

# **Statistics of completed selection exercises and recommendations for judicial appointment, showing diversity, April to September 2009**

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# Statistics of completed selection exercises and recommendations for judicial appointment, showing diversity, April-September 2009

## Introduction

- 1.1 This Judicial Appointments Commission (JAC) report 'Statistics of completed selection exercises and recommendations for judicial appointment, showing diversity, April-September 2009', presents a comprehensive set of statistics on the judicial selection process and recommendations covering all exercises completed from April to September 2009.
- 1.2 The report covers the progress of applicants at each stage of the selection process (eligible applications, shortlisting and recommendations for appointment). The report covers in detail the diversity of candidates at each stage.
- 1.3 This is the first presentation and analysis of detailed statistics of the JAC's selection process. The JAC intends to publish a statistical report of this type twice a year.
- 1.4 The main sources of data for details of candidates for this report were the Equitas database, which is maintained by the Ministry of Justice. This contains a record of all the completed selection exercises and data drawn from both the Application Form and the Application Monitoring Form.
- 1.5 The report also draws from The Law Society, Bar Council, and the Judicial Office publications to derive data on eligible pools. The data from the Judicial Office provides data on serving judicial office holders. Detailed references of all the sources used are given throughout.
- 1.6 These statistics cover the following completed selection exercises between April to September 2009:
  - Fee Paid Judge of Employment Tribunal (England and Wales)
  - Salaried Judge of the Employment Tribunal (England and Wales)
  - Salaried Judge of the First-tier Tribunal (Social Entitlement Chamber)
  - Grouped small selection exercises
  - Recorder (South Eastern Circuit)
- 1.7 Full tables are at **Annex A**. **Annex B** provides brief explanatory notes, along with a discussion of data sources.

## **Key Findings**

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

- There was greater gender diversity in applications received than in the eligible pool for the Fee Paid Judge of the Employment Tribunal (England and Wales) exercise. The proportion of BME's and barristers applying exceeded their representation in the eligible pool. The number of women as a percentage of all eligible women applying slightly exceeded the equivalent percentage of men, (0.7% and 0.6% respectively).
- A greater proportion of women who applied were shortlisted (14%) compared to around 11% of men. Nearly 13% of white applicants were shortlisted compared to 6% of BME applicants and around 14% of disabled applicants who applied were shortlisted compared with around 12% of non-disabled applicants.
- Nearly 6% of disabled applicants who applied were recommended for appointment compared to 6% of non-disabled applicants. A greater proportion of women who applied were recommended for appointment than men (8% and 4% respectively). However, a lower percentage of BME applicants who applied were recommended than white applicants (2.4% and 8.7% respectively).

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

- 3.5% of all those eligible applied for this post, nearly 36% were shortlisted and 21% were recommended for appointment and 56% of shortlisted candidates were recommended for appointment.
- Greater proportions of eligible applicants from under-represented groups (women, BME and solicitors) applied than men, barristers and white applicants. 7.2% of women, 12.8% of BME and 5.9% of solicitors applied, compared with 3.7% of white applicants, 2.4% of men and 1.2% of barristers.
- Recommendations for appointment compared to applications received show that a greater proportion of women (24.5%) were recommended than men (18%). 25% of barristers were recommended for appointment compared with 20% of solicitors.

## **Salaried Judge of the First-tier Tribunal (Social Entitlement Chamber)**

- 5.6% of all those eligible applied for this post, 16 % were shortlisted and half (50%) of shortlisted candidates were recommended for appointment and 8% of applications received were recommended for appointment.
- A greater proportion of women who applied were shortlisted (19%) than men (14%). 16% of disabled applicants were shortlisted compared to 13% of non-disabled applicants. 20% of solicitors who applied were shortlisted compared to 12% of barristers.
- A greater proportion of women were recommended for appointment than men (11% and 6% respectively). Recommendations in relation to the shortlist show a greater proportion of solicitors (55%) were recommended for appointment than barristers (20%).

## **Grouped small selection exercises**

- A total of 162 applications were received for the Grouped small selection exercises, of which 29% were shortlisted, and 10% of applicants were recommended for appointment.
- A greater proportion of women who applied were shortlisted (32%) compared to 28% of men who applied. However, the proportion of men recommended for appointment (12%) was greater than women (5%). 41% of barristers who applied were shortlisted compared to 22% of solicitors who applied. And greater proportion of barristers was recommended for appointment compared to solicitors.

