stood at a 3% difference in favour of BME applicants.

### **Salaried Judge of the Employment Tribunal (England and Wales)**

- A greater proportion of eligible applicants from under-represented groups (women, BME and solicitors) applied than men, barristers and White applicants.
- Recommendations for appointment as a percentage of applications received within gender and disability showed that a greater proportion of women (26%) were recommended compared to men (23%); and 29% of applicants with a declared disability compared to 24% of non-disabled applicants.
- Recommendations made from the list of shortlisted applicants suggest that a greater proportion of men (69%) were recommended compared to women applicants (61%) and that all applicants with a declared disability that were shortlisted were recommended.

- Recommendations for appointment as a percentage of applications received, with reference to professional background and ethnic groups, suggests that a greater proportion of White applicants (27%) and of barristers (31%) were recommended compared to 15% of BME applicants and 23% of solicitors.

### **Fee Paid Member (Disability) of the Social Entitlement Chamber of the First-tier Tribunal (England and Wales)**

- A greater proportion of women applicants (57%) applied compared to 41% of men. Around 46% of applicants with disabilities applied compared to 54% of applicants without a declared disability. Very few known solicitors and barristers applied – this could have been because a legal professional background was not required.
- Recommendations for appointment as a percentage of applications received suggest that within groups, a greater proportion of women, BME applicants and solicitors were recommended for appointment compared to men, White applicants and barristers.
- Within the disability group, the proportion of applicants recommended for appointment with a declared disability was slightly lower compared to applicants without a disability.

### **Fee Paid Medically Qualified Member (Expert and Non-Specialists) of the Social Entitlement Chamber (England and Wales)**

- Although a greater proportion of men applied compared to women, recommendations for appointment as a proportion of applications received showed that a slightly higher proportion of women (62%) were recommended compared to men (60%). Similarly, the recommendation for shortlisted men was lower than shortlisted women applicants.
- Within the ethnic groups, the proportion of BME applicants recommended for appointment was 3% lower than the White applicants – at 59% and 62% respectively. The proportion of applicants recommended for appointment with a declared disability was lower (13%) than the applicants without a disability (61%).

## **Lay Panel Member – Landowner, Farmers and Drainage, Agricultural Lands Tribunal (England and Wales)**

- There were no applications from BME applicants or barristers, and 3% each from solicitors (which could be because a legal background was not required) and candidates with disabilities. A greater proportion of men applied (84%) compared to women (14%).
- The recommendation for shortlisted women applicants was greater than that of shortlisted men applicants - a 12% difference, even though fewer numbers of women applied. Similarly, the proportion of women applicants recommended for appointment was higher compared to men – 63% and 51% respectively.

## **Main findings**

### **District Judge (Civil), (England and Wales)**

JAC is responsible for selecting and recommending suitable candidates to the Lord Chancellor for appointment as District Judge (Civil) in England and Wales.

To be eligible to apply for a District Judge (Civil) post, candidates must possess a relevant legal qualification and are required to have a minimum of five years post qualification experience. Candidates are also expected to have been in a 'Law related activity' while holding that qualification. In addition, the Lord Chancellor expects applicants to have normally served in a judicial office in a fee paid or salaried capacity for at least two years or have completed 30 sitting days.

The Judicial Office provides JAC with data on the population of eligible candidates in England and Wales. The data represents the information available on the composition of the pool of fee paid judicial office holders in England and Wales. The BME figures include 'any other' ethnic group, and exclude 'unknown' (approximately 20 –21%). They relate to Deputy District Judges (Civil), Deputy Masters, Deputy Registrars, Deputy Costs Judges, and Recorder figures and are published at [judiciary.gov.uk/keyfacts/statistics/index.htm](http://judiciary.gov.uk/keyfacts/statistics/index.htm) (as at 10 June 2009, the period when the exercise was underway).

This section presents statistics on the recently completed selection exercise of District Judge (Civil) in England and Wales.

The statistics cover the composition of applications received in relation to the eligible pool broken down by gender, ethnicity and professional background. Currently, data on the eligible pool of candidates with a declared disability is not available.

It also covers the proportion of applicants recommended for appointment as a percentage of the shortlist and as a percentage of applications received broken down by gender, ethnicity, professional background and disability status.

Since this is a District Judge (Civil) selection exercise completed by the JAC, data exists for a comparative analysis.

## 1.1 Applications received compared to the eligible pool of candidates

This section reports on applications received within groups compared to the eligible pool.

A total of 505 applications, (equivalent to 13% of eligible applicants) were received for the District Judge (Civil) exercise in 2009-10. This represents a 91% increase from the 2007-08 to the 2009-10 completed exercises.

### Gender

**Table 1: Size of the eligible pool and applications received by gender, England and Wales, October 2009 to March 2010**

Group	Size of eligible pool				Applications received				Change compared to 2007-08 exercise
	Number		Percentage of eligible pool		Number of applications received by gender		Percentage of applications by gender		Percentage change
	2009-10	2007-08	2009-10	2007-08	2009-10	2007-08	2009-10	2007-08	
<b>Gender</b>									
Male	3,093	3,093	81%	81%	298	188	9.6%	6.0%	59%
Female	727	727	19%	19%	203	76	27.9%	10.4%	167%

**Table 1** shows the size of the eligible pool and the proportion and number of applications received by gender for the District Judge (Civil) selection exercise completed between October 2009 and March 2010. The percentage of eligible women applicants was 19% of which 28% applied for the District Judge (Civil) compared to 81% eligible men of which 10% applied. The proportion of women applicants increased by 167% from the previous completed selection exercise in 2007-08. This observed increase was statistically significant.

## 1.2 Recommendation for appointments as percentage of shortlisted applicants and applications received by gender, 2009-10

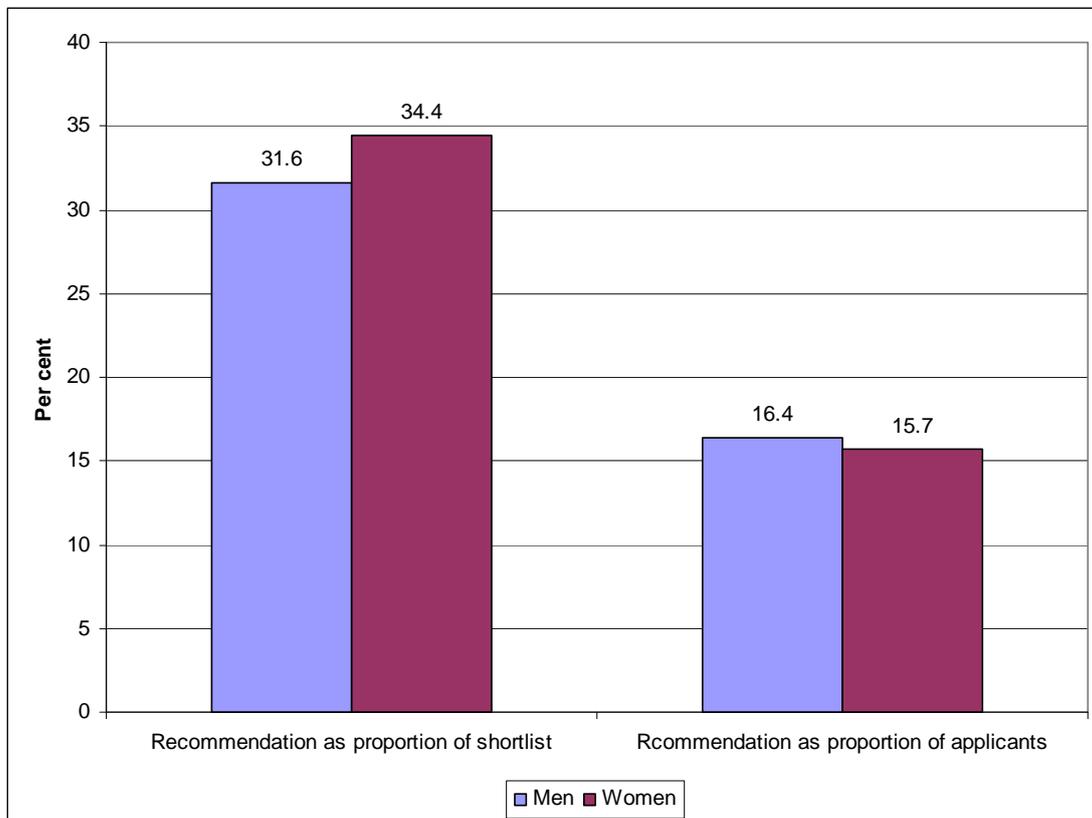
This section reports on the shortlist as a proportion of applications received, recommendation as a percentage of shortlist made and applications received between groups.

For the District Judge (Civil) exercise completed in 2009-10, a slightly higher proportion of men applicants (52%) were shortlisted as a percentage of applications received compared to women applicants (46%) – a six percentage point difference (**Table 1.3**). This is a reversal from the previous completed exercise in 2007-08 when 63% of women applicants were shortlisted compared to 59% of men.

