

Middle Temple Guest Lecture

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Judicial appointments: a quiet revolution

Speech by Baroness Usha Prashar

Introduction

1. Good evening. Thank you for inviting me here tonight. I cannot think of a better place to discuss how we should find tomorrow's judges than this ancient and honourable institution, steeped in the history of the law.
2. I am told that the origins of the Middle Temple go back to Christmas in the year 1119 when nine knights took an oath which led to the creation of the Knights Templar.
3. That provides a useful perspective for me today. My theme tonight is about the way we appoint our judges. To set the scene I will start by giving you a brief history of the judiciary and the role of the Lord Chancellor. I hope it does not sound too much like a history lesson! I will then turn to the developments which led to the current changes.
4. I am speaking here tonight in my capacity as the first Chairman of the Judicial Appointments Commission. We, the JAC, were set up under the Constitutional Reform Act 2005, which came into force earlier this year. The establishment of JAC is one of a number of fundamental, historical changes brought about by the Constitutional Reform Act of 2005. It also reformed the office of Lord Chancellor, and established the Lord Chief Justice as head of the judiciary of England and Wales.
5. Together, these changes have been described as the most significant since Magna Carta in 1215. What is important is that these changes entrench further the doctrine of separation of powers. They are nothing short of a quiet revolution.
6. The United Kingdom is one of only a few countries not to enjoy a written constitution. Many people regard this as a great advantage. They praise the flexibility it gives us to adjust our laws with the speed that the modern age requires.
7. Our laws and traditions do provide a very definite framework of rights, rules and responsibilities. For centuries, the independence of judges has been protected in several ways:

- judges are independent of the executive and the legislature - and vice versa - and do not get involved in political debate;
 - apart from modern rules relating to age and health, judges of the High Court and above cannot be removed from office without an address passed by both houses of parliament; and
 - judges are almost entirely immune from the risk of being sued or prosecuted for what they do in their capacity as a judge.
8. But the absence of specific written rules does still leave a number of grey areas. For example, our most senior judges do sit in the House of Lords, which is part of the legislature and executive. And before April 3, 2006, the head of the judiciary was the Lord Chancellor – a government appointment and political post.
9. I want to step back briefly, and look at how the system for judicial appointments has evolved over the centuries, culminating in the Constitutional Reform Act. I would like to acknowledge here the Judicial Communications Office – much of what follows is taken from their excellent website.

The judiciary - a little history

10. It is doubtful that anyone asked to design a justice system would choose to copy the England and Wales model – it is contradictory in places, and rather confusing.
11. Justice for the Anglo-Saxons and even after the Norman invasion of 1066 was part of general government, with courts presided over by a lord or one of his stewards, who dispensed justice locally. The King's court would have been placed on a similar footing, making the monarch the country's senior judge.
12. Those were tough times. Going on trial today is not exactly a comfortable experience, but it's far better than trial by ordeal, used until almost the end of the 12th century to determine guilt or innocence in criminal cases.
13. Under this system, the accused would be forced to pick up a red hot bar of iron, pluck a stone out of a cauldron of boiling water, or something equally painful and dangerous.
14. If their hand had begun to heal after three days they were considered to have God on their side, thus proving their innocence. The number of 'not guilty' verdicts recorded by this system is not known.
15. Another, extremely popular 'ordeal' involved water; the accused would be tied up and thrown into a lake or other body of water. If innocent, he or she would sink.
16. Luckily for all of us, trial by ordeal was eventually banned by William II (1087-1100).

The first seeds of change

17. When Henry II came to the throne in 1154 there were just 18 judges in the country, compared to more than 40,000 today. Henry sowed the seeds of the modern justice when he established a jury of 12 local knights to settle disputes over the ownership of land.