## **Recorder (South Eastern Circuit)**

- A greater proportion of eligible BME applicants (2.6%) applied than white applicants (1%). 1% of applications were received from men and 1% from women. A greater proportion of barristers (5.6%) applied, compared to 0.4% of solicitors.
- 34% of applications received from men were shortlisted compared to 28% of applications from women. 34% of applications received from white applicants were shortlisted compared to 26% of applications received from BME applicants.
- A greater proportion of women (16%) were recommended for appointment than men (12%). 16% of barristers who applied were recommended for appointment compared to 7% of solicitors who applied. About the same proportion of non-disabled applicants (13%) were recommended for appointment as disabled applicants (12%).

## Full findings

### Fee Paid Judge of the Employment Tribunal (England and Wales)

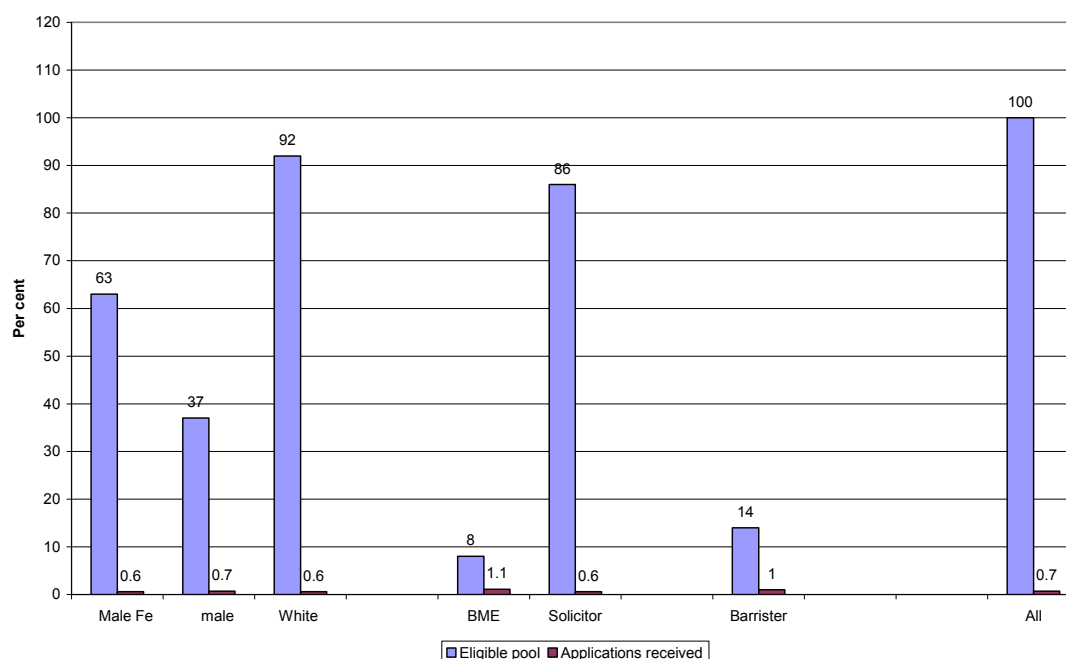
This section presents the composition of the applications received in relation to the eligible pool. Who applies for judicial appointment is the first key factor affecting diversity. If sufficient and diverse candidates do not apply then it will be difficult to increase recommendations from under-represented groups.

This section also presents the diversity of applicants broken down by gender, ethnicity, professional background and disability status and progress of candidates from application stage to recommendations for appointment for the Fee Paid Judge of the Employment Tribunal (England and Wales) exercises completed between April-September 2009.

#### 2.1 Applications received relative to the eligible pool of candidates

A total of 624 applications, equivalent to 0.7% of the eligible pool, were received from all eligible candidates.