**Figure 1** shows that recommendations of shortlisted women applicants was 34% compared to 32% of shortlisted men. The gap between the recommendations of shortlisted women applicants and shortlisted men showed a decrease. The gap has narrowed from nearly a six percentage point difference in the last completed exercise in 2007-08 under the JAC to a three percentage point difference this year.

Recommendations for appointment as percentage of applications received show there is little difference in the recommendation between men and women applicants. When comparing with the previous exercise, 21% of men applicants were recommended compared to 26% of women applicants – a five percentage point difference.

**Figure 1: Recommendations for appointment as a percentage of shortlisted applicants and applications received by gender**



## Ethnicity

**Table 2** shows that White applicants accounted for 78% of the eligible applicants of which 14% applied for the District Judge (Civil); 4% describe their ethnic background as BME, of which 43% applied. Unknown accounts for 18% of eligible applicants.

The percentage of BME applicants increased by 319% from the last exercise completed in 2007-08 under JAC, a statistically significant increase. The percentage of White applicants who applied increased by 72% in 2009-10. The increase was statistically significant.

**Table 2: Size of the eligible pool and applications received by ethnicity, England and Wales, 2009-10**

Group	Size of eligible pool*				Applications received				Change compared to 2007-08 exercise
	Number		Percentage of eligible pool		Number of applications received by ethnicity		Percentage of applications by ethnicity		Percentage change
	2009-10	2007-08	2009-10	2007-08	2009-10	2007-08	2009-10	2007-08	
<b>Ethnicity</b>									
White	2,970	2,970	78%	78%	424	247	14.2%	8.3%	72%
BME	156	156	4%	4%	67	16	42.9%	10.2%	319%

\*18% (694) of eligible applicants' ethnicity is not known.

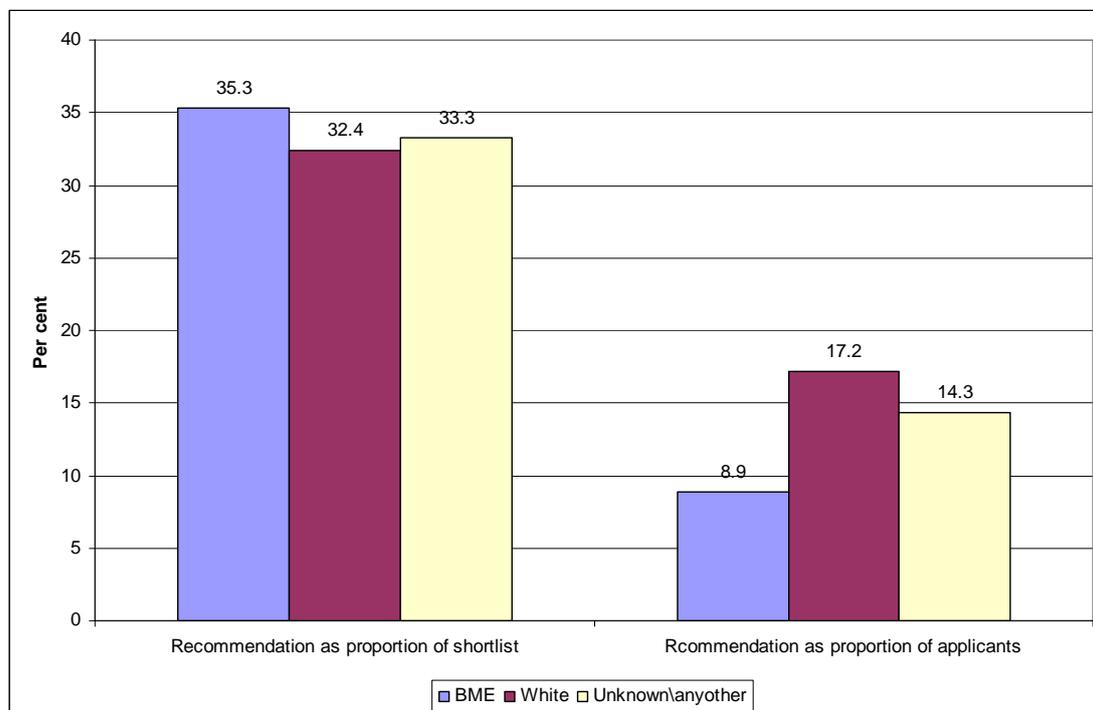
### 1.3 Recommendations for appointments as percentage of shortlisted applicants and applications received by ethnicity, 2009-10

The proportion of BME applicants shortlisted for District Judge (Civil) was less than half of White applicants – 25% compared to 53%. This is a reversal of trend from the previous completed exercise under JAC when nearly 63% of BME applicants were shortlisted compared to 58% of White applicants (although, the number of BME applicants was relatively small).

**Figure 2** shows that the recommendation rate of shortlisted BME applicants (35%) was slightly higher than the White applicants at 32% - a three percentage point difference. When compared against the previously completed exercise under JAC in 2007-08, a similar pattern emerged – 40% of BME applicants were recommended compared to 38% of White applicants.

However, the proportion of BME applicants recommended for appointment relative to percentage of applications received suggests that only 9% of BME applicants were recommended compared to 17% of White applicants – a seven percentage point difference. In the 2007-08 exercise, 25% of BME applicants were recommended compared to 22% of White applicants (The number of applications from BME applicants was relatively smaller).

**Figure 2: Recommendations for appointment as a percentage of shortlisted applicants and applications received by ethnicity**



### Professional background

**Table 3** shows applicants who are solicitors accounted for 40% of the eligible applicants of which 25% applied for District Judge (Civil) in the 2009-10

exercise; with barristers accounting for 60% of eligible applicants of which 4% applied. The proportion of eligible solicitors who applied showed an increase of 95 percentage points from the last completed exercise under JAC in 2007-8, a statistically significant increase.

**Table 3: Size of the eligible pool and applications received by professional background, England and Wales, 2009-10**

Group	Size of eligible pool				Applications received				Change compared to 2007-08 exercise
	Number		Percentage of eligible pool		Number of applications received by professional background		Percentage of applications by professional background		Percentage change
	2009-10	2007-08	2009-10	2007-08	2009-10	2007-08	2009-10	2007-08	
<b>Professional background</b>									
Solicitor	1,536	1,536	40%	40%	389	204	25.0%	13.2%	185%
Barrister	2,284	2,284	60%	60%	97	60	4.2%	2.6%	37%

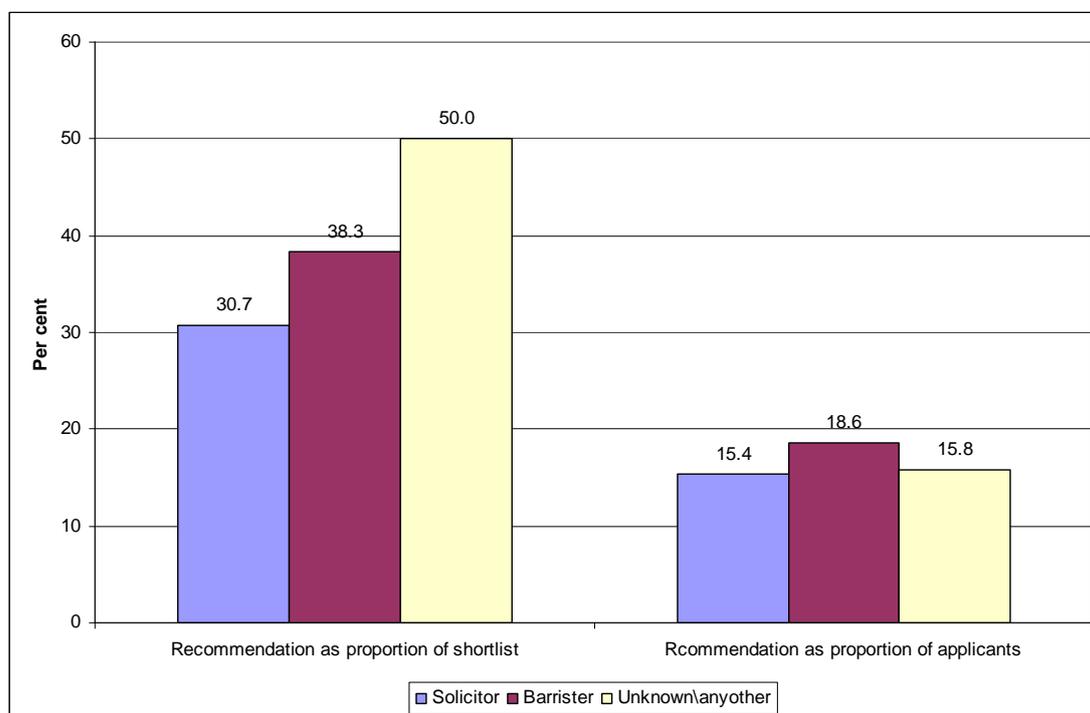
#### 1.4 Recommendation for appointments as a percentage of shortlisted applicants and applications received by professional background, 2009-10

In the 2009-10 exercise 50% of solicitors who applied were shortlisted compared to 48% of barristers (Table 2.3).

