



Statistical digest of judicial appointments of Solicitors in England and Wales from 1998-99 to 2008-09

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Introduction

Annual reports of appointments of solicitors to judicial office have been produced since 1998-1999 along with summary figures about applications and appointments that have been completed each year. The mix of judicial posts for which selection exercises are held is not the same every year. Therefore, year on year comparisons can be distorted because the candidate base in any given year will inevitably be affected by the specific mix of selection exercises that take place.

The analysis in this report shows the result of successive completed selection exercises for judicial posts for which comparability could be constructed.

The report compares applications and appointments/recommendations for appointment of solicitors before and since the creation of the Judicial Appointments Commission (JAC). It examines trends in applications and appointments/recommendations for appointment of solicitors to judicial office between 1998-99 and 2008-09.

The analysis used published results of successive completed selection exercises conducted between 1998-99 and 2008-09 by the Lord Chancellor's Department (LCD), Department for Constitutional Affairs (DCA) and the JAC.

These can be found on the archived DCA website maintained by the Ministry of Justice: dca.gov.uk/dept/depstrat.htm#part3 and the Judicial Appointments Commission website: judicialappointments.gov.uk/about-jac/823.htm.

To ensure consistency, this report has followed closely the approach used in presenting the report on women and black and minority ethnic applicants group published last year (available on the JAC website: judicialappointments.gov.uk).

Annex A provides summary information on data sources for the figures given in this report, and information about statistical revisions, symbols and conventions used in the bulletin.

Annex B provides background information on the selection of judges in England and Wales, on the formation of the JAC and its role, and particularly the differences between the JAC processes for selecting judges and DCA processes.

Annex C is published alongside this report and provides full detailed tables used as the basis of the report.

If you have any feedback, questions or requests for further information about this statistical report, please direct them to the appropriate contact given at the end of the report.

Main findings

- Comparison of applications and appointments/recommendations for appointment of solicitors within the professional background between the pre JAC (before 2006-07) and post JAC(from 2007-08) selection exercises would suggest that there were statistically significant differences¹ in the following selection exercises:
 - Appointments of solicitors pre JAC for District Judges
 - Applications by solicitors pre JAC for the Senior/Designated Immigration Judge/Adjudicator, Asylum and Immigration Tribunal.
 - Appointments of solicitors post JAC for the District Judge (Magistrates Courts)
 - Appointments of solicitors post JAC for the Chairman/Judge of the Employment Tribunal.
- Analysis by judge type suggests that there was very little difference in the proportion of solicitor applicants for most posts comparing pre (before 2006-07) and post (from 2007-08) JAC selection exercises.
- Comparisons between the pre (before 2006-07) and post (from 2007-08) JAC periods would suggest that solicitors performed relatively better in selection exercises for entry and middle ranking posts under the JAC.
- The trends analysis of applications and appointments/recommendations for appointment shows no consistent pattern. For example, there is an upward trend in some selection exercises and a downward trend in others (see for example the trends for solicitor appointees for District Judge and District Judge (Magistrates' Courts)).
- In future, comparisons between pre and post JAC periods and trends analysis will become more robust as the JAC runs more selection exercises.

¹ Statistical significance as reported throughout the report means that the differences observed are probably true. In other words they are not due to chance.

Commentary

This section presents trends in completed selection exercises by type of judicial post for applications and appointments of solicitors from before the creation of the JAC (1998-99 to 2005-06) and since the creation of the JAC (2007-08 to 2008-09). It also compares the proportion of solicitor applicants and appointments in the two periods and reports on any statistical differences.

It should be noted that throughout the report:

- Pre and post JAC comparison charts are only included for those selection exercises where the total number of applicants in both periods was at least 25.
- Percentages of appointments/recommendations for appointment are proportions of the total appointments/recommendations made within the professional background group.
- All reported percentages are aggregates of all applications received and appointments /recommendations for appointment made in pre and post JAC periods.
- Statistically significant differences in the proportion of applications and appointments between the pre and post JAC periods are indicated.
- Percentages in cases where there were fewer than 10 appointments are shown alongside actual numbers, to highlight that they should be interpreted with care.
- Since in some years, both pre and post JAC, there were no selection exercises, particularly in the year that the JAC was created (2006-07) (which was a transitional period), data presented in the tables and charts are not complete and regular time series but the results of successive exercises of a certain type which may not be evenly spaced over time.

1. High Court Judge

There were three High Court Judge selection exercises in the pre JAC period which attracted a total of 275 applicants and a total of 50 appointments.

Under the JAC, there were two High Court Judge selection exercises which attracted a total of 273 applicants; and a total of 43 recommendations for appointment (**Table 1**).

The proportion of known solicitors within the professional background group that applied for the High Court Judge in all selection exercises was nearly 7%² (18) in JAC run selection exercises compared with 2% (4) in all the pre JAC selection exercises.

There were no appointments/recommendations for appointment of a known practising solicitor as a High Court Judge in either the pre and post JAC periods.

There was a fairly stable upward trend (with the exception of 2005-06) in the proportion of solicitor applicants over the two periods.

There were no appointments of solicitors direct from private practice between 1998-99 and 2008-09 (**Table 1**).

² Percentages are rounded throughout the commentary. Unrounded percentages are shown in the tables and charts.

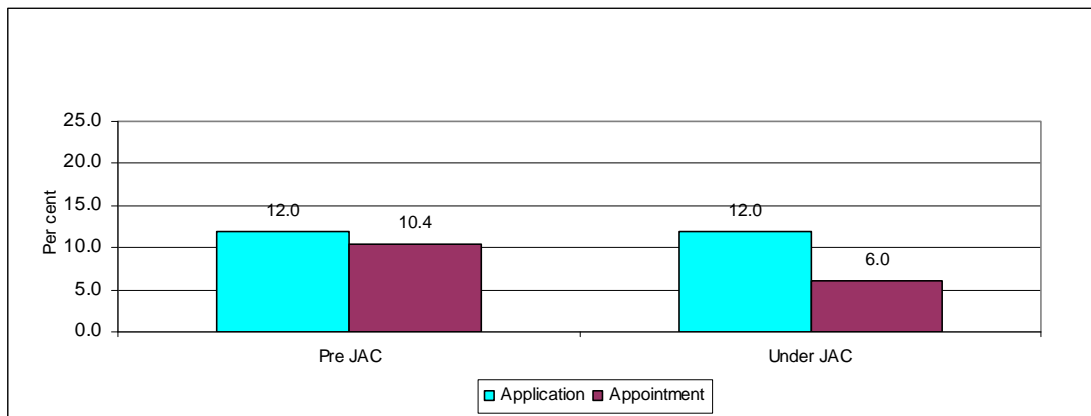
2. Circuit Judge

There were seven selection exercises for Circuit Judge in the pre JAC period which attracted a total of 1,356 applicants and a total of 211 appointments, and two selection exercises since the creation of the JAC which attracted a total of 641 applicants and a total of 184 recommendations for appointment (**Table 2**).

In comparing the total proportion of applications and appointments within the professional background between the two periods, **Chart 2.1** shows that the proportion of applicants who were solicitors in all pre JAC selection exercises and those held since the creation of the JAC was 12% in both cases.

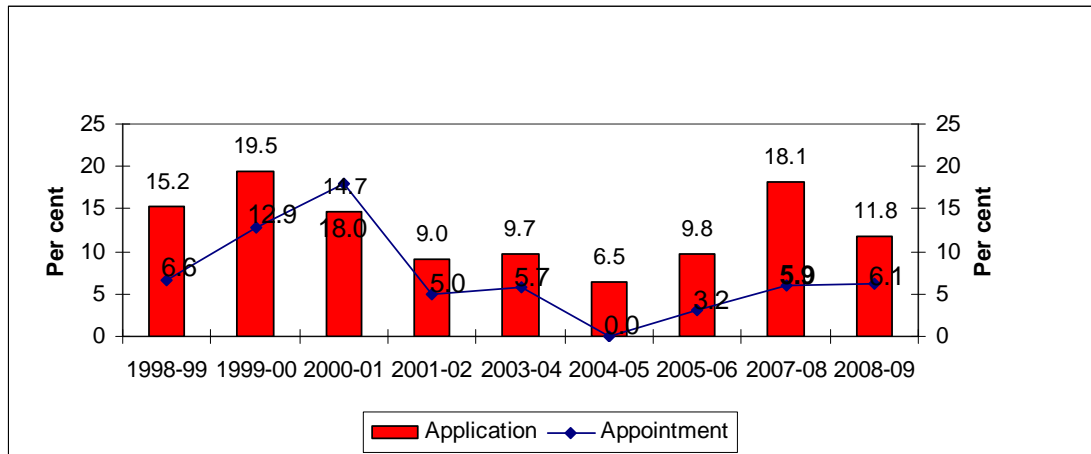
However, the percentage of solicitors appointed/recommended for the Circuit Bench was higher in the pre JAC period – at nearly 10% and 6% respectively. The chart also shows that the percentage of solicitors appointed/recommended was below the percentage of solicitors who applied in both periods.

Chart 2.1: Proportion of solicitors applying and appointed as a Circuit Judge, before and since the creation of the JAC, 1998-99 to 2008-09



Although a higher percentage of solicitors who applied were appointed in the pre JAC period, taken as a whole compared to the post JAC period, the trends over the period show that there were three distinct periods. There was a steady increase in both the percentage of solicitor applicants and appointments from 1998-99 to 2000-01. This was followed by a steady decline up to 2004-05. From then there has been a steady increase, particularly in the proportion of applicants appointed/recommended (see **Table 2** and **Chart 2.2**).