**Figure 1: Composition of the eligible pool of candidates, and applications received as a proportion of the eligible pool, for the Fee Paid Judge of the Employment Tribunal (England and Wales) exercise**



Total: Eligible pool of candidates, 91,054, applications received, 624

Figure 1 shows that men comprised 63% and women 37% of the eligible pool of candidates. The proportion of applications received in relation to their eligibility was the same. Around 1% of men and 1% of women applied. The proportion of BME applicants in the pool within the ethnic groups is 7% compared to 93% of white applicants. Around 3% of BMEs applied for the Fee Paid Judge of the Employment Tribunal exercise. This is far greater than the

proportion of white applicants who applied (1%). The figure also indicates that a greater proportion of barristers applied compared to the proportion of solicitors. Solicitors made up 85% of the eligible pool but only 0.6% of those eligible applied, compared to barristers that made up only 15% of the eligible pool, of whom 1% applied. (Figure 1 Table 1).

## 2.2 Diversity of applications received, shortlist and recommendations for appointment

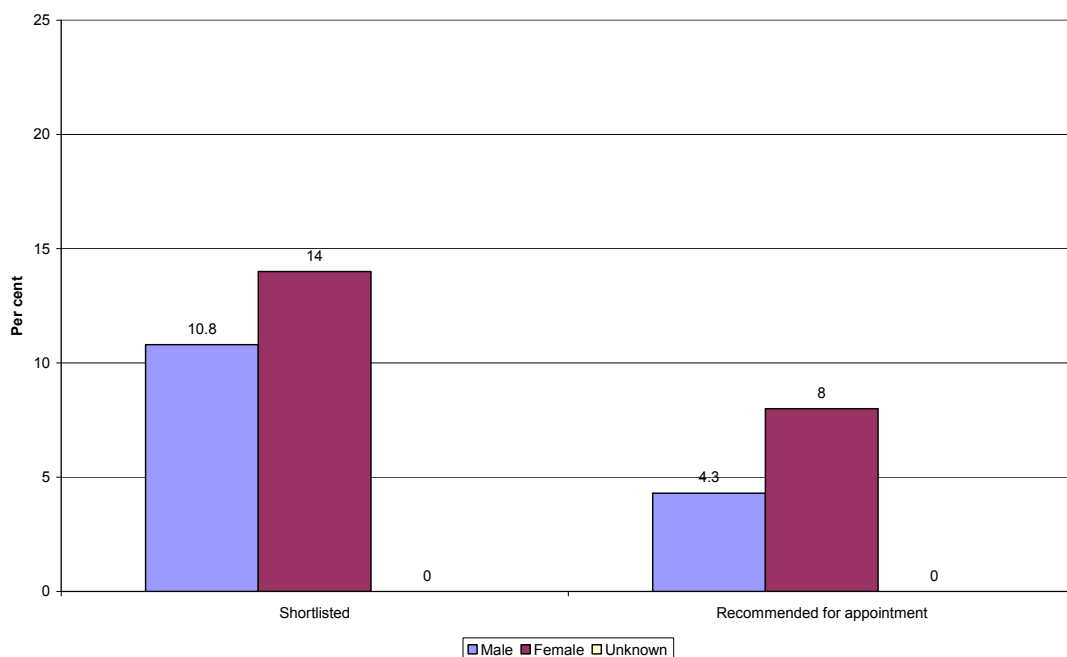
This section reports on diversity of applications received, shortlisted and recommendations for appointments between groups for the Fee Paid Legal Judge of the Employment Tribunal (England and Wales).

Of the 624 eligible applications received for the Fee Paid Judge of the Employment Tribunal (England and Wales), 75 (12.1%) were shortlisted and 35 (5.6%) recommended for appointment.

### Gender

Men comprised 59% and women 40% of the combined applications received for the exercise (1% of applications received were from applicants who failed to disclose their gender). Figure 2 shows the proportion of men and women shortlisted and recommended for appointments for the Fee Paid Judge of Employment Tribunal (England and Wales).