**Figure 3** shows that the recommendation rate of shortlisted solicitors was lower than shortlisted barristers– 31% of solicitors compared to 38% of barristers. The gap has narrowed significantly from an 18% difference in the last completed exercise to 8% this year.

Similarly, in terms of recommendations as a proportion of applications received, 15% of applicants who were solicitors were recommended compared to nearly 19% of applicants who were barristers. Compared to the previous completed exercise under the JAC in 2007-08, the gap has narrowed from a 13 percentage point difference to just three percentage points this year.

**Figure 3: Recommendations for appointment as a percentage of shortlisted applicants and applications received by professional background**



## Disability status

There was no eligible pool for candidates with disabilities. However, about 4% of applicants with a declared disability applied for District Judge (Civil) in the latest completed selection exercise compared to 5% in the last exercise under the JAC.

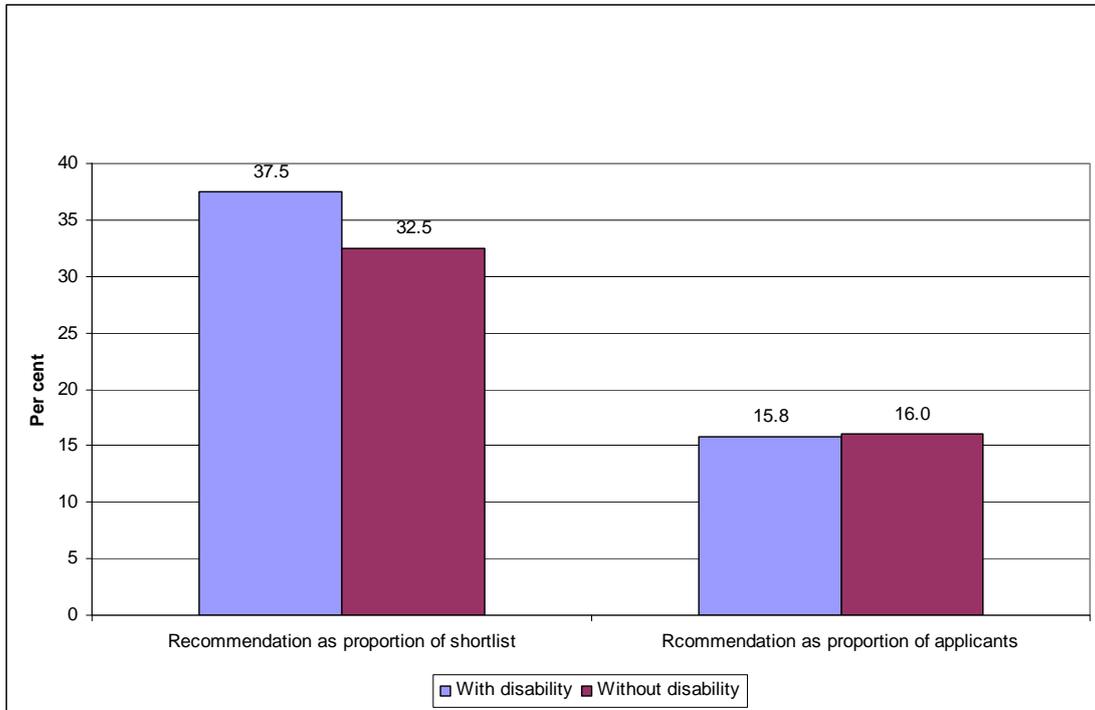
### 1.5 Recommendations for appointment as percentage of shortlisted applicants and applications received by disability status, 2009-10

In the 2009-2010 completed exercise, there was a decrease compared to the last exercise in the percentage of shortlisted applicants who considered themselves disabled. The proportion of shortlisted applicants who considered themselves disabled was 42% - a 27 percentage point decrease from the previously completed exercise (**Table 1.3**). The proportion of non-disabled applicants shortlisted was 49% - a 9 percentage point decrease from the last exercise.

**Figure 4** shows that recommendations for appointment of shortlisted applicants with a declared disability was 38% compared to 33% of applicants without a disability. With regards to recommendations for appointment as a proportion of applications received, there was little difference in the appointment between applicants with a declared disability and those without a disability. When compared to the previous exercise under JAC in 2007-08,

there was a 9 percentage point difference between applicants with a disability and those without a disability.

**Figure 4: Recommendations for appointment as a percentage of shortlisted applicants and applications received by disability status**



## **Salaried Judge of the Employment Tribunal (England and Wales)**

The Lord Chancellor appoints Employment Judges on the recommendation of the JAC.

To be eligible to apply for a post as a Salaried Judge of the Employment Tribunal, candidates must possess a relevant legal qualification and have a minimum of five years post qualification experience. Candidates are also expected to have been in a 'Law related activity' while holding that qualification. In addition, the Lord Chancellor expects candidates to have normally served in a judicial office in a fee paid or salaried capacity for at least two years or have completed 30 sitting days.

The Judicial Office provides JAC with data of eligible candidates in England and Wales. The data represents the information available on the composition of the pool of fee paid judicial office holders in England and Wales. The BME figures include 'any other' ethnic group, and exclude 'unknown' (approximately 20 –21%). They relate to Deputy District Judges (Civil), Deputy Masters, Deputy Registrars, Deputy Costs Judges, and Recorder figures and are published at [judiciary.gov.uk/keyfacts/statistics/index.htm](http://judiciary.gov.uk/keyfacts/statistics/index.htm) as at 10 June 2009, the period when the exercise was underway.

This section reports on key statistics for the Salaried Judge of the Employment Tribunal exercise completed between April 2009 and March 2010. It includes statistics published in the first bulletin, most notably the number of applications received and shortlisted applicants.

The statistics cover the composition of applications received in relation to the eligible pool broken down by gender, ethnicity and professional background. Currently, data on the eligible candidates with a declared disability does not exist.

It also covers the proportion of applicants recommended for appointment as a percentage of the shortlists made and as a percentage of applications received broken down by gender, ethnicity, professional background and disability status.

This is the first selection exercise under JAC; data for a comparative analysis are therefore not available.

### **2.1 Applications received compared to the eligible pool of candidates**

A total of 133 applications (equivalent to 3% of those eligible) were received for the Salaried Judge of the Employment Tribunal (England and Wales) exercise in 2009-10.

## Gender

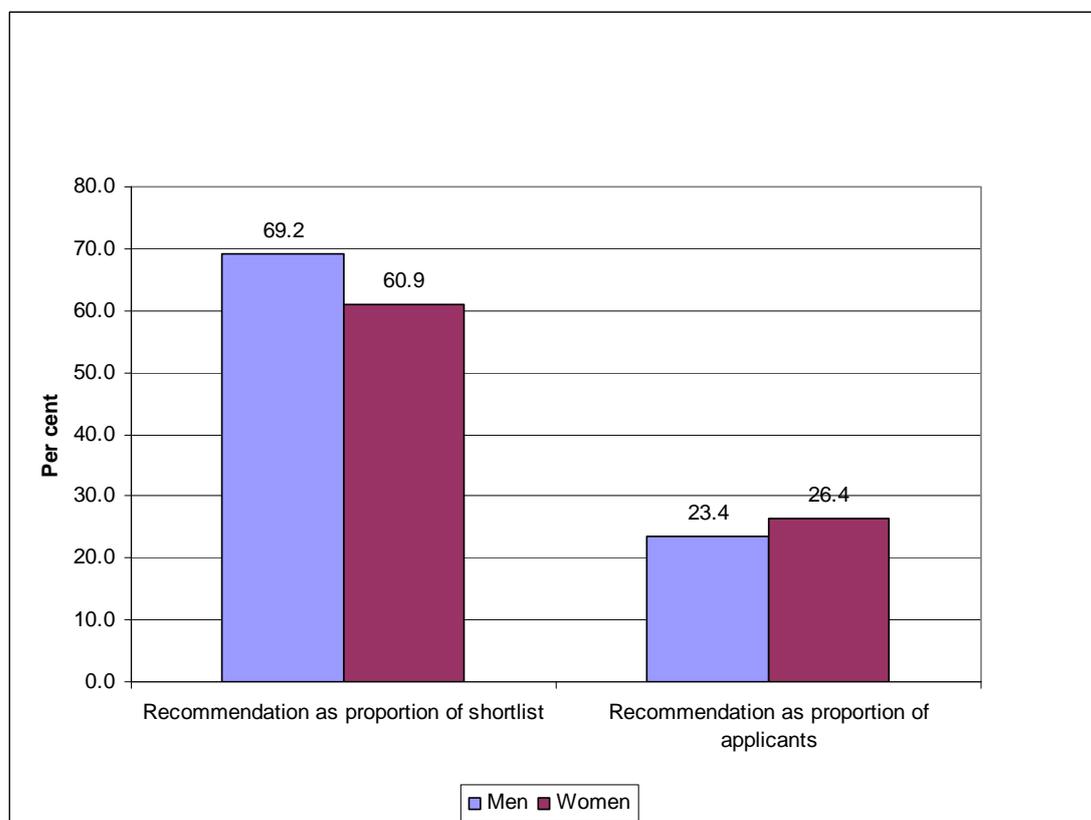
The percentage of the eligible pool who are women was 19%, of which 7% applied, and men applicants accounted for 81% of the eligible pool, of which 2% applied (see **Table 2.1**)

### 2.2: Recommendations for appointment as percentage of shortlisted applicants and applications received by gender, 2009-10

For the Salaried Judge of the Employment Tribunal exercise completed between April and March 2010, a higher proportion of women applicants were shortlisted (43%) compared to men applicants (34%) - a 10 percentage point difference.