18. He ordered five of these judges to remain in London and take over the King's traditional task of deciding cases. These judges became known as the King's Bench, and were based in Westminster.
19. In 1166, Henry issued a Declaration at the Assize of Clarendon, which ordered the remaining non-King's Bench judges to travel the country – which was divided into different circuits – deciding cases.
20. To do this, they would use the laws made by the judges in Westminster, a change that meant many local customs were replaced by new national laws. These national laws applied to everyone and so were common to all. Even today, we know them as the 'common law'.
21. The system of judges sitting in London while others travelled round the country became known as the 'assizes system'. Incredibly, it survived until 1971.
22. Magistrates courts hark back to the Anglo-Saxon moot court and the manorial court, but their official birth came in 1285, during the reign of Edward I, when 'good and lawful men' were commissioned to keep the King's peace.
23. From that point, and continuing today, Justices of the Peace have undertaken the majority of the judicial work carried out in England and Wales, with about 95 per cent of criminal cases currently dealt with by magistrates.

The role of Lord Chancellor

24. Before I finish the history lesson and move on to the present, I'd like just to step back in time again for a moment, to talk in particular about the role of the Lord Chancellor because the history of the judiciary is inextricably bound up with this ancient office. Until the Constitutional Reform Act, the Lord Chancellor exercised an extraordinary range of responsibilities, which have shaped and managed the judiciary and the courts for centuries.
25. As the courts and the common law system developed, the role of the Lord Chancellor developed alongside. Originally, the role was as head of the royal secretariat to advise to the King and be the keeper of the Great Seal. To this was added a distinct judicial element.
26. As with all systems, the common law had faults. Fortunately those who felt let down by it could still petition the King with their grievances. Gradually, these cases were delegated to the Lord Chancellor, who softened the harshness of the common law by applying the principle of "equity" – fairness.
27. The Lord Chancellor's court became known as the Court of Chancery, and his influence over the other courts and judges grew to a position of supervision and appointment. By the time of Henry VIII, Chancery had become a rival to the common law courts.
28. This was not a smooth or uncontroversial path. Over the years the Lord Chancellor's responsibilities evolved and grew, reflecting the needs and culture of the times.

29. Perhaps the most extreme example of this was Judge Jeffreys, the original 'hanging judge'. He became Lord Chancellor from 1685, appointed by James II, largely because of the way he limited the judges' independence. He is most famous for his harsh treatment when he was Lord Chief Justice of Monmouth's men after the failed rebellion. Monmouth and 200 of his men were executed and another 800 were sent to Barbados as slaves, following trials that never lasted more than a day. Judge Jeffreys himself met a bitter end in the Tower, and happily his style and delivery of judicial leadership didn't persist. (PAUSE)
30. The post of Lord Chancellor evolved to include an extraordinary range of duties:
- membership of the Cabinet,
 - speaker of the House of Lords and a member of its judicial committee, the highest court in the land
 - guardian of the constitution
 - head of a significant government department, administering the courts, and
 - head of the judiciary, responsible for its independence, discipline and appointments.

So before the changes introduced by the 2005 Constitutional Reform Act the office of the Lord Chancellor was an extraordinary anomaly in the face of an unwritten constitution that was based on the fundamental principles of the separation of powers.

Modern times and the need for reform

31. Today our system of judicial appointments is apolitical and it is worth noting that this is a relatively modern development. Again I will give you a little glimpse of history.
32. Lord Halsbury, Lord Chancellor for most of the period 1885-1905, openly used political sympathies for his decisions. Similarly, Lord Loveburn, Asquith's Lord Chancellor, openly indulged the Prime Minister's wish to reward Liberal MPs who were lawyers. These are just two examples. The point is that it was understood that some judicial appointments would be the result of political patronage.
33. Reform has long seemed inevitable, all the more so given the nature of today's caseload. It is a long way from Judge Jeffreys' brutal priorities to today's challenging issues such as human rights legislation, complex financial frauds, and sensitive medical issues.
34. But the pressure for the changes I describe tonight was not just the result of complexity and caseload. It also arose because of conflicts among the Lord Chancellor's extraordinary range of functions, including the appointment of judges. This was clearly not consistent with modern day expectations.
35. Today, the public expects the executive and judiciary to be clearly separated. They want the courts to be free of politics, but responsive to the public mood and concerns. And they require justice to be dispensed efficiently and effectively.
36. Furthermore the Latimer House Principles on the three branches of Government, which were endorsed by the Heads of Government of the Commonwealth Countries in December 2003, accord with these changes.