Chart 2.2: Trend of solicitors applying and appointed as a Circuit Judge, 1998-99 to 2008-09³



³ Exercises were not carried out in 2002-03 and 2006-07

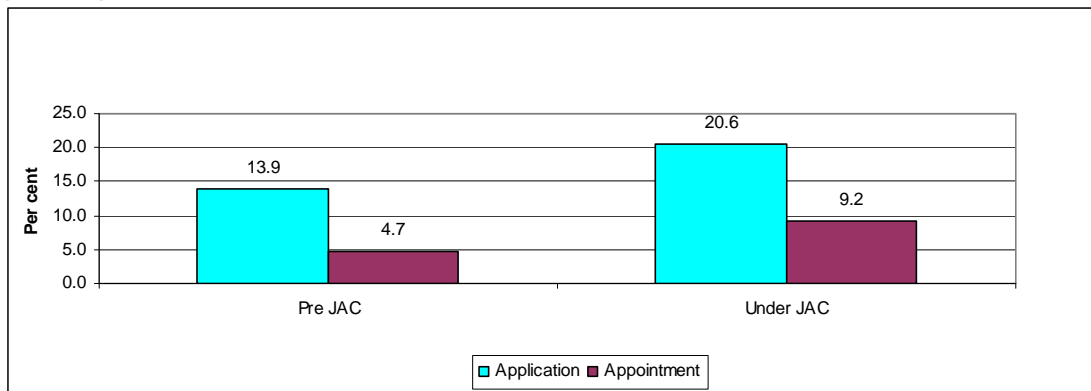
3. Recorder - Northern, North Eastern and Wales Circuits (NNEW)

There were six selection exercises for Recorders NNEW in the pre JAC period, attracting a total of 961 applicants and a total of 213 appointments, and one selection exercise since the creation of the JAC which attracted a total of 431 applicants and a total of 64 recommendations for appointment (**Table 3**).

Chart 3.1 shows the proportion of applications and appointment of solicitors in the pre JAC period and in the period since the JAC's existence. Applicants who were known solicitors made up nearly 14% of applications in the pre JAC selection exercises compared to nearly 21% in the period of the JAC's existence.

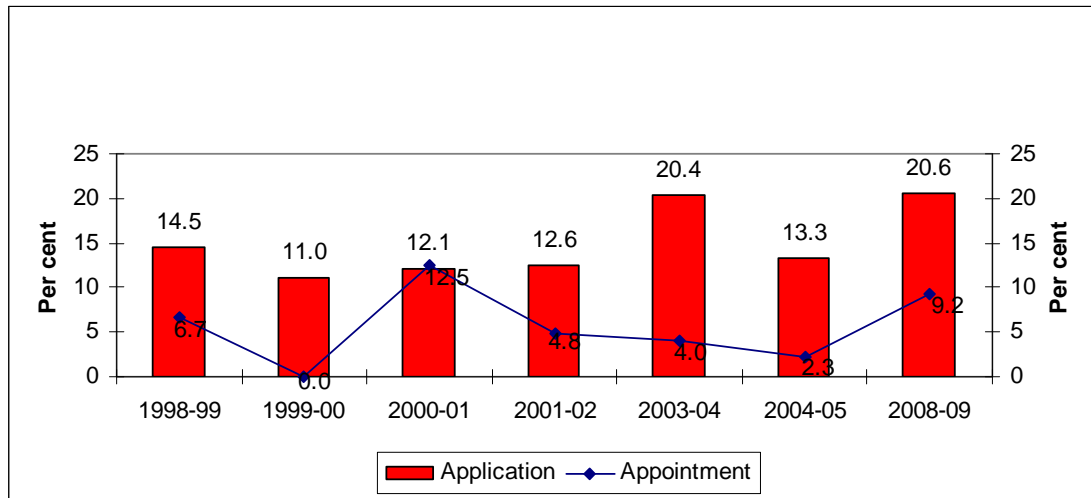
This chart shows also that known solicitors made up nearly 5% (10) of all appointments made in the pre JAC period compared with nearly 9% (7) of all appointments since the creation of the JAC. The percentage of solicitors appointed was below the percentage who applied in both periods.

Chart 3.1: Proportion of solicitors applying and appointed as a Recorder (NNEW) before and since the creation of the JAC, 1998-99 to 2008-09



The trends show a fluctuating but overall increase in the proportion of solicitor applicants between 1998-99 and 2008-09 (**Chart 3.2, Table 3**). There was a steady decrease in the percentage of solicitors appointed from 2000-01 to 2004-05, and an increase at the tail end of 2008-09.

Chart 3.2: Trend of solicitors applying and appointed as a Recorder (NNEW), 1998-99 to 2008-09⁴



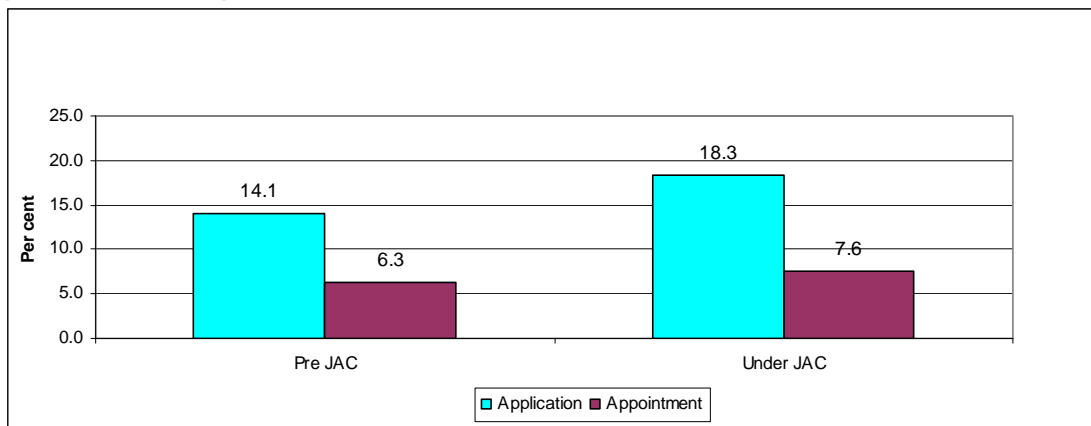
⁴ Exercises were not carried out: 2002-03, 2005-06, 2006-07 and 2007-08

4. Recorder - Midland Circuit

For the Midland Circuit Recorder, there were six selection exercises in the pre JAC period which attracted a total of 622 applicants and a total of 111 appointments, and one selection exercise since the creation of JAC, which attracted a total of 366 applicants and a total of 66 recommendations for appointments (**Table 4**).

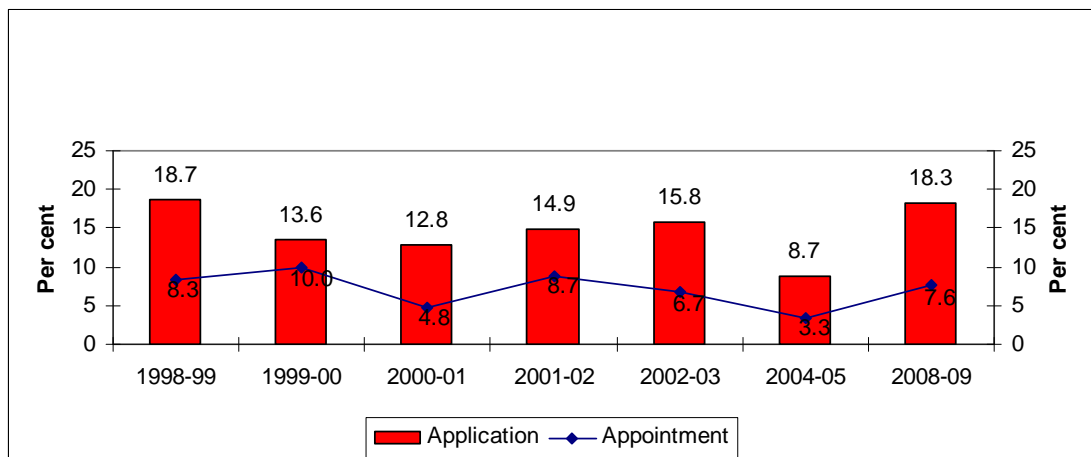
The proportion of applicants who were known solicitors was nearly 18% in JAC run selection exercises compared to nearly 14% in pre JAC selection exercises (**Chart 4.1**). The percentage of solicitor appointees was nearly 8% (5) since the creation of the JAC, compared to nearly 6% (7) in all the pre JAC selection exercises. The percentage of appointees in both periods was below the percentage of solicitors who applied (**Table 4**).

Chart 4.1: Proportion of solicitors applying and appointed as a Recorder (Midland Circuit), before and since the creation of the JAC, 1998-99 to 2008-09



The trends for Recorder Midland Circuit selection exercises show that the proportion of solicitors applying and appointed fluctuated but showed a slight increase from 1998-99 to 2008-09 (**Table 4**).

Chart 4.2: Trend of solicitors applying and appointed as a Recorder (Midland Circuit), 1998-99 to 2008-09⁵



⁵ Exercises were not carried out: 2003-04, 2005-06, 2006-07 and 2007-08

5. District Judge

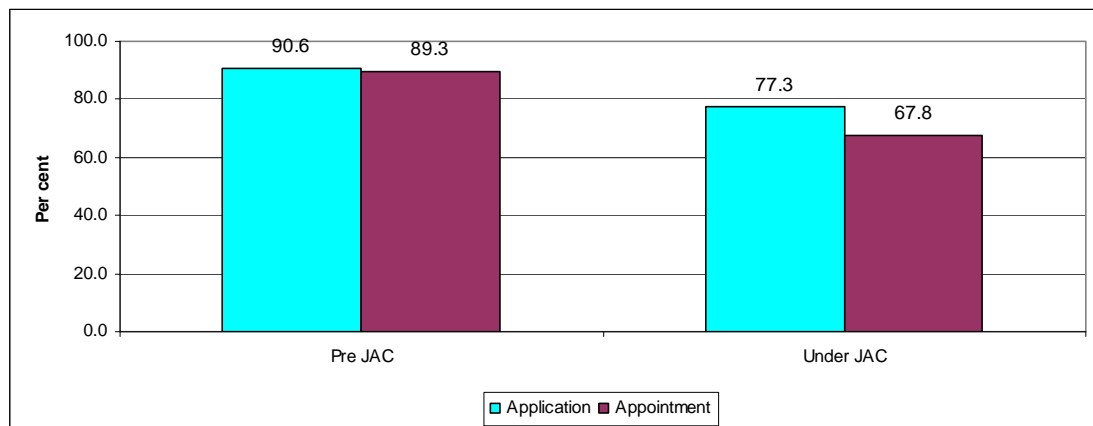
There were five selection exercises for District Judge in the pre JAC period, attracting a total of 1,206 applicants and a total of 131 appointments, and one selection exercise since the creation of JAC which attracted a total of 264 applicants and a total of 59 recommendations for appointments (**Table 5**).