However, in recommendations for appointment as a percentage of the shortlist a higher percentage of men applicants (69%) were recommended compared to 61% of women applicants – an eight percentage point difference. When looking at recommendation for appointment as a percentage of applications received, a slightly higher percentage of women applicants (26%) were recommended compared to 23% of applicants who were men (**Figure 5** and **Table 2.3**).

**Figure 5: Recommendations for appointment as a percentage of shortlisted applicants and applications received by gender**



## **Ethnicity**

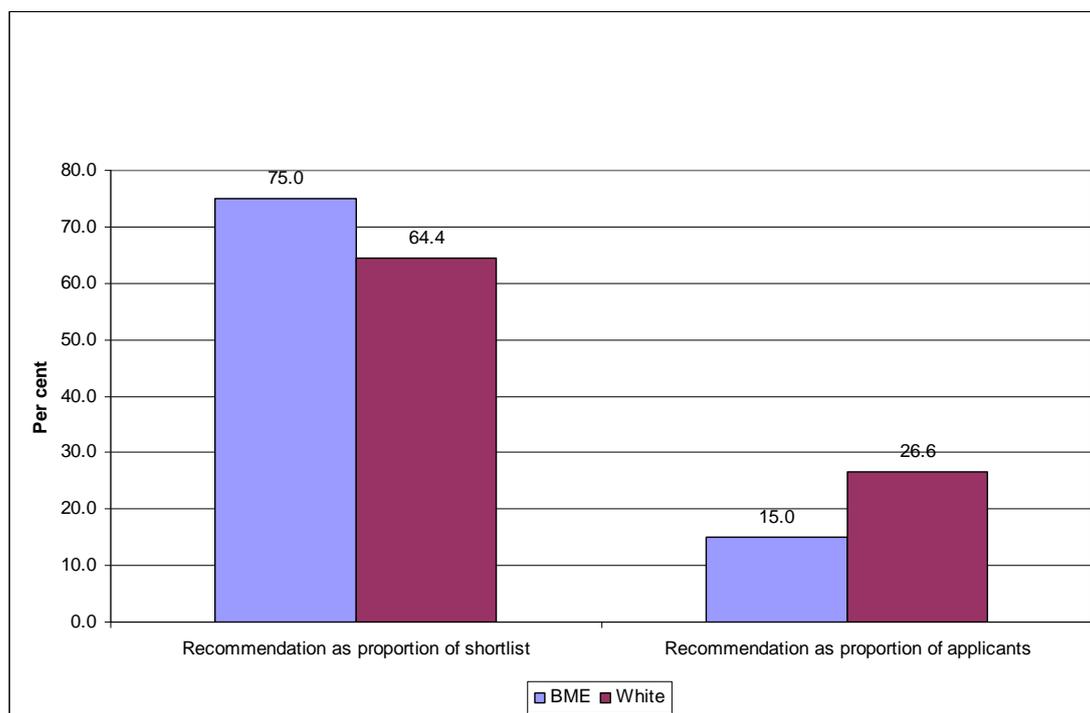
White applicants made up 78% of eligible pool for Salaried Judge of the Employment Tribunal, of which 4% applied, and BME applicants made up 4% of eligible pool, of which 13% applied (**Table 2.1**).

### **2.3 Recommendations for appointment as a percentage of shortlisted applicants and applications received by ethnicity, 2009-10**

The proportion of BME applicants who were shortlisted was 20% compared to 41% of White applicants (although the number of BME applicants was relatively small). This represents a 21 percentage point difference.

**Figure 6** shows that the recommendations for appointment of shortlisted applicants who were from BME groups was 75% compared to 64% of shortlisted applicants who were White (the number of BME applicants was small and as result the percentages must be interpreted with caution). However, recommendations for appointment as a percentage of applications received show that 15% of BME applicants were recommended compared to 27% of White applicants.

**Figure 6: Recommendations for appointment as a percentage of shortlisted applicants and applications received by ethnicity**



### Professional background

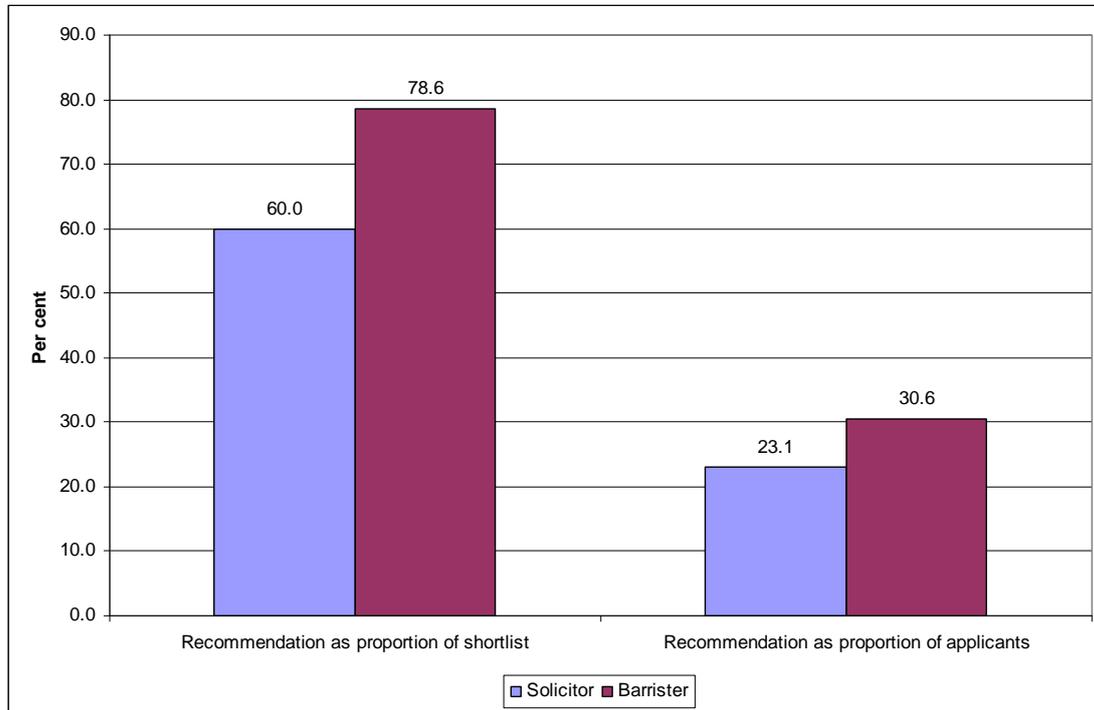
Solicitors made up 40% of eligible pool of which 6% applied compared to barristers who made up 60% of the eligible pool of which only 2% applied for the Salaried Judge of the Employment Tribunal in England and Wales. Although barristers made up the bulk of eligible pool, 2% applied (**Table 2.1**).

### 2.4 Recommendations for appointment as a percentage of shortlisted applicants and applications received by professional background, 2009-10

The shortlist as a percentage of applications received within the professional background showed that 38% of eligible solicitors who applied were shortlisted compared to 39% of barristers (**Table 2.3**).

**Figure 7** shows that the recommendation rate of shortlisted applicants who were solicitors was 60% compared to 79% of shortlisted barrister – a 19 percentage point difference. Recommendations for appointment as a percentage of applications received show that 31% of applicants who were barristers were recommended compared to 23% of applicants who were solicitors – a seven percentage point difference.

