

Analysis of the trends in the diversity of applications and recommendations made by the JAC

Background

The JAC is committed to improving judicial diversity and one of its key statutory duties is to have regard to the need to encourage diversity in the range of persons available for selection to the judiciary. The trends analysis helps the JAC identify progress over time.

This publication presents updated information regarding an analysis of the trends in the diversity of applications and recommendations made by the Judicial Appointments Commission (JAC). This analysis is designed to complement the Official Statistics. Much of the data presented in this bulletin comes from management information and has not been subject to the same level of quality assurance as results presented in Official Statistic bulletins.

The analysis compares the trends in the diversity of appointments prior to the formation of the JAC (exercises conducted between 1998 and 2006) to appointments made since the formation of the JAC (exercises conducted between 2007 and the end of March 2014).

Previous results are available in Annex A of *Judicial Selection and Recommendations for Appointment Statistics, October 2012 to March 2013* http://jac.judiciary.gov.uk/static/documents/Official_Statistics_June_2013.pdf and the same results were published again in *Judicial Selection and Recommendations for Appointment Statistics, April 2013 to September 2013* http://jac.judiciary.gov.uk/static/documents/JAC_publication_official_statistics_2013.pdf

Users should refer to those documents for a full description of the methodology and also to the *Glossary and Definitions and Measurement* paper for definitions of the terms used in this analysis <http://jac.judiciary.gov.uk/about-jac/diversity-data.htm>.

Tables A1-A3 show changes over time in the proportions of applicants and recommended candidates who were either; women; from a BAME background; or from a professional background of solicitor in a range of judicial posts.

Results since the JAC (2007 – 2014) was formed compared to results before the JAC (1998 – 2006):

Comparisons with the pre-JAC era can only be made for court results because of data availability.

Since the formation of JAC, compared to pre-JAC applications from women are significantly higher for all posts, and recommendations are significantly

higher for four of the seven posts, High Court Judge, District Judge (both Magistrates and Civil) and Recorder. The remaining posts also show increases but these do not meet tests of statistical significance.

Applications from BAME candidates are significantly higher post-JAC for all posts apart from High Court Judge. Recommendations are significantly higher for one post, District Judge (Civil). The remaining posts show increases in the proportion of candidates from a BAME background but they are not statistically significant.

Solicitor applications post-JAC are significantly lower for four out of seven posts, but are significantly higher for two posts High Court and Recorder which had comparatively low levels of applicants from Solicitors. Solicitor recommendations are significantly lower for three posts, and significantly higher for Recorder.

Results since the JAC was formed for court posts:

Applications from women are significantly higher for four posts, and recommendations are significantly higher for one post (District Judge Civil).

Applications for BAME candidates are significantly higher for one post (District Judge Civil) and recommendations show no significant changes.

Solicitor applications are significantly lower for three posts; Circuit Judge, District Judge (Civil); and Deputy District Judge (Civil). Recommendations are significantly lower for one post, District Judge (Magistrates).

Results since the JAC was formed for tribunal posts:

Applications from women are significantly up for first-tier salaried and first-tier fee-paid posts and for leadership, regional and upper tribunal posts when combined, with recommendations for women candidates increasing significantly for first-tier fee-paid and first-tier salaried posts.

Applications from BAME candidates are significantly up for first-tier salaried posts and for leadership, regional and upper tribunal posts when combined; there are no significant results for BAME tribunal recommendations. There is a general pattern of non-statistically significant falls in BAME recommendations for tribunal posts.

Solicitor applications are significantly up among the regional tribunal posts, upper tribunal fee-paid posts and when combined for leadership, regional and upper tribunal posts, but significantly down among salaried employment and first-tier fee-paid roles. Solicitor recommendations are significantly lower for first-tier salaried posts.