Chart 5.1 shows that the proportion of solicitor applicants for District Judge was nearly 91% in all pre JAC selection exercises compared with nearly 77% in the JAC run selection exercise. The difference observed is statistically significant.

The percentage of solicitor appointees was 89% in all pre JAC selection exercises compared with nearly 69% since the creation of JAC. The difference is statistically significant.

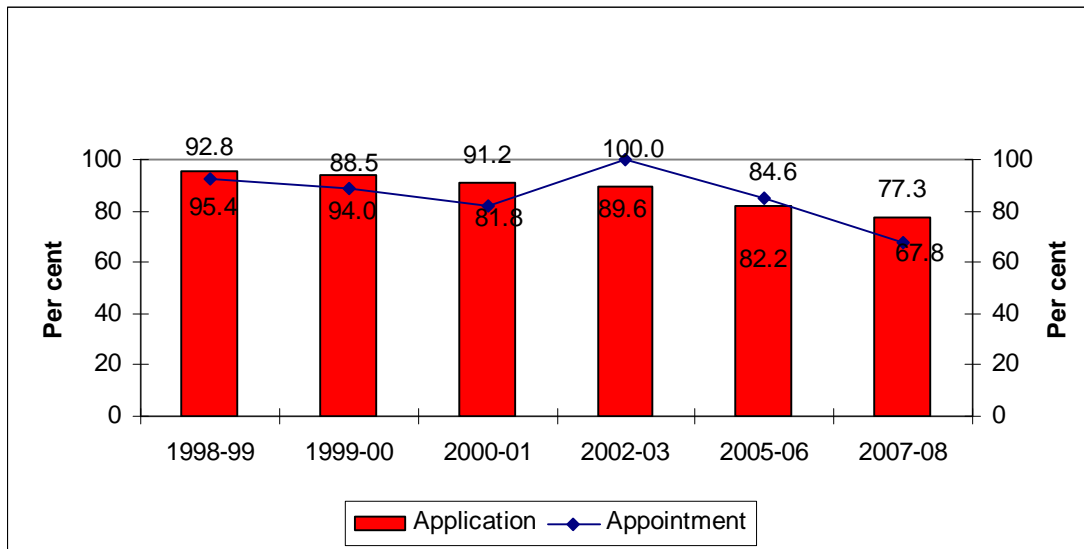
The percentage of solicitors appointed was almost equal to the percentage of solicitors who applied in pre JAC selection exercises and the percentage of solicitors appointed was lower than the percentage who applied in JAC selection exercises (**Table 5**).

Chart 5.1: Proportion of solicitors applying and appointed as a District Judge before and since the creation of the JAC, 1998-99 to 2008-09



Between 1998-99 and 2008-09, there has been a steady decrease in the proportion of solicitor applicants in District Judge selection exercises. The trend for solicitor appointments fluctuates; although the trend is generally downward, particularly in the last two selection exercises (**Table 5**).

Chart 5.2: Trend of solicitors applying and appointed as District Judge, 1998-99 to 2008-09⁶



⁶ Exercises were not carried out: 2001-02, 2003-04, 2004-05 and 2006-07

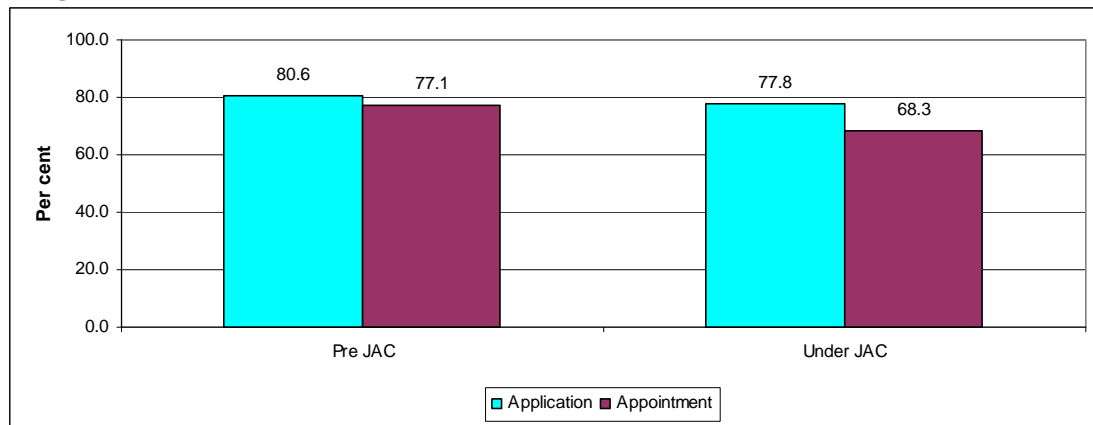
6. Deputy District Judge

There were seven selection exercises for Deputy District Judges in the pre JAC period which attracted a total of 2,717 applicants and a total of 477 appointments; and one selection exercise since the creation of the JAC which attracted a total of 616 applicants and a total of 60 recommendations for appointment (**Table 6**).

The percentage of solicitor applicants was nearly 81% in the pre JAC selection exercises compared with nearly 78% in the JAC run selection exercise. The difference is statistically significant. The percentage of solicitors appointed was nearly 77% of all appointees within the professional background in pre JAC selection exercises compared with nearly 68% of all appointees in the JAC run selection exercise.

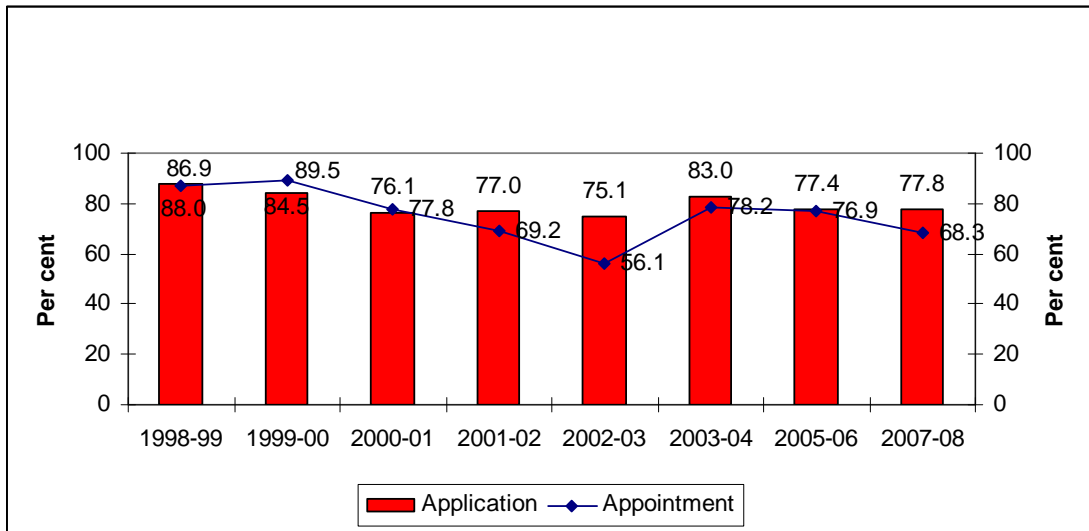
The difference is statistically significant. In both periods, the percentage of solicitors appointed were below the percentage of solicitors who applied (**Chart 6.1**).

Chart 6.1: Proportion of solicitors applying and appointed as a Deputy District Judge before and since the creation of the JAC, 1998-99 to 2008-09



The trends in **Chart 6.2** show that there was a steady decrease in the proportion of solicitor applicants and appointments for Deputy District Judge between 1998-99 and 2002-03 , a gradual increase between 2003-04 and 2005-6 before a slight decrease in 2007-08 in the proportion of solicitor applicants appointed.

Chart 6.2: Trend of solicitors applying and appointed for the Deputy District Judge, 1998-99 to 2008-09⁷



⁷ Exercises were not carried out: 2004-05 and 2006-07

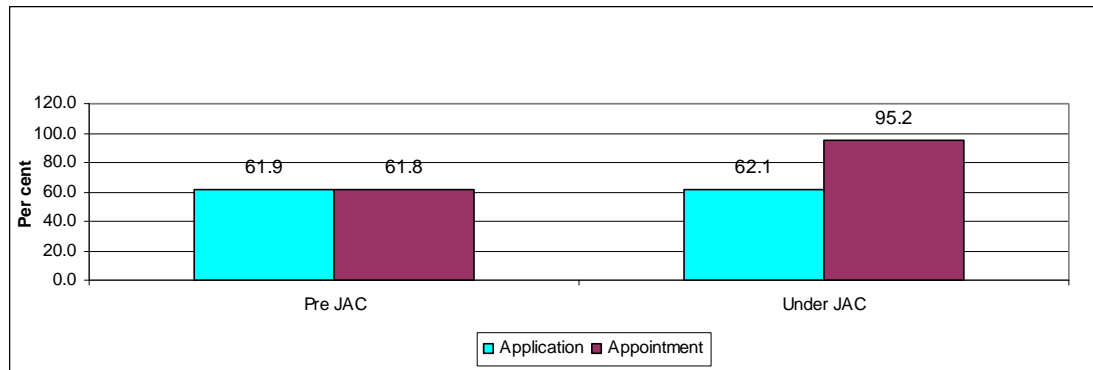
7. District Judge (Magistrates' Courts)

There were five District Judge (Magistrates' Courts) selection exercises in the pre JAC period which attracted a total of 431 applicants and a total of 55 appointments and one selection exercise under the JAC which attracted a total of 161 applicants and a total of 21 recommendations for appointment.