**Figure 7: Recommendations for appointment as a percentage of shortlisted applicants and applications received by professional background**



### Disability status

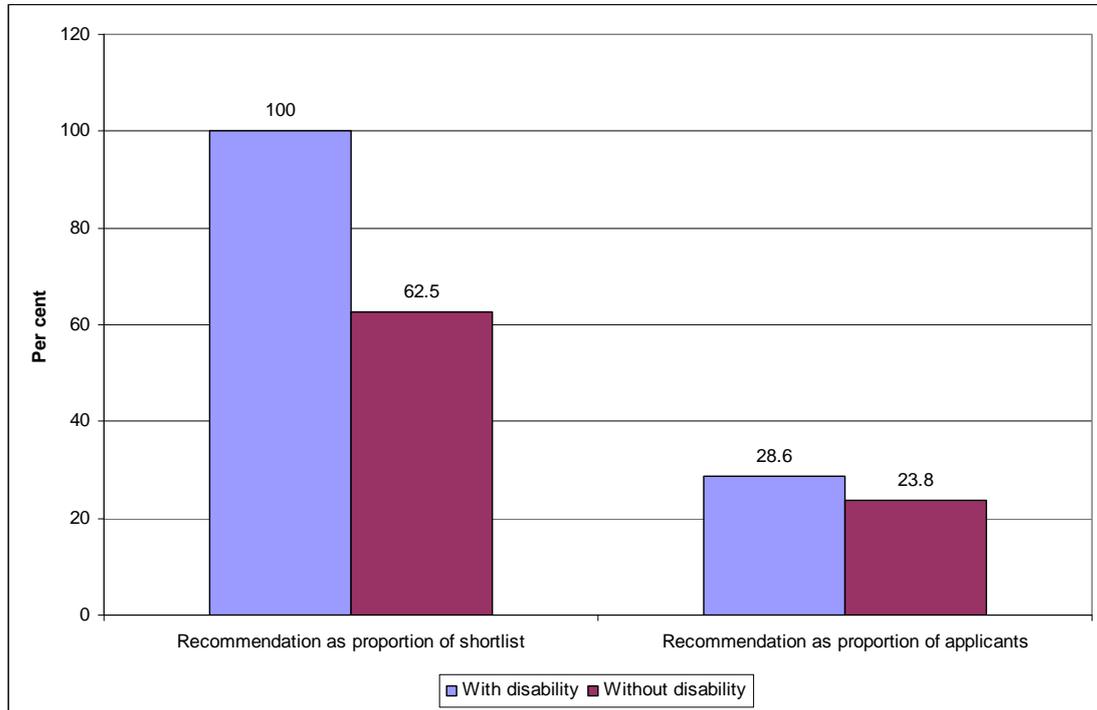
An eligible pool of applicants with a declared disability does not exist. Within the disability status group however, 5% of applicants declared a disability compared to 95% of non-disabled applicants.

### 2.5 Recommendation for appointment as percentage of shortlisted applicants and applications received by disability status, 2009-10

The proportion of shortlisted applicants with a declared disability was 29% compared to 38% of applicants without a disability. **Figure 8** shows that recommendations for appointment of shortlisted applicants with a disability was 100% (all shortlisted applicants were recommended) compared to 63% of applicants without a disability. Recommendations as a percentage of applications received show that 29% of applicants with a declared disability were recommended compared to 24% of non-disabled applicants.

Given the small number of applicants with a declared disability, the percentage differences observed can be misleading and must be interpreted with caution.

**Figure 8: Recommendations for appointment as a percentage of shortlisted applicants and applications received by disability status**



## **Fee Paid Member (Disability) of the Social Entitlement Chamber of the First-tier Tribunal (England and Wales)**

Members of the First-tier Tribunal are not judges but they are appointed by the Lord Chancellor under paragraph 2(1) of schedule 2 of the Tribunals, Courts and Enforcement Act 2007.

The qualifications for appointment are prescribed in Statutory Instrument 2008/2692 under paragraph 2(2) of the Schedule.

To be eligible for appointment as Fee Paid Member (Disability) of the Social Entitlement Chamber of the First-tier Tribunal candidates must possess experience in dealing with physical or mental needs of disabled persons (full eligibility criteria can be found in the JAC website: [judicialappointments.gov.uk](http://judicialappointments.gov.uk)). As this is a non-legal post, there is no eligibility pool requirement relating to qualifications as a lawyer.

This section reports on key statistics for the Fee Paid Member (Disability) of the Social Entitlement Chamber of the First-tier Tribunal completed between October 2009 and March 2010.

The statistics cover the composition of applications received broken down by gender, ethnicity and professional background.

It also covers the proportion of applicants recommended for appointment as a percentage of shortlisted applicants and as a percentage of applications received broken down by gender, ethnicity, professional background and disability status.

This is the first selection exercise under JAC; comparison data are therefore not available.

### **3.1: Applications received within groups**

Of the 203 applications received, men comprised 41% and women 57% of the applications received within the gender group. Around 2% of applications received were from applicants who failed to declare their gender. BME applicants comprised 13% and White applicants 84% with 3% from applicants whose ethnicities were unknown; applicants with a declared disability comprised 46% and applicants without a disability 54%. Since these were not legal posts, candidates were not required to have qualified as a lawyer (**Table 3.2**).

### 3.2 Recommendations for appointment as percentage of shortlisted applicants and applications received, 2009-10

This section reports on the shortlist as a percentage of applications received, recommendation as percentage of shortlisted applicants and applications received between groups.

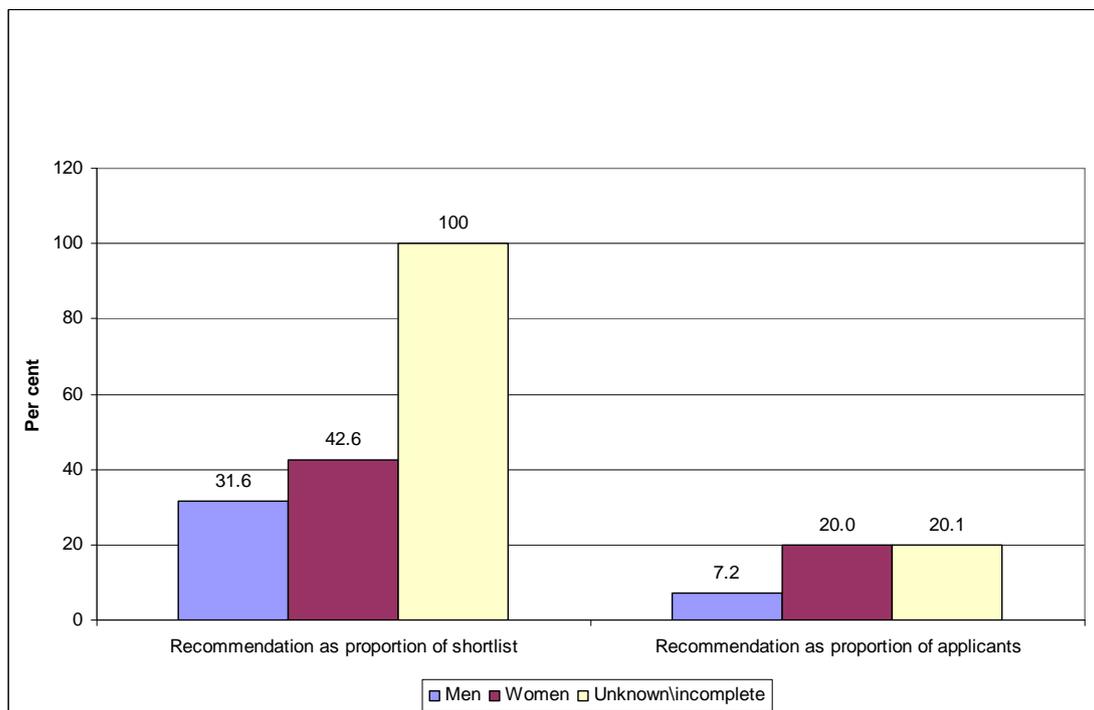
#### Gender

With reference to gender groups, 47% of women applicants were shortlisted compared to 23% of men applicants.

**Figure 9** shows recommendations for appointment as a percentage of shortlisted applicants within the gender category. About 43% of women applicants shortlisted were recommended compared to 32% of men applicants who were shortlisted (**Table 3.2**).

Recommendations for appointment as a percentage of applications received show that 20% of women applicants were recommended compared to 7% of men applicants who were shortlisted.