Table A1: changes over time in the proportion of applicants and recommendations who are women, by post

		Applications		Recommendations		KEY
		Compared to pre JAC	Within JAC	Compared to pre JAC	Within JAC	
Court Judiciary	High Court Judge	[Dark Green]	[Dark Green]	[Dark Green]	[Light Green]	Significant improvement Non-significant improvement No change Non-significant worsening Significant worsening Data not available
	Circuit Judge		[Light Green]	[Light Green]	[Light Green]	
	District Judge (magistrates)		[Dark Green]	[Dark Green]	[Dark Green]	
	District Judge (civil)		[Dark Green]	[Dark Green]	[Dark Green]	
	Deputy District Judge (mags)		[Light Green]	[Light Green]	[Light Green]	
	Deputy District Judge (civil)		[Light Green]	[Light Green]	[Yellow]	
	Recorder		[Light Green]	[Light Green]	[Light Green]	
Tribunal Judiciary	Leadership	[Grey]	[Yellow]	[Grey]	[Yellow]	
	Regional		[Yellow]	[Grey]	[Yellow]	
	Upper tribunal salaried		[Yellow]	[Grey]	[Yellow]	
	Upper tribunal fee-paid		[Light Green]	[Grey]	[Light Green]	
	Combined (leadership, regional and upper tribunal)		[Dark Green]	[Grey]	[Light Green]	
	Employment salaried		[Light Green]	[Grey]	[Light Green]	
	First-tier salaried		[Dark Green]	[Grey]	[Dark Green]	
	First-tier fee-paid		[Dark Green]	[Grey]	[Dark Green]	

Table A2: changes over time in the proportion of applicants and recommendations from a BAME background, by post

		Applications		Recommendations		KEY
		Compared to pre JAC	Within JAC	Compared to pre JAC	Within JAC	
Court Judiciary	High Court Judge	[Dark Green]	[Light Green]	[Light Green]	[Light Green]	Significant improvement Non-significant improvement No change Non-significant worsening Significant worsening Data not available
	Circuit Judge		[Light Green]	[Light Green]	[Light Green]	
	District Judge (magistrates)		[Dark Green]	[Dark Green]	[Dark Green]	
	District Judge (civil)		[Dark Green]	[Dark Green]	[Dark Green]	
	Deputy District Judge (mags)		[Light Green]	[Light Green]	[Light Green]	
	Deputy District Judge (civil)		[Light Green]	[Light Green]	[Light Green]	
	Recorder		[Light Green]	[Light Green]	[Light Green]	
Tribunal Judiciary	Leadership	[Grey]	[Light Green]	[Grey]	[Yellow]	
	Regional		[Light Green]	[Grey]	[Yellow]	
	Upper tribunal salaried		[Yellow]	[Grey]	[Yellow]	
	Upper tribunal fee-paid		[Yellow]	[Grey]	[Yellow]	
	Combined (leadership, regional and upper tribunal)		[Dark Green]	[Grey]	[Yellow]	
	Employment salaried		[Yellow]	[Grey]	[Yellow]	
	First-tier salaried		[Dark Green]	[Grey]	[Yellow]	
	First-tier fee-paid		[Light Green]	[Grey]	[Yellow]	

Table A3: changes over time in the proportion of applicants and recommendations from a professional background of solicitor, by post

		Applications		Recommendations		KEY
		Compared to pre JAC	Within JAC	Compared to pre JAC	Within JAC	
Court Judiciary	High Court Judge	Significant improvement	Non-significant improvement	Significant improvement	Non-significant improvement	
	Circuit Judge	Non-significant worsening	Non-significant worsening	Significant worsening	Non-significant worsening	
	District Judge (magistrates)	Significant worsening	Significant worsening	Significant worsening	Significant worsening	
	District Judge (civil)	Significant worsening	Significant worsening	Significant worsening	Significant worsening	
	Deputy District Judge (mags)	Significant worsening	Non-significant worsening	Significant worsening	Non-significant worsening	
	Deputy District Judge (civil)	Significant worsening	Non-significant worsening	Significant worsening	Non-significant worsening	
	Recorder	Significant improvement	Non-significant improvement	Significant improvement	Non-significant improvement	
Tribunal Judiciary	Leadership	Data not available	Non-significant worsening	Data not available	Non-significant worsening	
	Regional	Data not available	Significant improvement	Data not available	Significant improvement	
	Upper tribunal salaried	Data not available	Non-significant improvement	Data not available	Non-significant improvement	
	Upper tribunal fee-paid	Data not available	Significant improvement	Data not available	Non-significant worsening	
	Combined (leadership, regional and upper tribunal)	Data not available	Significant improvement	Data not available	Non-significant improvement	
	Employment salaried	Data not available	Significant worsening	Data not available	Significant worsening	
	First-tier salaried	Data not available	Non-significant worsening	Data not available	Significant worsening	
	First-tier fee-paid	Data not available	Significant worsening	Data not available	Non-significant worsening	

Figure A1: The proportion of applicants & recommendations to court positions who are women pre (1998 to 2006) and post (2007 to March 2014) JAC formation.