Chart 7.1 shows that the percentage of solicitors applying was almost equal in the selection exercise run by the JAC to those run before the creation of JAC. However, the percentage of solicitor appointees within the professional background was nearly 95% in the JAC run selection exercise compared with nearly 62% in pre JAC selection exercises. This difference is statistically significant.

While the percentage of solicitors appointed was equal to the percentage that applied in all pre JAC selection exercises, in JAC run selection exercises the percentage of solicitors appointed was higher than the percentage who applied.

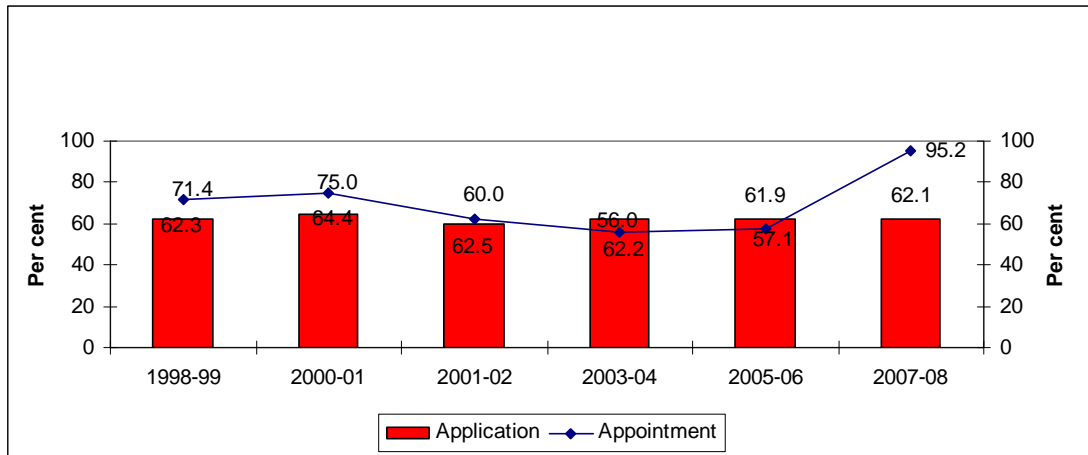
Chart 7.1: Proportion of solicitors applying and appointed as a District Judge (Magistrates' Courts) before and since the creation of the JAC, 1998-99 to 2008-09



The trends in **Chart 7.2** show that over the period there has been fluctuation, but overall a small decrease in the proportion of solicitor applicants applying. The proportion of solicitor appointees was fairly steady between 1998-99 and 2005-06 but showed a rapid increase in 2007-08 (**Table 7**).

Chart 7.2: Trend of solicitors applying and appointed for the District Judge (Magistrates' Court), 1998-99 to 2007-08⁸

⁸ Exercises were not carried out: 1999-2000, 2002-03, 2004-05 and 2006-07



8. Deputy District Judge (Magistrates' Court)

There were four Deputy District Judge (Magistrates' Courts) selection exercises in the pre JAC period which attracted a total of 1,453 applicants and a total of 163 appointments and one selection exercise since the creation of JAC which attracted a total of 817 applicants and a total of 26 recommendations for appointment (**Table 8**).

Chart 8.1 shows that the percentage of solicitors who applied was almost equal in JAC run selection exercises and in pre JAC selection exercises. The percentage of solicitors recommended for appointment within the professional background as a Deputy District Judge (Magistrates' Courts) was 72% in JAC run selection exercises compared with 65% in the pre JAC period. In both periods, the percentage of solicitors appointed slightly exceeded the percentage of solicitors who applied (**Table 8**).

Chart 8.1: Proportion of solicitors applying and appointed for Deputy District Judge (Magistrates' Courts), before and since the creation of the JAC, 1998-99 to 2008-09

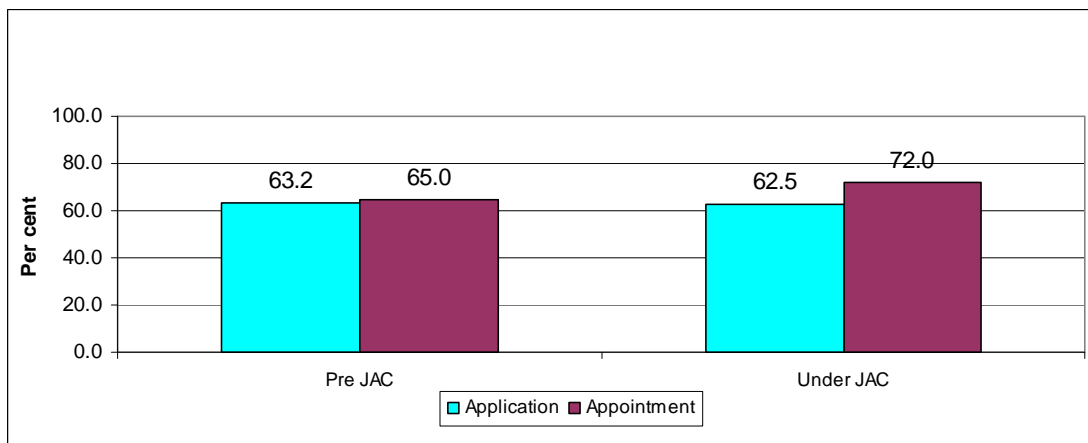
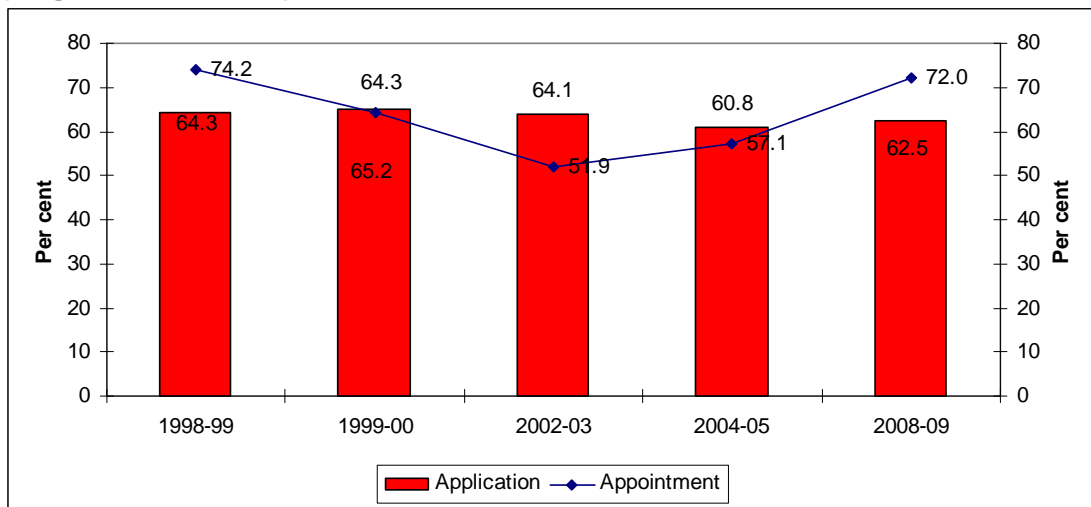


Chart 8.2 shows that over the two periods, solicitor applicants and appointments fluctuated slightly but generally remained steady over the period. The percentage of solicitor appointees showed a steady decrease between 1998-99 and 2002-03 and then an increase in 2003-04 before a decline in the last two selection exercises.

Chart 8.2: Trend of solicitors applying and appointed as Deputy District Judge (Magistrates' Courts), 1998-99 to 2008-09⁹



⁹ Exercises were not carried out: 2004-05 and 2006-07

9. Part-time Legal Member of the Mental Health Review Tribunal

There were four selection exercises for the Part-time Legal Member of the Mental Health Review Tribunal in the pre JAC period, which attracted a total of 745 applicants and a total of 164 appointments. One selection exercise took place under the JAC which attracted a total of 222 applicants and a total of 22 recommendations for appointment (**Table 9**).

Chart 9.1 shows that the percentage of solicitors applying within the professional background was nearly 64% in JAC run selection exercises compared with nearly 62% in all pre JAC selection exercises.

The percentage of solicitor appointees within the professional background was nearly 73% in JAC run selection exercises compared to nearly 62% in pre JAC selection exercises. The percentage of solicitors appointed in JAC run selection exercises exceeded the percentage of solicitors who applied. The percentage of solicitors appointed in pre JAC selection exercises was equal to the percentage of solicitors that applied (**Table 9**).