The pre-1993 system of appointments

37. Before 1993, the system of appointments had been described in the Home Affairs Committee as “a closed system of selection by peers and supervisors which is free from scrutiny and largely free from challenge or redress”.
38. One of the main criticisms was about the system of consultations, often referred to as “secret soundings”. Frances Gibb, legal correspondent of The Times, highlighted the keeping of confidential files with comments on candidates going back several years, and suggested that it was a system which fostered suspicion and secrecy.
39. These views were echoed in 1991 by the Law Society. It described the system of judicial appointments as “a very peculiar creature indeed”. It urged the Lord Chancellor to establish an independent appointments commission to help improve public confidence in the objectivity and even-handedness of the process.
40. In particular, the Society wanted to see judicial appointments distanced from direct political control. It wanted the process to draw on wider range of views on candidates; and it wanted to see the procedures formalized with clearer criteria for appointment.
41. In 1993, the then Lord Chancellor, Lord McKay of Clashfern, said that he intended to introduce specific competitions for judicial vacancies. He announced open advertising, more specific job descriptions, more structured consultations on candidates, and the involvement of lay people.
42. When Lord Irvine of Lairg became Lord Chancellor in 1997, he showed an appetite for further measures. He asked Sir Len Peach, a former Commissioner for Public Appointments, to consider whether safeguards against racial or sex discrimination were effective in selection procedures for judges and Queen’s Counsel.
43. This was fine as far as it went. But it did not go far enough, and it did nothing to encourage people outside the stereotypical group of most appointees to think that their application would be seriously considered.
44. So, while no-one questioned the very high calibre of the judges being appointed, they certainly could not observe great diversity. As the Association of Women Barristers wryly put it: “the plums fall very close to the tree”.

The Commission for Judicial Appointments

45. When Sir Len Peach reported in 1999 his recommendations were weaker than many had hoped for. There was still to be no fully independent judicial appointments commission.
46. Instead, in March 2001, the Commission for Judicial Appointments came into being. Despite its title, CJA did not select candidates for judicial appointment. And despite its similarity to the JAC in name, it was not in any real way our predecessor body.
47. The CJA’s job was to monitor the Lord Chancellor’s procedures and to act as Ombudsman for disappointed candidates and groups. It was also asked to suggest further improvements to the process.

48. The Commission proved to be the catalyst for several significant improvements.
 - Assessment centres were introduced for some judicial appointments, allowing candidates a better opportunity than interviews to display their skills.
 - The exclusive role of the so-called tap on the shoulder was abolished. The tap on the shoulder aptly described what had previously been the only way to reach the High Court bench – an invitation from the Lord Chancellor. The tap still happened, but alongside this, anyone who felt qualified could actively apply.
 - For the first time, formal feedback was provided for unsuccessful candidates.
 - Research was launched to discover the factors that prevented or persuaded potential candidates from among women and minority ethnic minority lawyers to apply for posts.
 - And consultations started with the professions and others on possible further improvements to the appointments processes.
49. It wasn't all plain sailing – there was certain bureaucracy about the new procedures which I shall touch on later – but these initiatives did have some immediate success.
50. For example, the proportion of appointees from minority ethnic groups in England and Wales during 2002/2003 was greater than in any previous year. Having said that, the overall proportion of women appointed during the year fell.
51. The Commission complained of a continuing lack of transparency. It revealed that not only did the public not understand the system, the legal profession were also in the dark. Indeed, said the Commission's, annual report, qualified candidates among women and minorities were still being excluded or put off from applying all together.
52. So, although the changes I have just described had been made to the judicial appointments process, these changes were not enough.
53. It was hardly surprising. Society is not built around process, it is built around people, and people are diverse. It became clear that the system was still seen to be seeking candidates from too narrow a range of potential candidates.