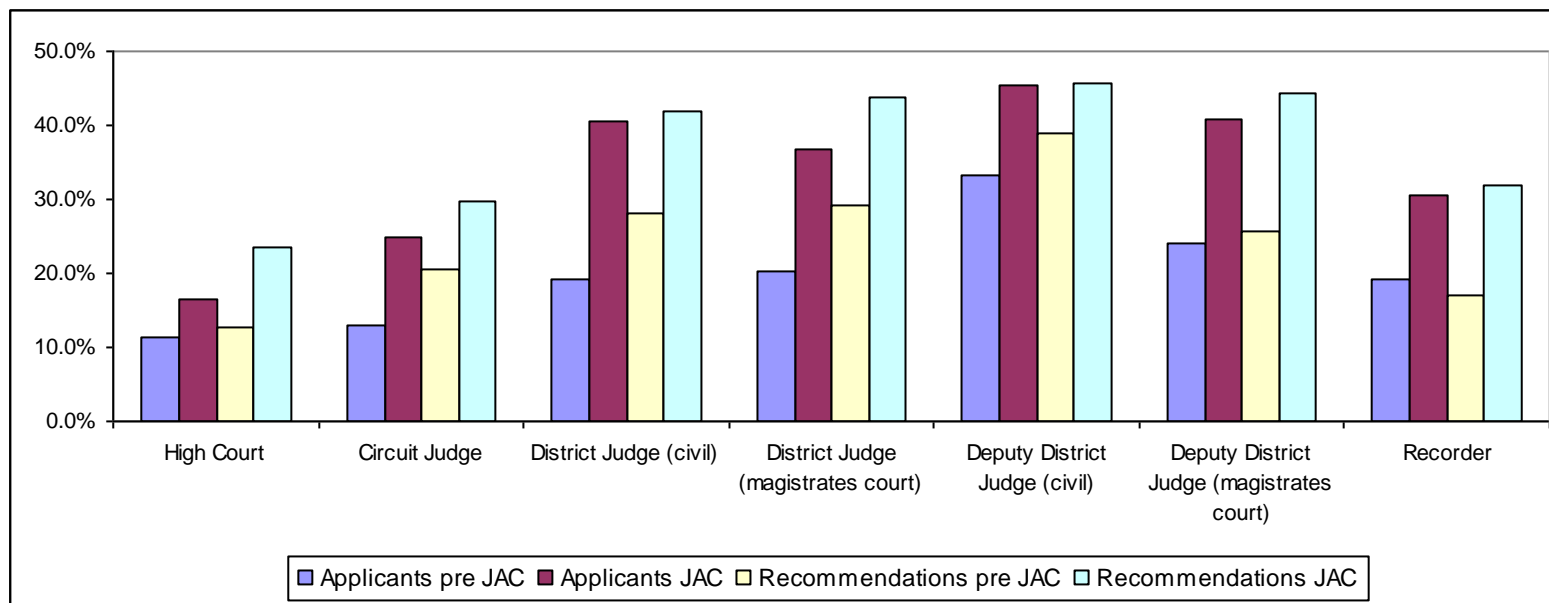


Table A4: The proportion of applicants to court positions who are women

	High Court	Circuit Judge	District Judge (civil)	District Judge (magistrates' courts)	Deputy District Judge (civil)	Deputy District Judge (magistrates' courts)	Recorder
Overall Pre JAC figure	11.3%	13.1%	19.3%	20.2%	33.2%	24.0%	19.3%
Overall JAC figures	16.4%	24.9%	40.5%	36.8%	45.3%	40.8%	30.6%