Chart 9.1: Proportion of solicitors applying and appointed as Part Time Legal Member of the Mental Health Review Tribunal before and since the creation of the JAC, 1998-99 to 2008-09

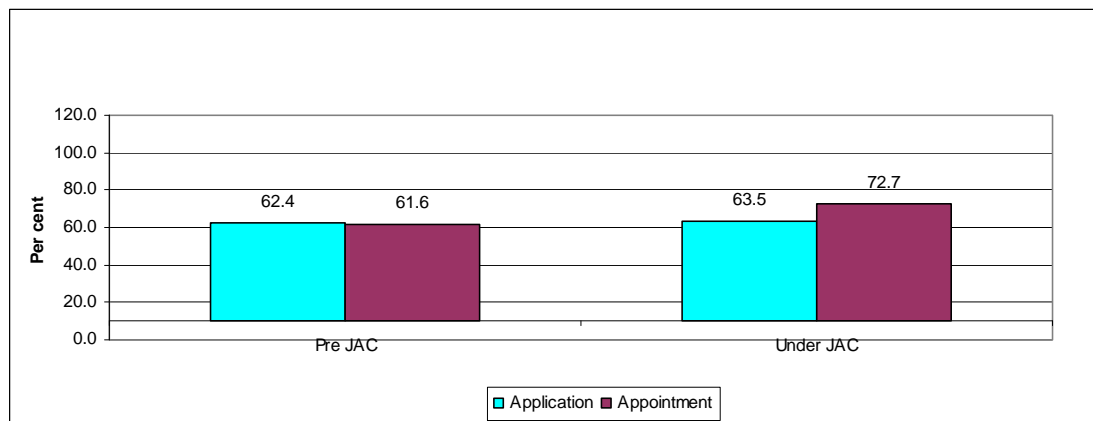
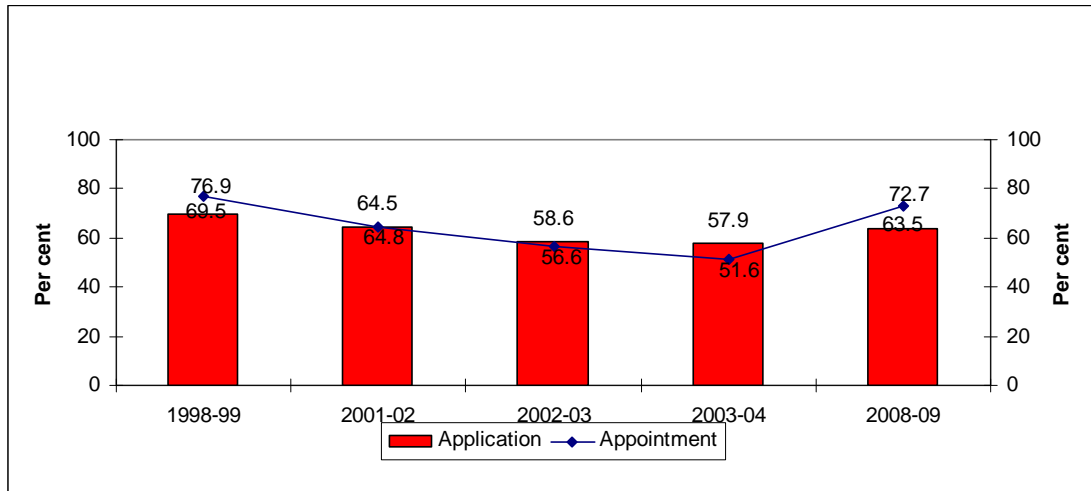


Chart 9.2 shows that the proportion of solicitors applying and the proportion appointed to part-time legal posts in the MHRT showed a steady decrease between 1998-99 and 2003-04 and an increase from 2003-04.

Chart 9.2: Trend of solicitors applying and appointed as Part Time Legal Member of the Mental Health Review Tribunal, 1998-99 to 2008-09¹⁰



¹⁰ Exercises were not carried out: 1999-00, 2000-01, 2004-05, 2005-06, 2006-07 and 2007-08

10. Senior/Designated Immigration Judge/Adjudicator (Senior Judge), Asylum and Immigration Tribunal

A total of six selection exercises were completed in the pre JAC period attracting, a total of 480 applicants and a total of 193 appointments. One selection exercise was completed under the JAC which attracted a total of 114 applicants and a total of 15 appointments were recommended for appointment (**Table 10**).

Chart 10.1 shows that the proportion of solicitors applying within the professional background was nearly 52% in pre JAC selection exercises compared with 44% in the JAC run selection exercise (**Table 10**). It also shows that the percentage of solicitor appointees was nearly 25% in pre JAC selection exercises compared with nearly 13% in the JAC run selection exercise.

Chart 10.1: Proportion of solicitors applying and appointed as a Senior Judge of the AIT before and since the creation of the JAC, 1998-99 to 2008-09

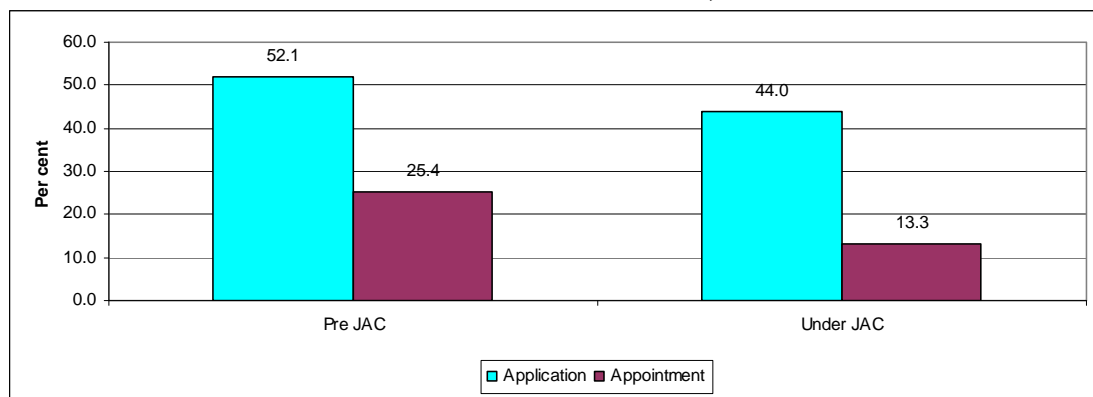
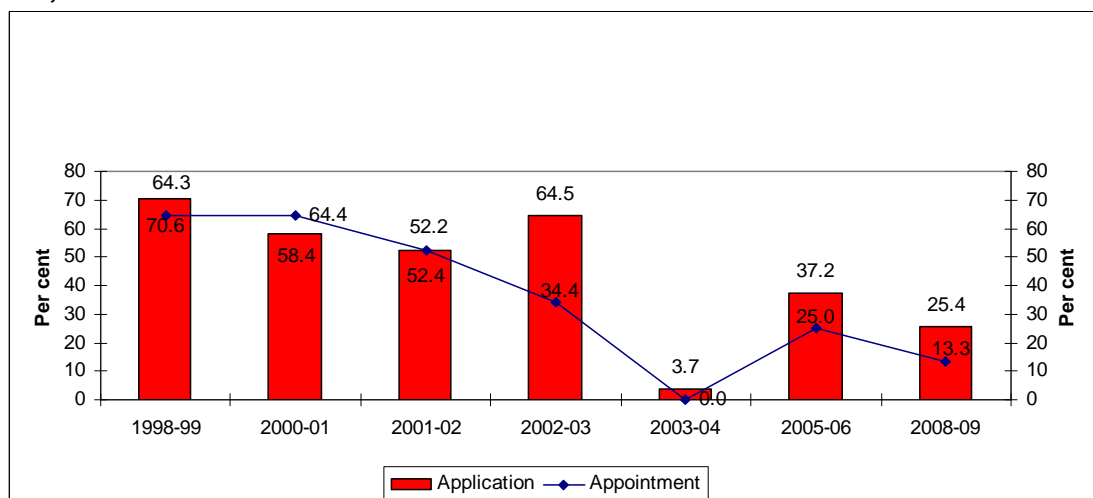


Chart 10.2 shows that the proportion of solicitors applying for Senior Judge fluctuated throughout the period, with the lowest percentage in 2003/04. The proportion of solicitor appointments was steadily downward, with no appointments in 2003-04.

Chart 10.2: Trend of solicitors applying and appointed as a Senior Judge of the AIT, 1998-99 to 2008-09¹¹



¹¹ Exercises were not carried out: 1999-00, 2004-05, 2006-07 and 2007-08

11. Salaried Chairman/Judge of the Employment Tribunal

There were seven selection exercises for the Salaried Chairman of the Employment Tribunal in the pre JAC period which attracted a total of 237 applicants and a total of 69 appointments. And there was one selection exercise since the creation of the JAC which attracted a total of 59 applicants and a total of 17 recommendations for appointment (**Table 11**).

Chart 11.1 shows that the percentage of applicants within the professional background group who were solicitors was nearly 65% in pre JAC selection exercises compared with nearly 63% in the JAC run selection exercise, although the difference is not statistically significant (**Table 11**). However, the percentage of solicitor appointees was nearly 82% in the JAC run selection exercise compared to nearly 54% in pre JAC selection exercises. The difference is statistically significant. The percentage of solicitors appointed exceeded the percentage of solicitors who applied in the JAC period but not in the pre JAC period.