The creation of the Constitutional Reform Act

54. The Government had been listening. In July 2003 the Department for Constitutional Affairs issued a consultation paper entitled Constitutional Reform – A New Way of Appointing Judges.
55. The current Lord Chancellor, Lord Falconer of Thoroton, summed up the issues. He said:

“In a modern democratic society, it is no longer acceptable for judicial appointments to be entirely in the hands of a government minister. For example, the judiciary is often involved in adjudicating on the lawfulness of the actions of the Executive. And so the appointments system must be, and must be seen to be, independent of Government.”
56. This was very welcome. But while revolution had been put on the agenda, it wasn't a simple proposition. There were three major challenges for the programme proposed by the Constitutional Reform Bill.

57. First, it had to disentangle the conflicts, confusions and contradictions of the old supervisory arrangements.
58. It also had to ensure that the public – and every one of its communities - was confident in the judiciary's reflection and understanding of modern society.
59. And it had to preserve standards which have given our judiciary its international reputation for integrity and competence.
60. Despite the challenges, the Constitutional Reform Act received Royal Assent in 2005, and the provisions concerning the judiciary were activated in April 2006.

What the 2005 Act does

61. Let me describe now what the Act does, because I believe it is a considerable achievement. It has certainly laid the foundations for historic and far-reaching changes. To summarise some of the main provisions concerning the judiciary:
62. First, there is a duty on all ministers to uphold the independence of the judiciary and not try to influence them
63. Second, the Lord Chancellor has a unique mandate, transcending politics, to protect the judges' independence.
64. Third, judges are no longer lead by a political appointee. The Lord Chancellor's judicial responsibilities in England and Wales have been transferred to the Lord Chief Justice. The complexity of today's cases means the courts need constant leadership in the management of business. That now rightly comes from Lord Chief Justice. In addition, he now supervises the training, guidance and deployment of judges; and he can represent their views to Parliament and Government.
65. Fourth, the Lord Chancellor is no longer Speaker of the House of Lords, who is now elected by the House.
66. Fifth, the highest court in the land will no longer be a committee of the legislature. A new Supreme Court chaired by the President of the Supreme Court will replace the House of Lords judicial committee.
67. Sixth, judicial discipline will no longer be the responsibility of a political appointee. Decisions will be taken by the Lord Chancellor and Lord Chief Justice acting jointly.
68. And last in this list – but of paramount interest tonight – the selection of judges is no longer done by a politician through some largely unseen process. The Lord Chancellor has lost his previous ability to tap a favoured candidate on the shoulder and invite him to step up to the Bench.
69. The Act demands that merit is still the only criterion for appointment. But equally it demands that merit must be sought from among the widest pool of applicants, through an open process.

70. The selection process is now, for the first time ever, the exclusive province of the Judicial Appointments Commission: an independent, openly appointed and accountable body.

The judiciary: some facts and figures

71. Before I come on to explaining the context and detail of the role of the JAC, I thought it would be revealing to look at some facts and figures about judicial appointments and their diversity. The changes – or lack of changes - over time are very revealing
72. In 1950, about 25 judges were appointed, excluding magistrates. In contrast, 2003, saw about 700 appointments, rising to more than 2000 if magistrates are included.
73. No-one would have been surprised about a lack of diversity in 1950. But the demand for judges grew by 28 times over the next half century. There was thus certainly the opportunity for greater diversity. But despite the hard work by successive Lord Chancellors during this period, the results are disappointing.
74. These are the diversity figures for October 1, 2006 – this very month.
75. There are 52 holders of the highest judicial offices. Four are women. None are from minority ethnic groups.
76. There are 107 High court judges. But just 11 are women – around 10 percent of the total. Only one is from a minority ethnic group – less than one per cent of the total.
77. There are 641 circuit judges. 73 are women – just over 11 percent. Nine are from minority ethnic groups – just under 1.5 per cent.
78. Amongst the 1,461 Recorders just 14 per cent are women and 4 per cent are from ethnic minorities.
79. The picture is a little better among district and deputy district judges. Here, the proportion of women ranges between 22 and 27 per cent. But for minority ethnic groups, the proportion is no higher than just over 5 per cent.