**Figure 9: Recommendations for appointment as a percentage of shortlisted applicants and applications received by gender**



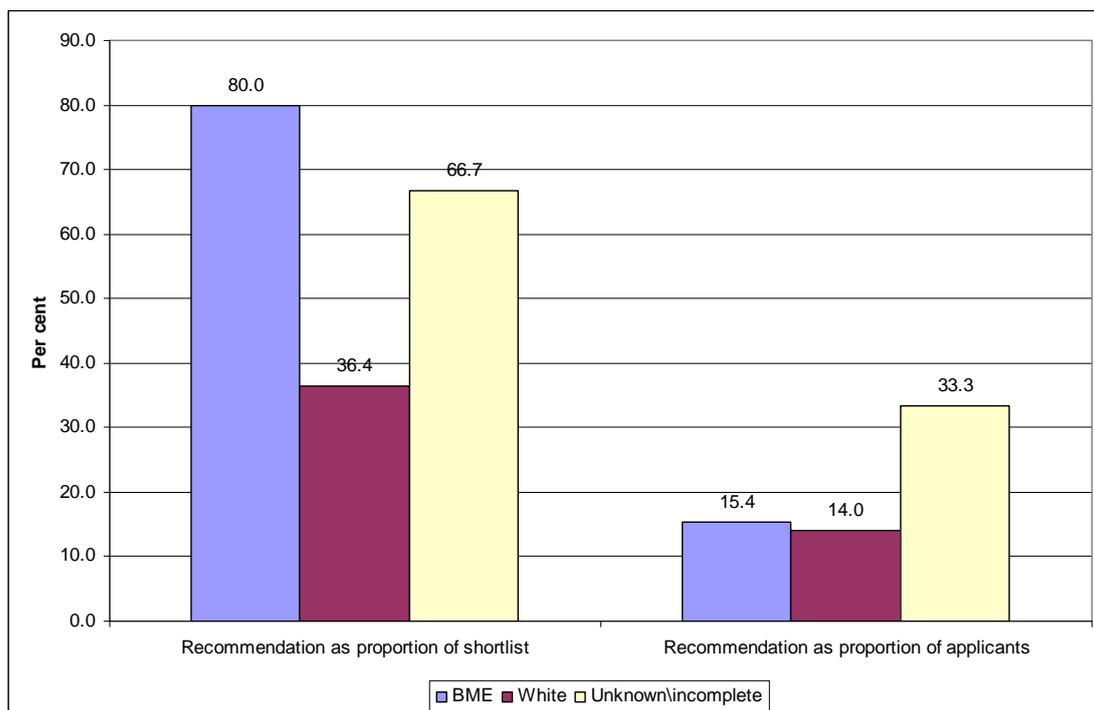
#### Ethnicity

Within the ethnic groups, 19% of BME applicants who applied were shortlisted compared to 39% of White applicants.

**Figure 10** comparing recommendations for appointment as a percentage of the shortlist we see that 80% of BME applicants shortlisted were recommended for appointment compared to 36% of White applicants shortlisted (although the number of BME applicants were relatively small).

Recommendations for appointments as a percentage of applications received showed that 15% of BME applicants were recommended compared to 14% of White applicants. Recommendations of BME applicants compared to White applicants showed a one percentage point difference (**Table 3.2**)

**Figure 10: Recommendations for appointment as a percentage of shortlisted applicants and applications received by ethnicity**



### Professional background

Within professional background, 37% of applicants who were known solicitors were shortlisted compared to 25% of applicants who were known barristers.

The proportion of recommendations for appointment as a percentage of the shortlist shows that 57% of solicitors were recommended while none of the known barristers were recommended (although only very few applicants declared their legal background, as this is a non-legal post).

Recommendations for appointment as percentage of applications received showed that none of the barristers were recommended compared to 21% of applicants who were known solicitors (**Table 3.2**).

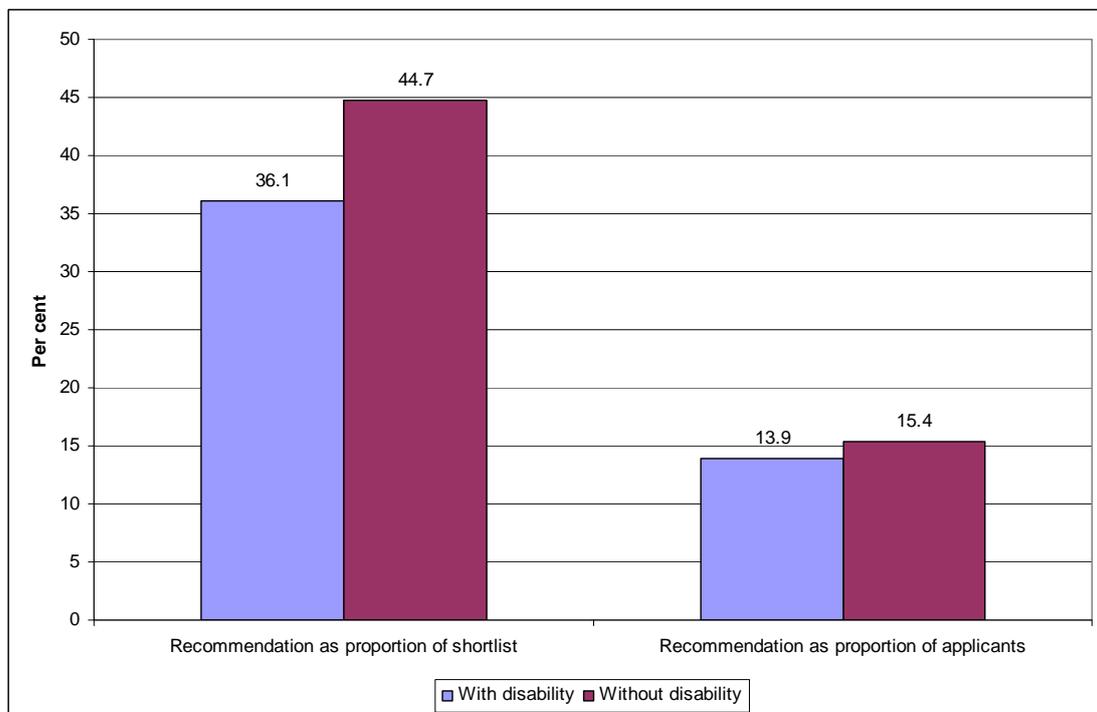
## Disability status

Within the disability status group, 39% of applicants with a declared disability were shortlisted compared to 35% of applicants without a declared disability.

**Figure 11** shows that recommendations for appointment of shortlisted applicants with a disability was 36% compared to 45% of applicants without a disability. With regards to recommendations as a percentage of applications received, 14% of applicants with a disability were recommended compared to 15% of applicants without a disability.

The gap between the recommendation of applicants with a disability and non-disabled applicants was one percentage point (**Table 3.2**).

**Figure 11: Recommendations for appointment as a percentage of shortlisted applicants and applications received by disability status**



## **Fee Paid Medically Qualified Member (Expert and Non-Specialist) of the Social Entitlement Chamber, (England and Wales)**

A Fee Paid Medically Qualified Member (Expert and Non-specialist) of the Social Entitlement Chamber's main activities include; using their professional expertise to analyse medical evidence provided; deciding appeals by considering facts; applying relevant law to them; contributing to the giving reasons; and ensuring the parties are able to present their evidence and have it considered fully and fairly.

To be eligible for appointments as a Fee Paid medically Qualified Member (Expert and Non-specialist) of the Social Entitlement Chamber, candidates must be a fully registered medical practitioner.

As this is not a legal post, there is no eligible pool relating to legal qualifications.

This section reports on key statistics for the Fee Paid Medically Member (Expert and Non-Specialist) of the Social Entitlement Chamber completed between October 2009 and March 2010.

The statistics cover the composition of applications received broken down by gender, ethnicity and professional background.

They also cover the proportion of applicants recommended for appointment as a percentage of the shortlist and as a percentage of applications received broken down by gender, ethnicity, professional background and disability status.

This is the first selection exercise under JAC; comparison data are therefore not available.

### **4.1: Applications received within groups**

Of the 122 applications received, men comprised 52% and women 37% of the applications received within the gender group. Around 11% of applications received were from applicants who failed to declare their gender. BME applicants comprised 14% and White applicants 70%, with 16% Unknown or from other groups; applicants with a declared disability comprised 7% and applicants without a disability 93%. A negligible percentage of solicitors and barristers applied – less than 1% (**Table 4.2**) (this may be because this is a non-legal post).

## 4.2 Recommendations for appointment as a percentage of shortlisted applicants and applications received, 2009-10

This section reports on the shortlist as a percentage of applications received, recommendations as a percentage of the shortlist and compares applications received between groups.