Chart 11.1: Proportion of solicitors applying and appointed as a Chairman/Judge of the Employment Tribunal before and since the creation of the JAC, 1998-99 to 2008-09

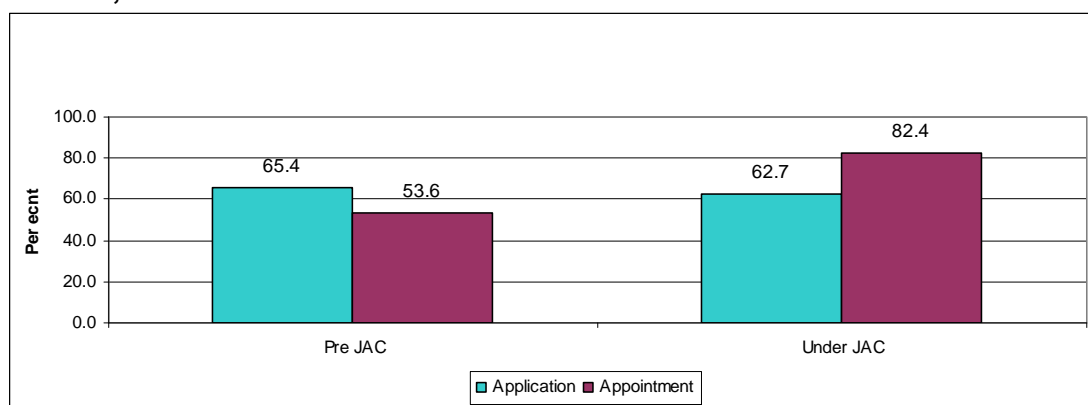
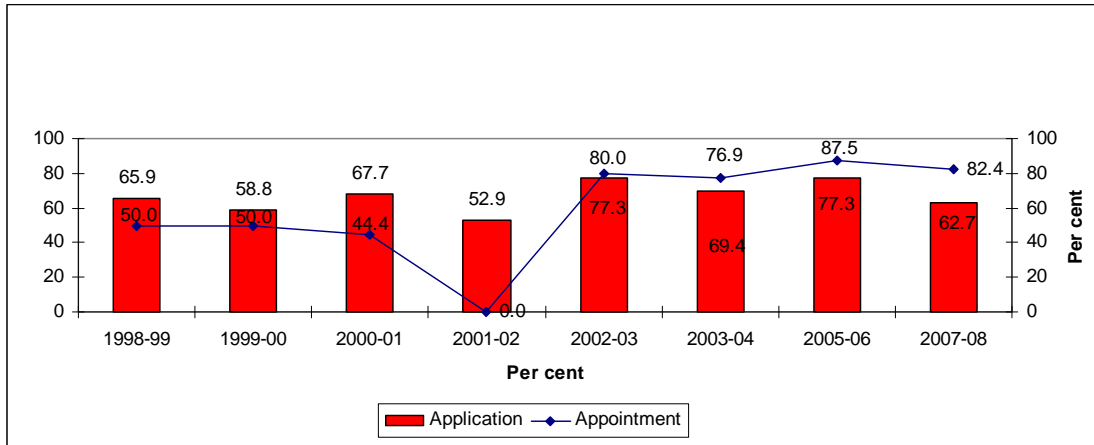


Chart 11.2 shows that the proportion of solicitors applying for full-time or salaried chairman of the Employment Tribunal fluctuated between 1998-99 and 2008-09. The proportion of solicitor appointees was steadily downward between 1998-99 and 2001-02 and then increased between 2002-03 and 2008-09.

Chart 11.2: Trend of solicitors applying and appointed as a Chairman/Judge of the Employment Tribunal, 1998-99 to 2008-09¹²



¹² Exercises were not carried out: 2004-05 and 2006-07

12. Legal member of the Social Security and Child Support Appeals Tribunal (SSCSAT) (or the Appeals Service or Appeals Tribunal)

There were five completed selection exercises in the pre JAC period which attracted a total of 489 applicants and a total of 121 appointments; and one selection exercise under the JAC that attracted a total of 187 applicants and 10 recommendations for appointment (**Table 12**).

Chart 12.1 shows that the percentage of applicants within the professional background group, who were solicitors, was nearly 77% in pre JAC selection exercises, compared with 79% in the JAC run selection exercise (**Table 12**).

The percentage of solicitors appointed was 71% of all appointees within the professional background group in pre JAC selection exercises compared to 30% (3) in the one exercise under the JAC (the number of appointments from the exercise under the JAC was small, therefore caution needs to be exercised in drawing too many conclusions from the percentage).¹³ The percentage of solicitor appointees was less than the percentage of solicitors who applied in both periods – more so in the JAC run selection exercise.

Table 12 shows a progressive increase in the proportion of solicitors applying between 2000-01 and 2002-03 and a downward trend in the last two exercises. The trends in solicitor appointments show a decrease until 2000-01 before an increase in 2002-03 and then a steadily downward trend in the last two exercises.

¹³ The then Lord Chancellor was required to constitute new panels to act as members of, and experts to, appeal tribunals within the newly unified Appeals Service, which was set up as a shadow unit from April 1999 and formally launched in April 2000. This accounts for the unusual high numbers seen for 2000.

Annex A: Background

Historically, the Lord Chancellor made appointments (or recommended appointments to the Sovereign) for all posts in the High Court and below. Heads of Division, Law Lords and Judges of the Court of Appeal were appointed by the Sovereign on the advice of the Prime Minister, who in turn was advised by the Lord Chancellor.

Since 1998, the processes for judicial selection have changed remarkably. Until 1997, appointments were made to the High Court by invitation only, and for many judicial posts only barristers could apply. The first Judicial Appointments Annual Report was produced in 1999, enabling trends on judicial appointments to be tracked. In the same year the question on the judicial application form regarding sexual orientation was removed. In 2002 the minimum age requirement for judicial office of 35 was removed. In 2003 assessment centres were set up for some appointments.

The Lord Chancellor appointed judges on merit, based on the following criteria:

- legal knowledge and experience
- intellectual and analytical ability
- sound judgment
- decisiveness
- communication and listening skills
- authority and case management skills
- integrity and independence
- fairness and impartiality
- understanding of people and society
- maturity and sound temperament
- courtesy
- commitment, conscientiousness and diligence

From 2001 to 2006, the Commission for Judicial Appointments maintained oversight of the appointments process. It had access to all papers relating to appointments and its officials could observe any candidate assessment.

Nevertheless, it should be stressed that although judicial posts were increasingly advertised, and although interviews and role plays began to be used, these were carried out by the Lord Chancellor's officials. The sole authority for appointing or recommending judges for appointment for the High Court or below rested with the Lord Chancellor. He had absolute discretion in determining who the most meritorious candidates were, and appointing them to or recommending them for judicial office.

In 2005 the Constitutional Reform Act established the Judicial Appointments Commission which began work in April 2006. The JAC is an independent body made up of 15 Commissioners, some judicial, some lay, which makes recommendations to the Lord Chancellor for all appointments up to and including Heads of Division. The process for selecting Heads of Division and Lord Justices of Appeal is set out in the Constitutional Reform Act. The JAC is able to devise its own processes for selections for the High Court and below.

The Judicial Appointments Commission (JAC) was created by the Constitutional Reform Act 2005 and began work in April 2006. It selects candidates for judicial office through fair and open competition. It is responsible for making appointment recommendations to the Lord Chancellor. Its statutory responsibilities are:

- to select candidates solely on merit;
- to select only people of good character; and
- to have regard to the need to encourage diversity in the range of persons available for judicial selection.

Merit is assessed through the demonstration of five qualities and abilities, under the following headings:

- Intellectual capacity
- Personal qualities
- An ability to understand and deal fairly
- Authority and communication skills
- Efficiency

The selection process includes self assessment, references, and statutory consultation. For larger exercises a qualifying test is often used as a short listing tool. Shortlisted candidates are invited to a selection day which includes an interview and for entry level posts, often a role play. Full details of the selection process can be found on the JAC website, judicialappointments.gov.uk

The most significant change brought by the creation of the JAC has been that the Lord Chancellor asks the JAC to recommend a certain number of candidates for appointment. The JAC sends one name per vacancy. The Lord Chancellor can then accept, reject or ask for the JAC to reconsider a recommendation. Appointments therefore continue to lie with the Lord Chancellor, but his discretion is heavily curtailed. It is important to note that all figures before the JAC was established refer to appointments, and since the creation of the JAC to selections, 'appointments' to cover the whole period, when used, is got the sake of brevity only.

Since the creation of the JAC there have continued to be changes. For example, the Tribunal, Courts and Enforcement Act 2007 reduced the number of years of experience required for a candidate to be eligible to apply for certain posts. Years of experience for some posts have gone down from 10 years to seven years and some from seven years to five years. The implication of these changes is that year to year comparison can be distorted.

The report covers judicial posts in which JAC has at least completed one selection exercise since its creation. The completed exercises covered are:

- High Court Judge
- Circuit Judge
- Recorder, Northern, North Eastern and Wales Circuits
- Recorder, Midland Circuit
- District Judge
- Deputy District Judge
- District Judge (Magistrates' Courts)
- Deputy District Judge (Magistrates' Courts)
- Part-time Legal member of the Mental Health Review Tribunal
- Senior/Designated Immigration Judge/Adjudicator, Asylum and Immigration Tribunal
- Chairman/Judge of the Employment Tribunals
- Legal member of the Social Security and Child Support Appeals Tribunal (or the Appeals Service or Appeals Tribunal)

Annex B: Data sources and data quality

This annex gives brief details of data sources for the figures in this report. Further information can be found in the archive DCA website:

<http://www.dca.gov.uk/dept/depstrat.htm#part3> and the JAC website:

<http://www.judicialappointments.gov.uk/about-jac/823.html>.

Pre JAC

Pre JAC (1998-99 to 2006-07) refers to all completed appointment exercises under the Lord Chancellor's Department and the DCA. All the information in Pre-JAC has principally been produced using data on completed and published judicial appointments by the DCA. Statistical quality assurance procedures included the identification of any duplicate entries for the same exercise because of change of names of the posts and making sure that a particular exercise has been conducted by JAC.

Post JAC

Post JAC (2007-08 to present) refers to all completed exercises since the creation of JAC. Similar to the information used for the DCA, all statistics in the post JAC used data on completed and published selection exercises. Quality assurance measures include ensuring that comparable exercises are used throughout.

The statistics in this report relate to completed and published selection exercises before the establishment of JAC and since the creation of JAC in England and Wales. It covers exercises conducted between 1998 and 2008.

The first bulletin on women and black, and minority ethnic applicants, covering pre and post JAC time periods, was published by the MoJ and JAC earlier this year. This second publication is likely to be the last in the series.

Revisions

The statistics for this second bulletin are based on published data, and will therefore reflect inaccuracies that may be within the original data source. Therefore, any revisions to the statistics for this bulletin are not foreseeable.