Enter the Judicial Appointments Commission

80. So that's the background. Now let me describe the how the Judicial Appointment Commission is facing its challenge.
81. We launched in April this year, when the Constitutional Reform Act 2005 came into force. Our primary task, which we have taken on from the Department of Constitutional Affairs, is to select judges and tribunal members.
82. Under the Act we have very specific responsibilities, including three statutory duties.
83. The first is to select candidates solely on merit. The reputation and quality of our judiciary cannot be compromised - we must select the very best. And let me stress that merit is not the enemy of diversity. For us, diversity means the search for merit, wherever it can be found.

84. The second duty is to select only people of good character. Our selection procedure must be fair and eminently practicable. Excessive bureaucracy provides neither quality assurance nor a safeguard – quite the opposite. We have been working hard to streamline the process
85. And the third duty is to have regard to the need to encourage applications from a wider range of eligible candidates. Our biggest challenge is ensure our search reaches all those who are qualified, but who may have been put off from applying in the past.
86. Our role is solely to select and recommend, not to appoint candidates. For each vacancy JAC Commissioners will select one candidate to recommend to the Lord Chancellor for appointment. The Lord Chancellor can reject that recommendation but he is required to provide his reasons to the Commission. He cannot select an alternative candidate.

Who we are

87. There are fifteen Commissioners, including myself. We include judicial, legal and non-legal professionals. Everyone has been selected through open competition, except three who were selected by the Judges' Council.
88. We are not delegates or representatives of particular professions. Every Commissioner has been appointed in his or her own right.
89. Our breadth and diversity are important. Our collective strength comes from each Commissioner's knowledge, expertise and - above all - independence of mind.

Our priorities

90. At the outset, we set ourselves three priorities.
91. The first priority was to define merit - in other words, to define what makes a good judge.
92. Once defined, merit had to be identified. So the next priority was to develop the fairest and most effective ways of assessing candidates.
93. The third and equally important priority was to devise ways to reach and encourage a wide range of applicants
94. There was a pressing need to sort out these priorities. There was no longer any doubt that the old, secretive process – the tap on the shoulder and the secret soundings – needed reform. Recent Lord Chancellors had made important innovations, but the result was something of a committee-designed horse – that is, a camel.
95. I speak from direct experience because, although we have now launched our own system, for months we have had to work with a process that was burdensome, time-consuming, and very complicated.
96. We all know that the road to Hell was paved with good intentions – but I'm pretty sure it was designed by well-meaning bureaucrats. Two numbers tell it all. Under the previous system, applicants were judged against 9 competencies, involving 50

supporting behaviours. All of these had to be demonstrated, which led to an application form of almost 30 pages, with reams of accompanying guidance notes.

97. It tells you something when even the legal profession complain that something is over-complex, time-consuming, and hard to follow. A great deal of resource had to be devoted just to explaining the process to would be applicants.
98. With such a complicated matrix, some assessors may have resorted to ticking boxes, rather than using every element for judging the suitability of the candidates.
99. I am not suggesting that the quality of judges appointed under the previous process was anything than good. But there's no denying that the level of complexity in the previous process not only make assessing applicants difficult – it also made it difficult for people to apply. It was clear that we had to develop a less onerous system.
100. I have already mentioned the criticisms of the secret soundings – the automatic consultations which were made about High Court candidates from amongst the senior judiciary. The problems of such consultations do not simply concern its lack of transparency. It has a corrosive effect on the confidence of the public and potential applicants alike.
101. Let me be blunt. It was generally believed that the system didn't look widely for applicants. This rumour was particularly strong in the case of High Court appointments. Don't bother applying, said the whispers, unless you are in a favoured position. It's not who you are that counts – it's who you know.
102. Criticisms of the 'tap on the shoulder' approach had already led to reforms. A few years ago, and application system was added to that of invitation. Then the 'tap' went, and every candidate had to apply.
103. But this did not stop the questions. Was "merit" adequately described in relation to High Court appointments? How could it be assessed? And very importantly, was the widest pool of applicants was being reached?