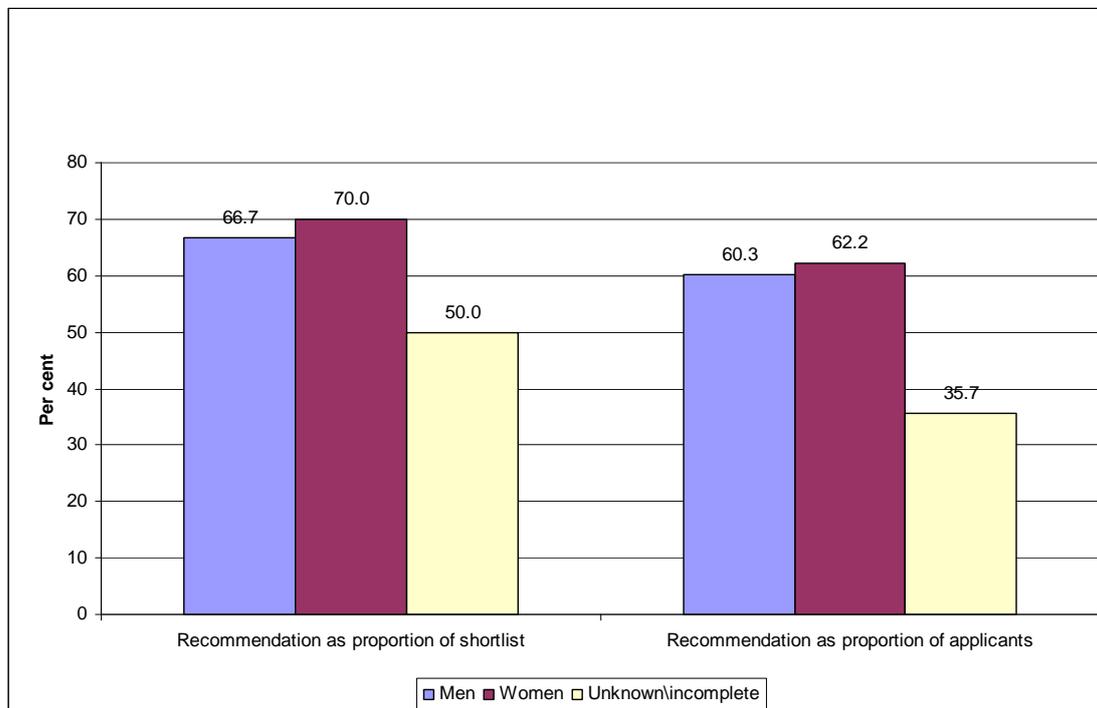
### Gender

We see that 91% of men applicants were shortlisted compared to 89% of applicants who were women.

**Figure 12** shows recommendations for appointment of shortlisted women applicants were 70% compared to 67% of shortlisted men applicants. The gap between the appointment for women and men was only a three percentage point difference.

Recommendations for appointment as a percentage of applications received shows that 62% of women applicants were recommended compared to 60% of men applicants. The gap between the appointment for men and women shows a two percentage point difference (**Table 3.2**).

**Figure 12: Recommendation for appointments as a percentage of shortlisted applicants and applications received by gender**



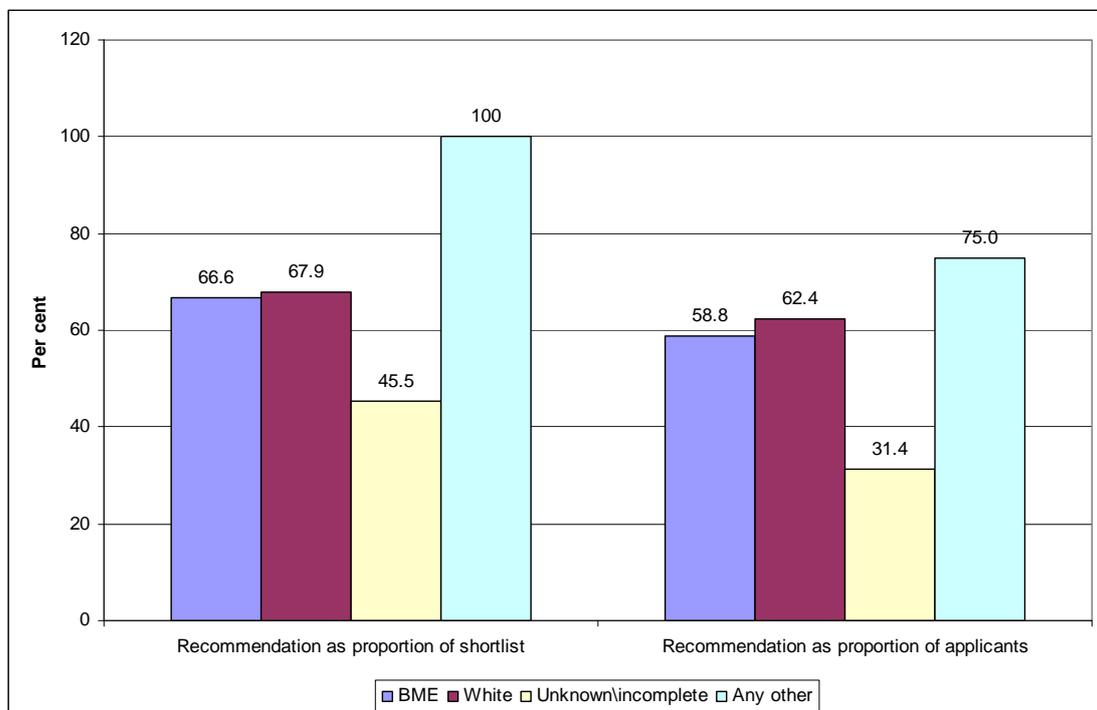
### Ethnicity

Within the ethnic groups, 88% of BME applicants were shortlisted compared to 92% of White applicants.

**Figure 13** shows that recommendation for appointment of shortlisted BME applicants was 67% compared to 68% of White applicants shortlisted (although the number of BME applicants was relatively small). The gap between the appointment for BME applicants and White applicants was one percentage point.

Recommendations for appointments as percentage of applications received show that 59% of BME applicants were recommended compared to 62% of White applicants. Recommendations of BME applicants compared to White applicants show a four percentage point difference (**Table 4.2**).

**Figure 13: Recommendations for appointment as a percentage of shortlisted applicants and applications received by ethnicity**



### Professional background

Since these posts were aimed at medically qualified persons, no solicitors or barristers were recommended for appointment.

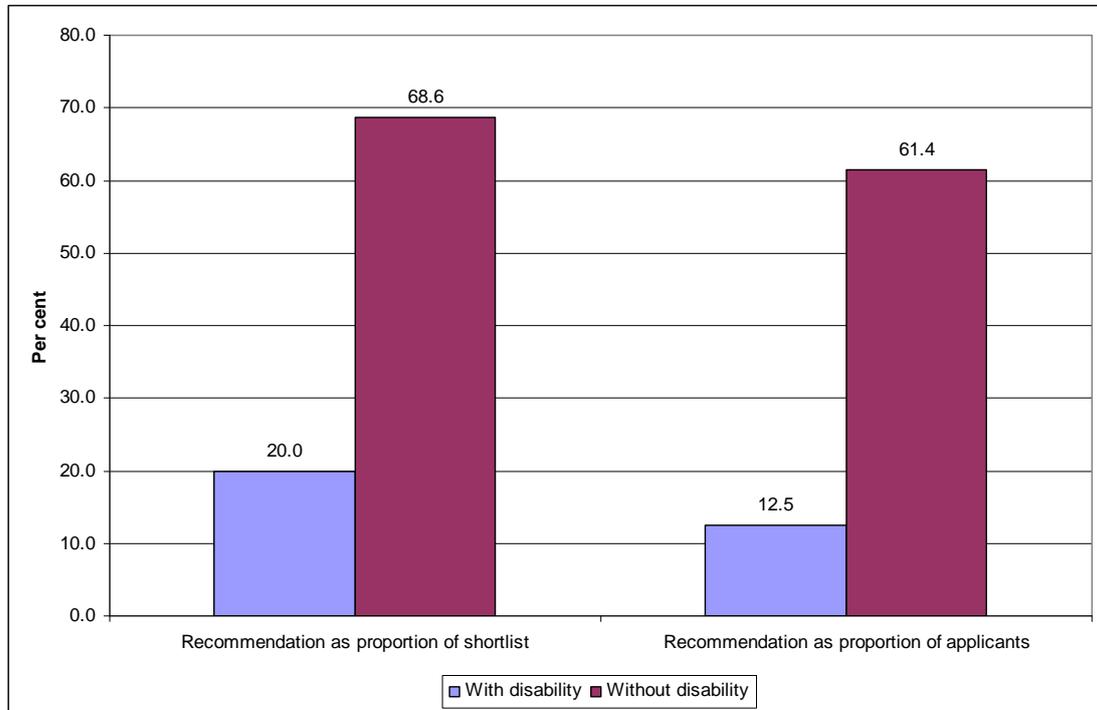
### Disability status

Within the disability status group, 63% of applicants with a declared disability were shortlisted compared to 89% of applicants without a declared disability. (The number of applicants with a declared disability was relatively small).

**Figure 14** shows that recommendations for appointment of shortlisted applicants with a disability was 20% compared to nearly 69% of applicants without a disability. Recommendations as a percentage of applications

received shows that around 13% of applicants with a declared disability were recommended compared to 61% of applicants without a disability. (The number of applicants with a declared disability was very small).

**Figure 14: Recommendations for appointment as a percentage of shortlisted applicants and applications received by disability status**



## **Lay Panel Member – Landowner, Farmers and Drainage Agricultural Lands Tribunal, (England and Wales)**

The Agricultural Lands Tribunal (ALTs) in England and Wales is responsible for determining certain issues concerning tenancies and also drainage dispute between neighbours where Orders are applied for Under Section 28 and 30 of the Land Drainage Act 1991 (more details information can be found on the JAC website: [judicialappointments.gov.uk](http://judicialappointments.gov.uk)).

Under Schedule 9 of the Agricultural Act 1947 (as amended), members are appointed to represent the interest of farmer and the interest of owners of agricultural land and under section 31 of the Land Drainage Act 1991 with experience in matters relating to land drainage. There is no legal qualification requirement as this is a non-legal post. There is equally no eligible pool.