Symbols and conventions

n/a = Not available or not applicable

0 = Nil

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General information about the JAC is available from:

judicialappointments.gov.uk

Annex C: Statistical digest of Judicial appointments of solicitors from 1998-99 to 2008-09

Full supporting tables

Table 1

High Court Judge

	Applicants					Appointments/recommendations										Other/ unknown			
	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH*	%JOH	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC		%QC	JOH	%JOH
1998-99	87	3	3.4	1	1.1	40	45.9	43	49.4	4	0	0.0	0	0.0	4	100.0	0	0.0	n/a
2000-01	59	2	3.4	2	3.4	47	79.6	8	13.5	7	0	0.0	0	0.0	6	85.7	1	14.2	n/a
2001-02 ¹										4	2	50.0	0	0.0	0	0.0	2	50.0	n/a
2002-03 ¹										6	0	0.0	0	0.0	4	66.7	2	33.3	n/a
2003-04										10	0	0.0	0	0.0	8	80.0	2	20.0	n/a
2004-05 ¹										11	0	0.0	0	0.0	0	0.0	11	100.0	n/a
2005-06	129	3	2.3	1	0.8	91	70.5	34	26.3	8	0	0.0	0	0.0	7	87.5	1	12.5	n/a
Overall Pre JAC figures	275	8	2.9%	4	1.5%	178	64.7%	85	30.9%	50	2	4.0%	0	0.0%	29	58.0%	19	38.0%	n/a
															0				
2007-08	144	94	65.2	7	4.8	n/a	n/a	43	29.8	21	16	76.2	0	0.0	n/a	n/a	5	23.8	0
2008-09	129	85	65.9	11	8.5	n/a	n/a	33	25.6	22	20	90.9	0	0.0	n/a	n/a	2	9.0	0.0
Overall JAC figures	273	179	65.6%	18	6.6%	n/a	n/a	76	27.8%	43	36	83.7%	0	0	n/a	n/a	7	16.3%	0.0%

* Other are classified as Judicial Office Holders(JOH) in all pre JAC selection exercises and there are no unknown¹

¹ For some years an exercise was not conducted, as appointments were made from the list of those identified as appointable in the previous exercise

Table 2

Circuit Judge

	Applicants									Appointments/recommendations									%Other/ unknown
	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH*	%JOH	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	
1998-99	145	81	55.8	22	15.2	12	8.3	30	20.7	15	5	33.3	1	6.6	8	53.3	1	6.6	n/a
1999-00	179	93	51.9	35	19.5	18	10.0	33	18.4	31	13	41.9	4	12.9	11	35.5	3	9.7	n/a
2000-01	224	122	54.5	33	14.7	35	15.6	34	15.2	72	35	48.6	13	18.0	22	30.5	2	2.8	n/a
2001-02	231	123	53.2	21	9.0	41	17.7	46	19.9	20	7	35.0	1	5.0	6	30.0	6	30.0	n/a
2003-04	207	117	56.5	20	9.7	28	13.5	42	20.2	35	20	57.1	2	5.7	11	31.4	4	11.4	n/a
2004-05	122	76	62.3	8	6.5	25	20.4	12	9.8	7	2	28.6	0	0.0	4	57.1	1	14.3	n/a
2005-06	248	150	60.5	24	9.8	30	12.1	44	17.7	31	14	45.2	1	3.2	13	41.9	3	9.7	n/a
Overall Pre JAC figures	1,356	762	56.2%	163	12.0%	189	13.9%	241	17.8%	211	96	45.5%	22	10.4%	75	35.5%	20	9.5%	n/a
2007-08	304	204	67.1	37	18.1	n/a	n/a	63	20.7	102	87	85.3	6	5.9	n/a	n/a	9	8.8	0
2008-09	337	200	59.3	40	11.8	n/a	n/a	79	23.4	82	67	81.7	5	6.1	n/a	n/a	10	12.2	1.9
Overall JAC figures	641	404	63.0%	77	12.0%	n/a	n/a	142	22.2%	184	154	83.7%	11	6.0%	n/a	n/a	19	10.3%	1.9%

* Other are classified as Judicial Office Holders(JOH) in all pre JAC selection exercises and there are no unknown!

Table 3

**Recorders
Northern, NE, Wales**

	Applicants										Appointments/recommendations									
	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	%Other/ unknown	
1998-99	179	135	75.4	26	14.5	2	1.1	16	8.9	45	40	88.9	3	6.7	1	2.2	1	2.2	n/a	
1999-00	163	125	76.7	18	11.0	3	1.8	17	10.4	33	31	93.9	0	0.0	2	6.0	0	0.0	n/a	
2000-01	174	135	77.6	21	12.1	4	2.3	14	8.0	24	14	58.3	3	12.5	4	16.7	3	12.5	n/a	
2001-02	127	92	72.4	16	12.6	5	3.9	14	11.0	42	30	71.4	2	4.8	4	9.5	6	14.3	n/a	
2002-03	152	104	68.4	31	20.4	2	1.3	15	9.9	25	23	92.0	1	4.0	0	0.0	1	4.0	n/a	
2004-05	166	121	72.9	22	13.3	3	1.8	20	12.0	44	37	84.0	1	2.3	2	4.5	4	9.1	n/a	
Overall Pre JAC figures	961	712	74.1	134	13.9%	19	2.0%	96	10.0%	213	175	82.2%	10	4.7%	13	6.1%	15	7.0%	n/a	
2008-09	433	301	69.5%	89	20.6%	n/a	n/a	35	8.1%	76	64	84.2%	7	9.2	n/a	n/a	4	5.3	1.3	
Overall JAC figures	433	301	69.5%	89	20.6%	n/a	n/a	35	8.1%	76	64	84.2%	7	9.2%	n/a	n/a	4	5.3%	1.3%	

* Other are classified as Judicial Office Holders(JOH) in all pre JAC selection exercises and there are no unknown!

Table 4

**Recorders
Midland**

	Applicants										Appointments/recommendations									
	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	%Other/ unknown	
1998-99	123	89	72.4	23	18.7	5	4.1	6	4.9	12	10	83.3	1	8.3	0	0.0	1	8.3	n/a	
1999-00	118	92	77.9	16	13.6	4	3.6%	6	5.1	10	7	70.0	1	10.0	1	10.0	1	10.0	n/a	
2000-01	109	88	80.7	14	12.8	1	0.9%	6	5.5	21	19	90.5	1	4.8	0	0.0	1	4.7	n/a	
2001-02	87	66	75.8	13	14.9	4	4.7%	4	4.6	23	18	78.3	2	8.7	2	8.7	1	4.3	n/a	
2002-03	82	56	68.2	13	15.8	4	4.9%	9	10.9	15	8	53.3	1	6.7	6	40.0	0	0.0	n/a	
2004-05	103	81	78.6	9	8.7	2	1.9%	11	10.7	30	27	90.0	1	3.3	1	3.3	1	3.3	n/a	
Overall Pre JAC figures	622	472	75.9%	88	14.1%	20	3.2%	42	6.8%	111	89	80.2%	7	6.3%	10	9.0%	5	4.5%	n/a	
2008-09	366	249	68.0	67	18.3	n/a	n/a	23	6.3	66	53	80.3	5	7.6	n/a	n/a	4	6.1	4.5%	
Overall JAC figures	366	249	68.0%	67	18.3%	n/a	n/a	23	6.3%	66	53	80.3%	5	7.6%	n/a	n/a	4	6.1%	4.5%	

* Other are classified as Judicial Office Holders(JOH) in all pre JAC selection exercises and there are no unknown!

Table 5

District Judges

	Applicants									Appointments/recommendations									%Other/ unknown
	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	
1998-99	323	15	4.6	308	95.4	0	0.0	0	0.0	42	3	7.1	39	92.8	0	0.0	0	0.0	0
1999-00	200	11	5.5	188	94.0	0	0.0	1	0.5	26	3	11.5	23	88.5	0	0.0	0	0.0	0
2000-01	194	17	8.7	177	91.2	0	0.0	0	0.0	22	4	18.2	18	81.8	0	0.0	0	0.0	0
2002-03	241	25	10.4	216	89.6	0	0.0	0	0.0	15	0	0.0	15	100.0	0	0.0	0	0.0	0
2005-06	248	42	16.9	204	82.2	0	0.0	2	0.8	26	4	15.4	22	84.6	0	0.0	0	0.0	0
Overall Pre JAC figures	1,206	110	9.1%	1093	90.6%	0	0.0%	3	0.2%	131	14	10.7%	117	89.3%	0	0.0%	0	0.0%	0
2007-08	264	57	21.6	204	77.3	n/a	n/a	3	1.1	59	18	30.5%	40	67.8%	n/a	n/a	1	1.7%	0
Overall JAC figures	264	57	21.6%	204	77.3%	n/a	n/a	3	1.1%	59	18	30.5%	40	67.8%	n/a	n/a	1	1.7%	0

* Other are classified as Judicial Office Holders(JOH) in all pre JAC selection exercises and there are no unknown'

Table 6

Deputy District Judges

	Applicants									Appointments/recommendations									%Other/ unknown
	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	
1998-99	450	54	12.0	396	88.0	0	0.0%	0	0.0	100	14	14.0%	86	86.9%	0	0.0	0	0.0	0
1999-00	425	64	15.1	359	84.5	0	0.0%	2	0.5	112	17	15.2%	94	89.5%	0	0.0	1	0.9	0
2000-01	330	79	23.9	251	76.1	0	0.0%	0	0.0	47	12	25.5%	35	77.8%	0	0.0	0	0.0	0
2001-02	313	71	22.7	241	77.0	0	0.0%	1	0.3	40	13	32.5%	27	69.2%	0	0.0	0	0.0	0
2002-03	349	86	24.6	262	75.1	0	0.0%	1	0.3	42	19	45.2%	23	56.1%	0	0.0	0	0.0	0
2003-04	429	71	16.5	356	83.0	0	0.0%	3	0.7	56	13	23.2%	43	78.2%	0	0.0	0	0.0	0
2005-06	421	91	21.6	326	77.4	0	0.0%	4	0.9	80	19	23.8%	60	76.9%	0	0.0	1	1.3	0
Overall Pre JAC figures	2,717	516	19.0%	2191	80.6%	0	0.0%	11	0.4%	477	107	22.4%	368	77.1%	0	0.0%	2	0.4%	0
2007-08	616	136	22.1	479	77.8	n/a	n/a	1	0.2	60	19	31.7%	41	68.3%	n/a	n/a	0	0.0	0
Overall JAC figures	616	136	22.1%	479	77.8%	n/a	n/a	1	0.2%	60	19	31.7%	41	68.3%	n/a	n/a	0	0.0%	0%

* Other are classified as Judicial Office Holders(JOH) in all pre JAC selection exercises and there are no unknown!