**Figure 2: Shortlisted applicants and recommendations for appointment as a proportion of applications received from male and female applicants**



Total: Number of shortlist, 75 and number of recommendations, 36

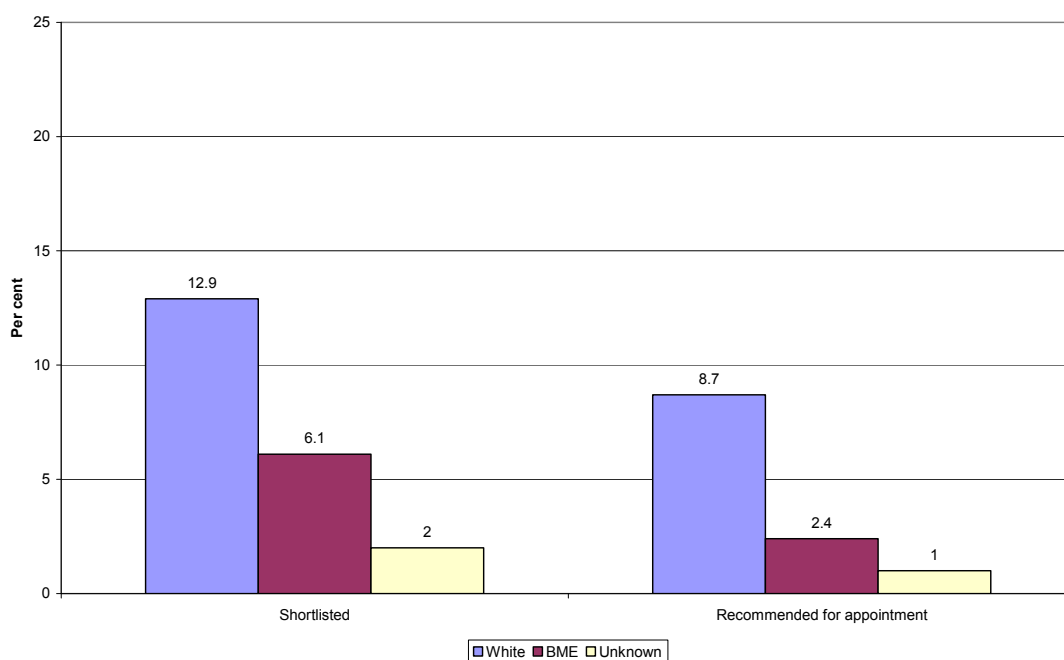
The proportion of women that applied and then were shortlisted exceeded the proportion of men. The percentages of applicants recommended for appointment as a proportion of applications received show that the percentage of women recommended exceeded men. Nearly 8% of women were recommended compared to around 4 percent of men (Tables 1.3 and 1.4).

## Ethnicity

White applicants made up 85% of applications received, with 13% of them coming from the BME applicants. Around 2% of applications received were from applicants who failed to disclose their ethnic background or from unclassified ethnicity. There was not a large number of applications from the BME applicants, as a result the use of percentages can be misleading and must be interpreted with caution. However, some general comparisons can be discerned at the application, shortlist and recommendation for appointment level using percentages.

Figure 3 indicates that a greater proportion of white applicants who applied were shortlisted compared to BME candidates (12.9% and 6.1% respectively).

**Figure 3: Shortlist applicants and recommendations for appointment as a proportion of applications received from white and BME applicants**



Total: Number of shortlist, 75 and number of recommendations, 36

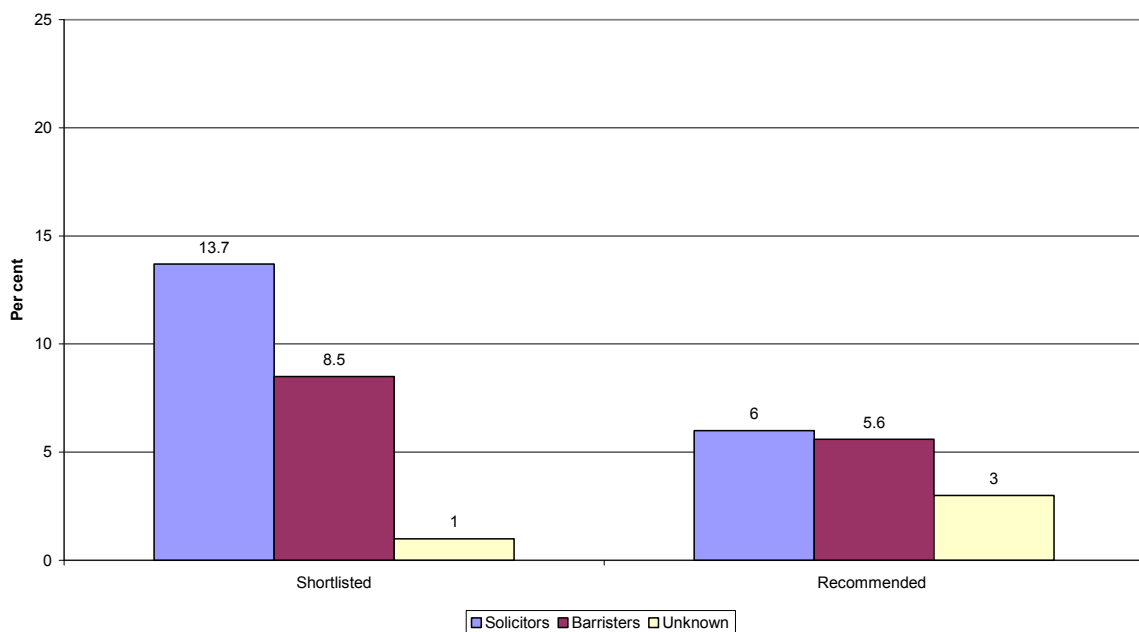
Similarly, the percentage of BME applicants who were recommended for appointment as a proportion of applications received is well below the proportion of white applicants recommended (Tables 1.3 and 1.4).