Priority 1: defining merit

104. I mentioned that the first task we set ourselves was to define merit. Last week, we published the new criteria for what we think makes a good judge.
105. Our new definition covers five core qualities and 14 supporting abilities which we will look for in judicial applicants. The precise qualities and abilities will vary slightly - for example a High Court judge would be expected to display a high level of legal knowledge, whereas a lay tribunal member would be expected to display expertise in their professional field.
106. I won't run through all of our required qualities and abilities now, but here are some examples:
 - Intellectual capacity. We are looking for people who show a high level of expertise in their fields; who can quickly absorb and analyse information; and who have appropriate knowledge of the law, and its underlying principles.

- Personal qualities. We want people who demonstrate integrity and independence of mind; who show sound judgement and are decisive and objective.
- We will select only those candidates who show that they are able to treat everyone with respect and sensitivity, and are willing to listen with patience and courtesy.
- Authority and communication skills are essential. Judicial appointees must be able to inspire respect and confidence, and to maintain authority when challenged.
- And they must be efficient, able to work under pressure and show appropriate leadership or management skills.

107. Alongside our new definition of merit, the Act requires the Commission to select candidates only of good character. Our new good character guideline will appear on our website from tomorrow. It sets out how applicants are asked to decide whether there is anything in their past conduct, or present circumstances (eg business connections) which might affect their application for judicial appointment.

108. In determining good character, the Commission will adopt two fundamental principles:

- the overriding need to maintain public confidence in the standards of the judiciary; and
- that public confidence will only be maintained if judicial office holders and those who aspire to such office maintain the highest standards of probity in their professional, public and private lives;

Although we are publishing our guideline for the first time, it has been drafted to be as close a possible to the policy that the Lord Chancellor has made in the past in making decisions about judicial appointments.

Priority 2: a new selection process

109. Our second priority was to establish our new process for judicial selection. All the elements have been agreed, and, as are the qualities and abilities. These can be found on our website. The application form for candidates is now just 9 pages long. We have introduced new, impartial processes, which may include qualifying tests, case studies, interviews or role play, depending on the nature of the job.

110. The system of references – what were formally called consultations – has been refined, and referees will be pleased to learn that they too face a much simpler form.

Priority 3: widening the range

111. The third priority we set ourselves was to devise ways of reaching out to and encouraging more applicants to the judiciary.

112. Here we have made great strides. As well as making the process itself more streamlined and objective, we are advertising more widely, online as well as through traditional print media, and are working closely with a wide range of organisations, from the Association of Women Barristers to the Black Solicitors Network, to make sure as many eligible candidates as possible find out about vacancies.

113. I want to just touch here on the issue of diversity, because I am often asked if there is a tension between the requirement to seek candidates from the most diverse pool and the equally powerful requirement to appoint on merit.
114. Merit is our bedrock. We will not depart from it when making recommendations. There is no question of compromise in the name of diversity, because there is no for compromise. Merit and diversity are not incompatible. For us diversity is the search for merit, wherever it can be found.
115. And that is the biggest challenge now: we must find new ways to attract suitable candidates, who for various reasons are put off from applying at present. Then we have to make sure that there is no bias in our processes that disadvantages any particular group whether they are ethnic minorities, women, or people with disabilities - or even white middle aged males

Measuring our success

116. I hope I have made clear that all our selection processes are designed to be simpler, but rigorous and fair. Of course, designing these new systems is all well and good, but we have to know if they are working.
117. We are measuring our success against four criteria. They concern the applications we receive; our process for selection; the judgement of our applicants; and the confidence of the public.
118. First, we must attract and enthuse the widest range of the best possible applicants. We will monitor this carefully.
119. Secondly, we must maintain the rigorous standards which have given us the world's most respected and competent judiciary. Feedback will be essential.
120. Thirdly, all our applicants – those who succeed and those who do not – must feel they have been assessed fully and fairly. We shall monitor their views.
121. And fourthly, we must sustain the confidence of the public. We will work closely with the Lord Chancellor, the Department of Constitutional Affairs, and the Lord Chief Justice on this.