Table A5: The number of applicants to court positions who are women

	High Court	Circuit Judge	District Judge (civil)	District Judge (magistrates' courts)	Deputy District Judge (civil)	Deputy District Judge (magistrates' courts)	Recorder
Overall Pre JAC figure	31	176	233	87	901	349	297
Overall JAC figures	93	332	638	263	1443	932	1133

Table A6: The proportion of recommended candidates to court positions who are women

	High Court	Circuit Judge	District Judge (civil)	District Judge (magistrates' courts)	Deputy District Judge (civil)	Deputy District Judge (magistrates' courts)	Recorder
Overall Pre JAC figure	12.7%	20.5%	28.2%	29.1%	39.0%	25.8%	17.1%
Overall JAC figures	23.5%	29.8%	42.0%	43.9%	45.6%	44.4%	31.8%

Table A7: The number of recommended candidates to court positions who are women

	High Court	Circuit Judge	District Judge (civil)	District Judge (magistrates' courts)	Deputy District Judge (civil)	Deputy District Judge (magistrates' courts)	Recorder
Overall Pre JAC figure	7	43	37	16	186	42	44
Overall JAC figures	20	88	105	29	160	24	133

Figure A2: The proportion of applicants & recommendations to court positions from a BAME background pre (1998 to 2006) and post (2007 to March 2014) JAC formation.