## Professional Background

Barrister's made up 23% and solicitors 72% of the combined applications received within the professional groupings. Around 3% of applications were from applicants who failed to state their legal background; around 2% of applications were received from other legal professions such as the Institute of Legal Executives (ILEX). (Solicitors are defined as those on the roll, and barristers as the combined employed and self-employed bar. Both solicitors and barristers are expected to possess a minimum of 5 years post qualification experience).

Figure 4 shows that proportionately, solicitors made up the majority of the applications received within the professional group and a greater proportion were shortlisted compared to barristers. Around 15% of solicitors who applied were shortlisted compared to around 9% of barristers. And 1% of applicants shortlisted failed to state their professional background (Figure 4, Tables 1.3 and 1.4).

**Figure 4: Shortlisted applicants and recommendations for appointment as a proportion of applications received from solicitors and barristers**



Total: Number of shortlist, 75 and number of recommendations, 36

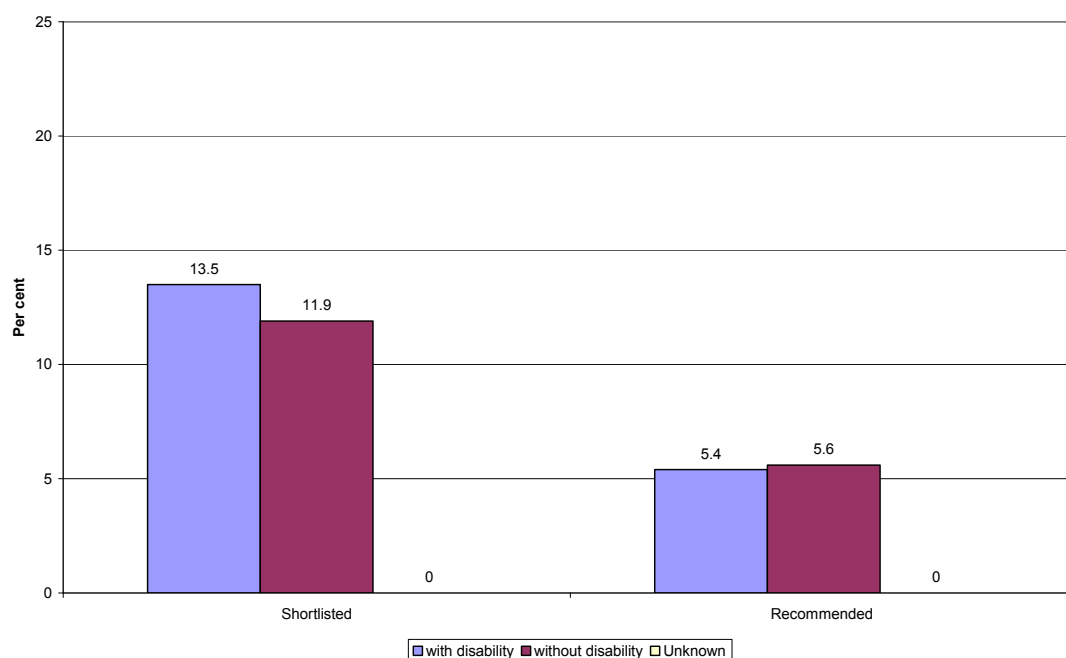
The proportion of candidates recommended for appointment among the professions indicates that the same proportion of solicitors and barristers were recommended for appointment. Around 3% of applicants who failed to disclose their professional background were recommended for appointment.