Table 7

District Judge (Magistrates' courts)

	Applicants									Appointments/recommendations									%other/ unknown
	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	
1998-99	53	20	37.7	33	62.3	0	0.0	0	0.0	7	2	28.6	5	71.4	0	0.0	0	0.0	0
2000-01	59	21	35.6	38	64.4	0	0.0	0	0.0	8	2	25.0	6	75.0	0	0.0	0	0.0	0
2001-02	95	36	37.9	57	60.0	0	0.0	2	2.1	8	3	37.5	5	62.5	0	0.0	0	0.0	0
2003-04	119	39	32.8	74	62.2	0	0.0	6	5.0	25	10	40.0	14	56.0	0	0.0	1	4.0	0
2005-06	105	34	32.4	65	61.9	0	0.0	6	5.7	7	3	42.9	4	57.1	0	0.0	0	0.0	0
Overall Pre JAC figures	431	150	34.8%	267	61.9%	0	0.0%	14	3.2%	55	20	36.4%	34	61.8%	0	0.0%	1	1.8%	0
2007-08	161	57	35.4	100	62.1	n/a	n/a	4	2.5	21	1	4.8	20	95.2	n/a	n/a	0	0.0	0
Overall JAC figures	161	57	35.4%	100	62.1%	n/a	n/a	4	2.5%	21	1	4.8%	20	95.2%	n/a	n/a	0	0.0%	0

* Other are classified as Judicial Office Holders(JOH) in all pre JAC selection exercises and there are no unknown'

Table 8

Deputy District Judge (Magistrates' Courts)

Applicants

Appointments/recommendations

	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	%Other\unknown
1998-99	277	99	35.7	178	64.3	0	0.0	0	0.0	66	17	25.8	49	74.2	0	0.0	0	0	0
1999-00	204	71	34.8	133	65.2	0	0.0	0	0.0	42	15	35.7	27	64.3	0	0.0	0.0	0.0	0.0
2002-03	482	170	35.3	309	64.1	0	0.0	3	0.6	27	12	44.4	14	51.9	0	0.0	1	3.7	0
2004-05	490	192	39.2	298	60.8	0	0.0	0	0.0	28	12	42.9	16	57.1	0	0.0	0	0	0
Overall Pre JAC figures	1,453	532	36.6%	918	63.2%	0	0.0%	3	0.0	163	56	34.4%	106	65.0%	0	0.0	1	0.6%	0
2008-09	817	221	27.1	511	62.5	n/a	n/a	9	1.1	26	6	23.1%	18	72.0%	n/a	n/a	0	0	7.7%
Overall JAC figures	817	221	27.1%	511	62.5%	n/a	n/a	9	1.1%	26	6	23.1%	18	72.0%	n/a	n/a	0	0	7.7%

* Other are classified as Judicial Office Holders(JOH) in all pre JAC selection exercises and there are no unknown'

Table 9

Part-time Legal Members of Mental Health Review Tribunals

	Applicants									Appointments/recommendations									Other/ unknown
	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	
1998-99	174	53	30.5	121	69.5	0	0.0	0	0.0	26	6	23.1	20	76.9	0	0	0	0.0	0
2001-02	186	62	33.3	120	64.5	0	0.0	4	2.2	54	17	31.5	35	64.8	0	0	2	3.7	0
2002-03	152	58	38.2	89	58.6	0	0.0	5	3.3	53	19	35.8	30	56.6	0	0	4	7.5	0
2003-04	233	93	39.9	135	57.9	0	0.0	5	2.1	31	15	48.4	16	51.6	0	0	0	0.0	0
Overall Pre JAC figures	745	266	35.7%	465	62.4%	0	0.0%	14	1.9%	164	57	34.8%	101	61.6%	0	0	6	3.7%	0
2008-09	222	53	23.9	141	63.5	n/a	n/a	7	3.2	22	4	18.2%	16	72.7%	n/a	n/a	0	0	9.0%
Overall JAC figures	222	53	23.9%	141	63.5%	n/a	n/a	7	3.2%	22	4	18.2%	16	72.7%	n/a	n/a	0	0	9.0%

* Other are classified as Judicial Office Holders(JOH) in all pre JAC selection exercises and there are no unknown*

Table 10

Senior/Designated Immigration Judge/Adjudicator, Asylum and Immigration Tribunal - Full time
Applicants **Appointments/recommendations**

	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	%other\unknown
1998-99	34	10	29.4	24	70.6	0	0.0	0	0	14	5	35.7	9	64.3	0	0	0	0.0	0
2000-01	77	31	40.3	45	58.4	0	0.0	1	1.3	45	16	35.6	29	64.4	0	0	0	0.0	0
2001-02	103	46	44.7	54	52.4	0	0.0	4	3.9	46	20	43.5	24	52.2	0	0	2	4.3	0
2002-03	169	57	33.7	109	64.5	0	0.0	3	1.8	64	7	10.9	22	34.4	0	0	35	54.7	0
2004-05	54	2	3.7	2	3.7	0	0.0	50	92.6	20	0	0.0	0	0.0	0	0	20	100.0	0
2005-06	43	13	30.2	16	37.2	0	0.0	14	32.6	4	0	0.0	1	25.0	0	0	3	75.0	0
Overall Pre JAC figures	480	159	33.1%	250	52.1%	0	0.0%	72	15.0%	193	48	24.9%	85	44.0%	0	0	60	31.1%	0
2008-09	114	29	25.4	29	25.4%	n/a	n/a	51	44.7	15	1	6.7%	2	13.3%	n/a	n/a	11	73.3	6.7
Overall JAC figures	114	29	25.4%	29	25.4%	n/a	n/a	51	44.7%	15	1	6.7%	2	13.3%	n/a	n/a	11	73.3%	6.7%

* Other are classified as Judicial Office Holders(JOH) in all pre JAC selection exercises and there are no unknown'

Table 11

Chairmen of the Employment Tribunals - Full time or Salaried

	Applicants									Appointments/recommendations									%other/ unknown
	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	
1998-99	41	14	34.1	27	65.9	0	0.0	0	0.0	6	3	50.0%	3	50.0%	0	0.0%	0	0.0%	0
1999-00	51	21	41.2	30	58.8	0	0.0	0	0.0	10	5	50.0%	5	50.0%	0	0.0%	0	0.0%	0
2000-01	31	10	32.3	21	67.7	0	0.0	0	0.0	9	5	55.6%	4	44.4%	0	0.0%	0	0.0%	0
2001-02	34	3	8.8	18	52.9	0	0.0	13	38.2	12	0	0.0%	0	0.0%	0	0.0%	12	100.0	0
2002-03	22	3	13.6	17	77.3	0	0.0	2	9.1	10	0	0.0%	8	80.0%	0	0.0%	2	20.0	0
2003-04	36	11	30.6	25	69.4	0	0.0	0	0.0	14	4	28.6%	10	76.9%	0	0.0%	0	0.0	0
2005-06	22	5	22.7	17	77.3	0	0.0	0	0.0	8	1	12.5%	7	87.5%	0	0.0%	0	0.0	0
Overall Pre JAC figures	237	67	28.3%	155	65.4%	0	0.0%	15	6.3%	69	18	26.1%	37	53.6%	0	0.0	14	20.3%	0
2007-08	59	21	35.6	37	62.7	n/a	n/a	1	1.7	17	3	17.6%	14	82.4%	n/a	n/a	0	0	0
Overall JAC figures	59	21	35.6%	37	62.7%	n/a	n/a	1	1.7%	17	3	17.6%	14	82.4%	n/a	n/a	0	0.0%	0

* Other are classified as Judicial Office Holders(JOH) in all pre JAC selection exercises and there are no unknown!

Table 12

Legal Members of SSCSAT or Appeals Tribunal / Service

	Applicants										Appointments/recommendations										Other/ unknown
	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH	Total	Barrister	%Barrister	Solicitor	%Solicitor	QC	%QC	JOH	%JOH			
2000-01	127	32	25.2	95	74.8	0	0.0	0	0	47	7	14.9%	40	85.1%	0	0	0	0	0		
2001-02	142	32	22.5	108	76.1	0	0.0	2	1.4	37	10	27.0%	26	76.5%	0	0	1	2.7	0		
2002-03	68	13	19.1	54	79.4	0	0.0	1	1.5	23	3	13.0%	20	87.0%	0	0	0	0	0		
2004-05	152	31	20.4	118	77.6	0	0.0	3	2.0	14	4	28.6%	10	71.4%	0	0	0	0	0		
Overall Pre JAC figures	489	108	22.1%	375	76.7%	0	0.0%	6	1.2%	121	24	19.8%	96	79.3%	0	0	1	0.8%	0		
2007-08	187	53	53	133	71.1	n/a	n/a	1	0.5	10	7	70.0%	3	30.0	0	0	0	0	0		
Overall JAC figures	187	53	28.3%	133	71.1%	n/a	n/a	2	1.1%	10	7	70.0%	3	30.0%	0	0.0%	0	0.0%	0		

* Other are classified as Judicial Office Holders(JOH) in all pre JAC selection exercises and there are no unknown'