This section reports on key statistics for the Lay Panel Member – Landowner, Farmers and Drainage, Agricultural Lands Tribunals exercises completed between October 2009 and March 2010.

The statistics cover the composition of applications received broken down by gender, ethnicity, professional background and disability status.

It also covers the proportion of applicants recommended for appointment as percentage of the shortlist made and as percentage of applications received broken down by gender, ethnicity, professional background and disability status.

This is the first selection exercise under the JAC; therefore comparison data are not available.

### **5.1: Applications received within groups**

Of the 58 applications received, men comprised 84% and women 14% of the applications. Some 2% of applications received were from applicants who failed to declare their gender. There were no BME applicants or barristers. About 3% of applicants had a declared disability applied.

### **5.2 Recommendations for appointments as percentage of shortlisted applicants and applications received, 2009-10**

This section reports on shortlist made as a percentage of applications received, recommendation as a percentage of shortlist made and applications received between groups.

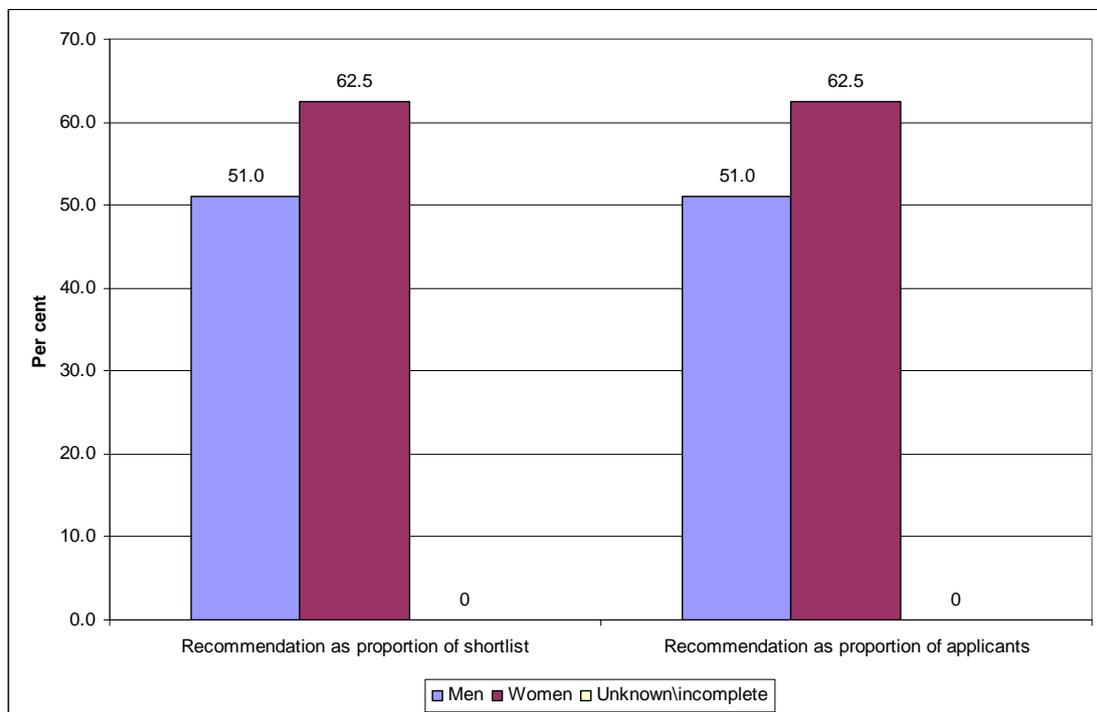
#### **Gender**

The shortlist made within gender group show that all men and women applicants were shortlisted (100%).

**Figure 15** shows that recommendations for appointment of shortlisted women applicants were 63% compared to 51% of shortlisted men. The gap between the appointment for women and men was an 11% difference (although the number of women applicants was relatively small).

Recommendations for appointment as a percentage of applications received show similar percentages were recommended for appointment. Of the few applicants with a declared disability, none were recommended for appointment (**Table 5.2**).

**Figure 15: Recommendations for appointment as a percentage of shortlisted applicants and applications received by gender**



## **Explanatory notes**

This report contains key statistics describing the proportion of eligible candidates who applied for posts, the proportion of applicants shortlisted, recommendations for appointment as proportion of shortlisted applicants and recommendations for appointments as proportion of applications received.

For clarity the title for this second publication has been modified slightly. The first bulletin was entitled “Statistics of completed selection exercises and recommendations for judicial appointment, showing diversity”.

The breakdowns of figures presented in this bulletin, such as the proportion of applications received, the shortlisting made and recommendations for appointment by gender, ethnicity, professional background and disability status excludes the Unknown/any other candidates and incomplete data returns.

## **Revisions**

The statistics in this bulletin are provisional, and are therefore liable to revision to take account of any late amendments to the administrative databases from which these statistics are sourced. The standard process for revising the published statistics to account for these late amendments is to publish them in the next edition of this bulletin.

## **District Judge (Civil)**

This post is established under Section 9 of the County Courts Acts 1984, as amended by the Courts and Legal Services Act 1990 and Para 15 of schedule 10 of the Tribunals, Courts and Enforcement Act 2007.

The selection process is determined by the JAC under the Constitutional Reform Act 2005, and is set out on the JAC website: [judicialappointments.gov.uk](http://judicialappointments.gov.uk). There are three stages to the District Judge (Civil) selection process: application, shortlisting and recommendation. To be shortlisted, candidates were required to take a qualifying test and those who scored most highly were invited to the selection assessment which will normally comprise an interview and role play. Each candidate was assessed by the panel against the JAC qualities and abilities. A full report was then presented to the Commission at Selection and Character Committee (SCC). The SCC then makes recommendations to the Lord Chancellor after considering the candidates report, references, self assessment and statutory consultation.

Of the 505 applications received, a number of them did not meet the non statutory eligibility criteria.

## **Salaried Judge of Employment Tribunal**

To be a Salaried Judge of Employment Tribunal, candidates are required to have a high level of judicial skill and experience in dealing with cases of legal and factual complexity, including the whole range of discrimination cases.

This post is established under section 9 of the County Courts Act 1984, as amended by the Courts and Legal Services Act 1990 and Para 15 of schedule 10 of the Tribunals, Courts and enforcement Act 2007.

The selection process is determined by the JAC under the Constitutional Reform Act 2005, and is set out on the JAC website: [www.judicialappointment.gov.uk](http://www.judicialappointment.gov.uk). There are three stages to the Salaried Judge of the Employment tribunal selection process: application, short-listing, and recommendation. Shortlisting was by paper sift. Each candidate was assessed by the panel against the JAC qualities and abilities. A full report was then presented to the Commission SCC. The SCC then made recommendations to the Lord Chancellor after considering the candidates' reports, references, self assessment and statutory consultation.

## **Fee Paid Member (Disability) of the Social Entitlement Chamber of the First-tier Tribunal**

The selection process is determined by the JAC under the Constitutional Reform Act 2005, and is set out on the JAC website: [judicialappointments.gov.uk](http://judicialappointments.gov.uk). There are three stages to the Fee Paid Member (Disability) of the Social Entitlement Chamber of the First-tier Tribunal selection process: application, shortlisting, and recommendation. Shortlisting was by paper sift. Each candidate was assessed by the panel against the JAC qualities and abilities (which can be found in the JAC website: [www.judicialappointments.gov.uk](http://www.judicialappointments.gov.uk)). A full report was then presented to the Commission at SCC. The SCC then made recommendations to the Lord Chancellor after considering the candidates' reports, references, self assessment and statutory consultation.

## **Fee Paid Medically Qualified Member (Expert and Non-Specialist) of the Social Entitlement Chamber**

The eligibility requirement for these posts is provided for within the Statutory Instrument 2008 No. 2692 (Tribunals and Inquiries: the qualifications for appointment of Members of the First-tier tribunal and Upper Tribunal Order 2008). The selection process is determined by the JAC under the Constitutional Reform Act 2005, and is set out on the JAC website: [judicialappointments.gov.uk](http://judicialappointments.gov.uk).

There are three stages to the Fee Paid Medically Qualified Member (Expert and Non-Specialist) of the Social Entitlement Chamber selection process: application, shortlisting and recommendation.

Shortlisting was done by paper sift. Each candidate was assessed by the panel against the JAC qualities and abilities (which can be found in the JAC website: [www.judicialappointments.gov.uk](http://www.judicialappointments.gov.uk)). A full report was then presented to the Commission at SCC. The SCC then made recommendations to the Lord Chancellor after considering candidates' reports, references, self assessment and statutory consultation.

### **Symbols and conventions**

n/a = Not available or not applicable  
0 = Nil

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General information about the Judicial Appointments Commission is available from [judicialappointments.gov.uk](http://judicialappointments.gov.uk)