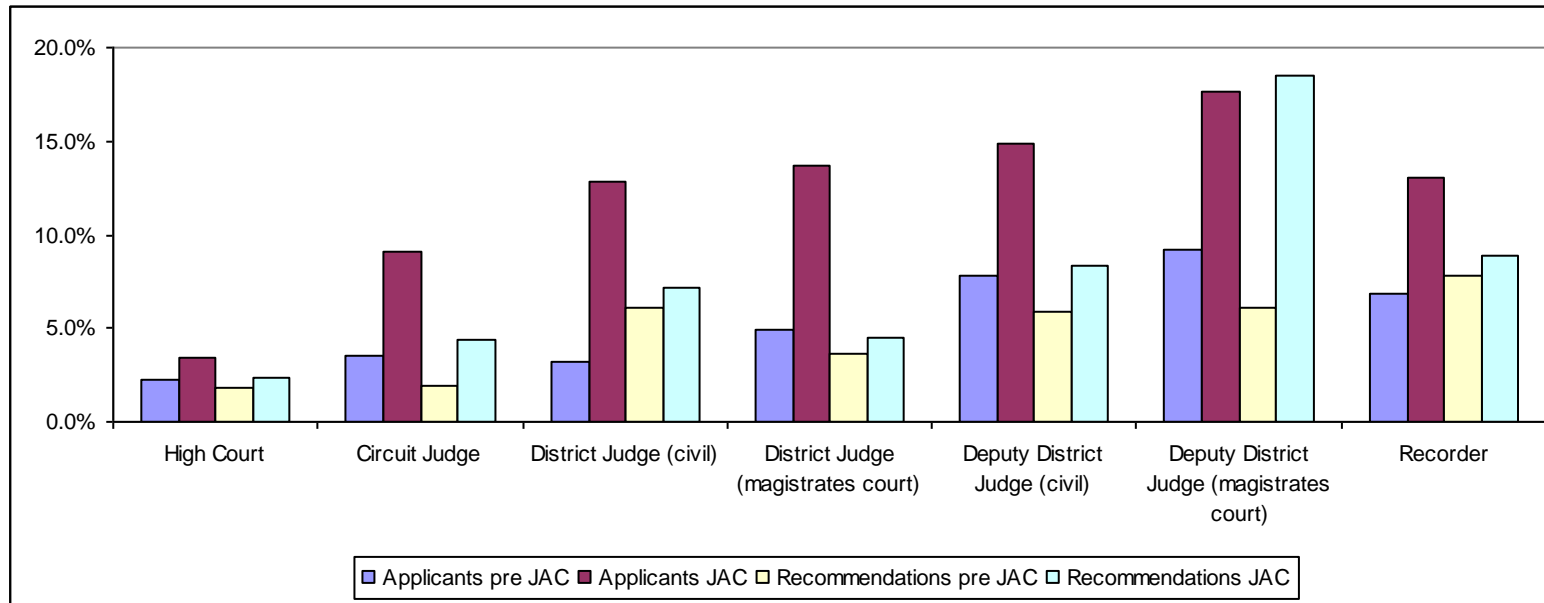


Table A8: The proportion of applicants to court positions from a BAME background

	High Court	Circuit Judge	District Judge (civil)	District Judge (magistrates' courts)	Deputy District Judge (civil)	Deputy District Judge (magistrates' courts)	Recorder
Overall Pre JAC figure	2.2%	3.5%	3.2%	4.9%	7.8%	9.2%	6.8%
Overall JAC figures	3.4%	9.1%	12.8%	13.7%	14.9%	17.7%	13.1%

Table A9: The number of applicants to court positions from a BAME background

	High Court	Circuit Judge	District Judge (civil)	District Judge (magistrates' courts)	Deputy District Judge (civil)	Deputy District Judge (magistrates' courts)	Recorder
Overall Pre JAC figure	6	47	39	21	211	134	104
Overall JAC figures	19	122	201	98	473	404	484

Table A10: The proportion of recommended candidates to court positions from a BAME background

	High Court	Circuit Judge	District Judge (civil)	District Judge (magistrates' courts)	Deputy District Judge (civil)	Deputy District Judge (magistrates' courts)	Recorder
Overall Pre JAC figure	1.8%	1.9%	6.1%	3.6%	5.9%	6.1%	7.8%
Overall JAC figures	2.4%	4.4%	7.2%	4.5%	8.3%	18.5%	8.9%

Table A11: The number of recommended candidates to court positions from a BAME background

	High Court	Circuit Judge	District Judge (civil)	District Judge (magistrates' courts)	Deputy District Judge (civil)	Deputy District Judge (magistrates' courts)	Recorder
Overall Pre JAC figure	1	4	8	2	28	10	20
Overall JAC figures	2	13	18	3	29	10	37

Figure A3: The proportion of applicants & recommendations to court positions who were solicitors pre (1998 to 2006) and post (2007 to March 2014) JAC formation.

