

INFORMATION RELEASE



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Judicial appointment is becoming more appealing

More than 4,000 solicitors, barristers and chartered legal executive fellows eligible for judicial appointment replied to a survey (published in full on the research section of our website). The survey updated previous research undertaken in 2008 to see how attitudes to judicial appointment have changed, while incorporating the findings from the subsequent survey undertaken by the Interlaw Diversity Forum for LGBT Networks in 2011.

Nearly all aspects of judicial office are more appealing according to the survey results. The most appealing aspects of a judicial career are the work being interesting 97% (up from 92%), making a difference to the law 93% (up from 85%) and undertaking public service (unchanged at 89%). Also:

- 87% agree judicial office would be enjoyable (up from 74%).
- 46% have considered applying - a significant increase since 2008 (32%).
- 43% see being a judge as part of their career path (up from 28%).
- 73% think they have the right skills and experience (up from 66%).

The survey results indicate three main reasons why people have not previously applied for judicial office are i) because they do not think they would be appointed - 51% (up from 50%); ii) they feel they are too young - 41% (up from 33%, although the respondents were younger - 82% were under 45 in 2013, compared to only 41% in 2008) and iii) they are happy in their current jobs - 37% (although this has dropped from 51%).

The results also show the most unappealing aspects of judicial roles are their isolated nature - 59% (down from 66%), travel - 43% (down from 53%) and judicial culture - 40% (down from 50%).

A key aim of the research was to identify differences in barriers between different groups, and in line with the 2008 research, all groups feel they are disadvantaged compared to others. The key findings are:

- Women, solicitors and CILEx are less confident in their abilities in comparison to men and barristers - 66% of women; 70% of solicitors and 62% of CILEx believe they have the skills and experience to make a good judge (males 78%; barristers 87%).
- Women, solicitors and CILEx feel they lack information necessary to consider a judicial appointment- 61% of women, 60% of solicitors and 54% of CILEx

- feel they don't know what is involved in judicial office (males 48%, barristers 21%).
- Women, BAME and disabled lawyers have a strong belief you need good contacts to achieve judicial office - This is true of 77% of women, 80% of BAME and 84% of disabled lawyers believe you need to be able to network (males 63%, white 68%, non-disabled 69%).
 - BAME and disabled lawyers have concerns about judicial culture and how welcoming this is - 20% of BAME and 29% of disabled lawyers say they would not feel welcome in the judiciary (compared with 11% overall).
 - BAME and disabled lawyers have concerns about the fairness of the actual selection process - 56% of BAME and 59% of disabled lawyers believe there is prejudice in the selection process (white 45%, non-disabled 46%).
 - BAME lawyers are significantly more likely to have applied and are twice as likely to have applied more than once, but also have a high fear of failure - 50% would not apply unless they knew they would be successful (white 43%).
 - Only 43% of solicitors and 47% of Chartered Legal Executives feel they would receive the support of their employer (compared with 80% barristers).
 - 68% of lesbian, gay, bisexual and transgender lawyers would be more likely to apply if there were more openly LGBT members of the judiciary.

The research also sought to identify areas which would need to be tackled in order to encourage more applications. The key findings are:

- More information about the selection process (77%)
- More information about judicial roles (75%)
- Part-time or flexible working (62%)
- Work shadowing/mentoring schemes (71-72%)
- Early notice of when vacancies will be advertised (68%)
- More training when appointed (66%)
- More information about minimum entry requirements (63%)

All of these factors are significantly more important for BAME and female lawyers. Many are also more important for solicitors and CILEx than barristers.

Christopher Stephens, Chairman of the JAC said:

"This joint research project is important. It is encouraging to see judicial appointments becoming more appealing and the very high level of applications we receive supports this. Clearly the perceived barriers to judicial appointment still exist, but we now have a clearer appreciation of where we need to target our work to overcome them. Together with the professions, the judiciary and the Ministry of Justice we have set this work in hand through our Diversity Forum. In particular for the JAC, it reinforces our intention to enhance our website and to complete our process review, where the shortlisting and references processes are of most relevance."

Nicholas Fluck, President of the Law Society, said:

"The Law Society has once again part funded this very useful research into the factors which deter lawyers from applying for judicial office. I am pleased to note the improvement in lawyers' perceptions of judicial appointments. Nonetheless there are some significant issues which still need to be addressed. I am disappointed to find that only 43 per cent of the solicitors who participated in the survey feel that they

would be supported by their employers. This is something which the Law Society is tackling through the Commitment to the promotion of judicial appointments to which 21 City firms have subscribed. We also need to review the information which the Society provides to its members as there is clearly a demand for further information not just on the selection process but more fundamentally on the nature of judicial office."

Stephen Gowland, CILEx President said:

"CILEx has worked very closely with the JAC for the last few years. We want our members to apply if their career aspirations are for judicial office. We take heart from the research that our work is helping our members. It is imperative that CILEx continues to support members to have the confidence to apply, but only when they are ready to apply. CILEx must also work with the Law Society to improve employers' attitude to part time judicial office."

Maura McGowan QC, Chairman of the Bar said:

"We are pleased to see the healthy response rate to the survey. The information presented in the report shows that more practitioners than ever are considering a judicial career and this is to be encouraged. The report does, however, highlight the concerns of some areas of the Bar, which we will continue to address through better information on our website and our outreach programme."

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