The importance of partnership

122. The JAC cannot and does not work in isolation. We have developed a trilateral Diversity Strategy with the Department for Constitutional Affairs and the Lord Chief Justice. This commits the three parties to bringing about a more diverse judiciary with increased understanding of the communities it serves, in order to ensure a judiciary of the highest quality which contributes to increased public confidence in the justice system.
123. The JAC will do everything in its power to widen the range of applicants to the judiciary. We will fish every part of the pool, but we can only deal with the pool as it is. The range of eligible candidates must be bigger. We need the greatest diversity of people to enter the legal profession, from every community.

124. Expanding the pool requires the combined and continuing efforts of the DCA, Bar Council the Law Society, other professional bodies and of the firms where you may be working now, or in the future. Everyone needs to encourage the widest range of the brightest and best people to take up the law, and to ensure that no-one feels excluded from any job within it.
125. It is of course similarly important that, once they are in post, judges receive training and support so that they continue to appreciate the needs of a diverse society. That responsibility and the ongoing training and development of the judiciary lies with the Lord Chief Justice and the Judicial Studies Board.

Reaching out

126. We have been meeting judges; visiting courts; seeing the Bar Council, the Law Society, Presidents of Tribunals. I have met delegations from India, Philippines and Australia; and groups such as the Black Lawyers Directory and the Association of Women Barristers. A common theme has been how the Commission can make a difference, and what part we can all play.
126. We want to hear all comments, because we will never be complacent about our own process. Our approach will be one of regular challenge and improvement. As well as consulting formally on the changes we have implemented recently, we have been listening hard, to a range of different opinions and interest groups.
127. The Commission is determined to open the doors of the judiciary to the best-qualified people of every origin, culture and class. Our approach is intended to sustain standards and to stimulate change.
128. Change to ensure that our judges are selected with the openness, accountability and opportunity that today's society demands. And standards which demonstrate that we have sought and found judges of the highest ability from throughout our diverse communities.
129. We need to break down the barriers which lie in people's minds.
130. We need all those who are currently eligible and feel they are up to the task to put themselves forward.
131. And last, but very far from least, we need people like you – at the start of your careers - to aspire to the judiciary. And as you decide on your options and make your career decisions, don't forget this option. It is one of the most important functions of the state. At every level, in every form of tribunal or court, judges deliver a unique public service.
132. Its importance goes beyond what happens in the courtroom. It is vital that the public has confidence that the service is being delivered with the care, expertise and integrity that the world has come to expect of British judges.

So to conclude

133. I hope I have explained why the recent changes brought in under the Constitutional Reform Act are historically significant, and some of the immediate impacts of these changes.

134. The judicial appointments system must continue to appoint only the very best candidates. It cannot afford to do less.
135. We must attract those candidates from wherever they can be found within the pool of the legal profession. And that pool must be as deep and as wide as the society in which we live.
136. Our society is not perfect. But the composition of the judiciary sends a signal. We face significant threats from those who would claim that our society is incorrigibly divided and discriminatory. One of their key aims is to create circumstances that open or widen divisions.
137. But when it comes to reassuring our communities, there can be few stronger messages than the knowledge that our judges are the best available people, drawn from throughout our diverse nation, and united in their service to the law, justice and the public.
138. For me and my colleagues it is a privilege to be part of this quiet revolution and contribute to these significant changes.
139. Thank you for listening and I would be happy to answer any questions you may have.