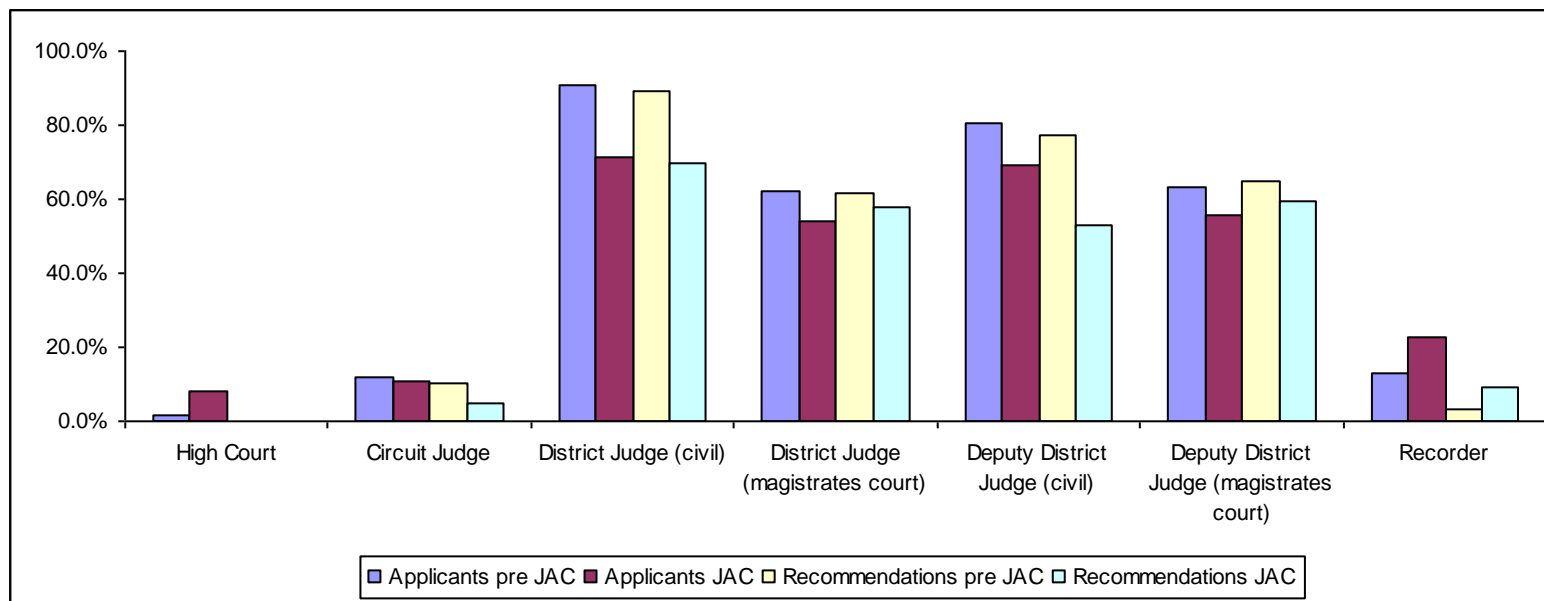


Table A12: The proportion of applicants to court positions who were solicitors

	High Court	Circuit Judge	District Judge (civil)	District Judge (magistrates' courts)	Deputy District Judge (civil)	Deputy District Judge (magistrates' courts)	Recorder
Overall Pre JAC figure	1.5%	12.1%	90.6%	61.9%	80.6%	63.2%	13.0%
Overall JAC figures	8.1%	10.6%	71.3%	53.8%	69.3%	55.5%	22.7%

Table A13: The number of applicants to court positions who were solicitors

	High Court	Circuit Judge	District Judge (civil)	District Judge (magistrates' courts)	Deputy District Judge (civil)	Deputy District Judge (magistrates' courts)	Recorder
Overall Pre JAC figure	4	163	1093	267	2191	918	200
Overall JAC figures	46	142	1122	385	2208	1268	842

Table A14: The proportion of recommended candidates to court positions who were solicitors

	High Court	Circuit Judge	District Judge (civil)	District Judge (magistrates' courts)	Deputy District Judge (civil)	Deputy District Judge (magistrates' courts)	Recorder
Overall Pre JAC figure	0.0%	10.5%	89.3%	61.8%	77.1%	65.0%	3.5%
Overall JAC figures	0.0%	4.7%	69.6%	57.6%	53.0%	59.3%	9.1%

Table A15: The number of recommended candidates to court positions who were solicitors

	High Court	Circuit Judge	District Judge (civil)	District Judge (magistrates' courts)	Deputy District Judge (civil)	Deputy District Judge (magistrates' courts)	Recorder
Overall Pre JAC figure	0	22	117	34	368	106	9
Overall JAC figures	0	14	174	38	186	32	38

Table A16: The proportion of applicants and recommended candidates to tribunal legal positions who were women, BAME and solicitors, by category of post

Post	Applications			Recommendations		
	Women	BAME	Solicitors	Women	BAME	Solicitors
Leadership	17.9%	8.9%	25.1%	10.5%	5.3%	10.5%
Regional	26.3%	8.4%	23.2%	43.5%	8.7%	13.0%
Upper salaried positions	33.3%	18.0%	30.2%	39.3%	7.1%	14.3%
Upper (feepaid)	37.1%	22.3%	30.1%	35.6%	11.9%	11.9%
Salaried employment Judge	45.1%	14.9%	58.4%	52.5%	8.5%	55.9%
First tier salaried positions	41.1%	21.2%	48.0%	47.9%	6.1%	41.8%
First tier fee-paid positions	43.7%	17.6%	59.7%	47.7%	7.7%	49.9%

Table A17: The number of applicants and recommended candidates to tribunal legal positions who were women, BAME and solicitors, by category of post

Post	Applications				Recommendations			
	Women	BAME	Solicitors	Total	Women	BAME	Solicitors	Total
Leadership	32	16	45	179	2	1	2	19
Regional	25	8	22	95	10	2	3	23
Upper salaried positions	74	40	67	222	11	2	4	28
Upper (feepaid)	200	120	162	539	21	7	7	59
Salaried employment Judge	115	38	149	255	31	5	33	59
First tier salaried positions	652	336	761	1,585	79	10	69	165
First tier fee-paid positions	2,905	1,169	3,965	6,643	348	56	364	729