## Disability status

There was not a large number of applications from disabled applicants therefore, the percentage differences here can be misleading and must be interpreted with caution.

**Figure 5: Shortlisted applicants and recommendations for appointment as a proportion of applications received from applicants with and without disabilities**



**Total: Number of shortlist, 75 and number of recommendations, 36**

The percentage of applications from disabled applicants as a proportion of all applications received was 6%, the rest of the applications were from non-disabled applicants.

Figure 5 shows that nearly 14% of disabled applicants who applied were shortlisted and nearly 12% of non-disabled applicants who applied were shortlisted (Figure 5, Tables 1.3 and 1.4).

### 2.3 Progress of applicants from the shortlisting stage to recommendation for appointment

This section summarises progress made by candidates from shortlist stage to recommendation for appointment for the Fee Paid Judge of the Employment Tribunal (England and Wales).

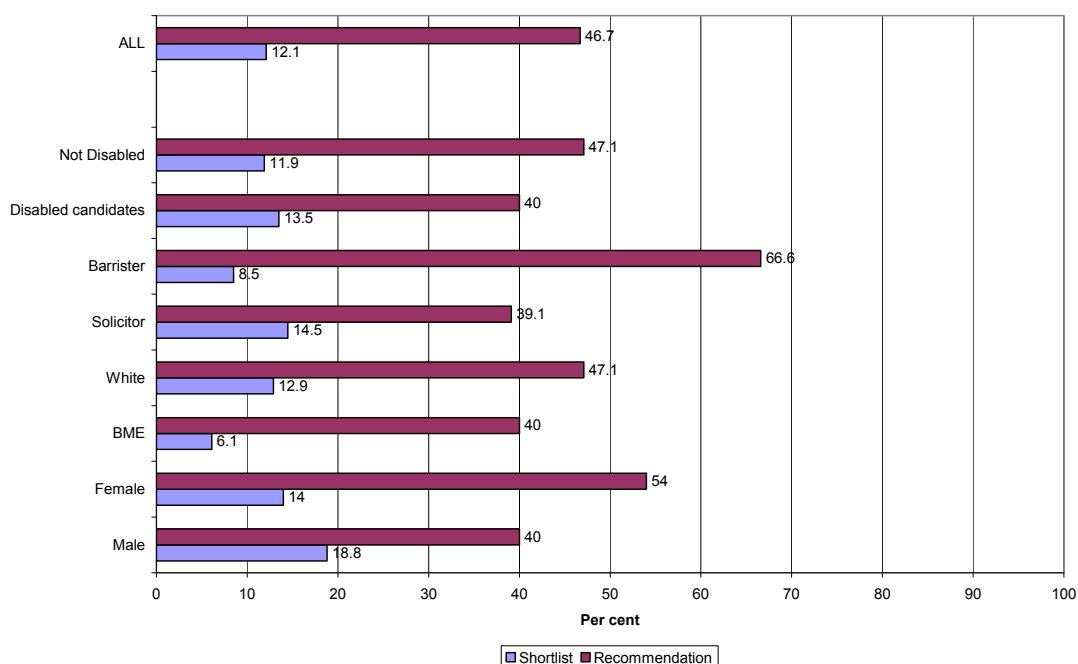
Shortlisted applicants are invited to selection day where they are assessed against the qualities and abilities set out in the application form (see Annex B for further description of the process). Reports of the selection day combined with other evidence are considered by the Commission who make recommendations for appointment. This section presents the percentage of shortlisted applicants who were recommended for appointment.

Figure 6 below shows that of nearly 11% of men shortlisted, 40% were recommended for appointment. While around 54% of (the 14%) women shortlisted were recommended for appointment (Table 1.5).

The proportion of solicitors shortlisted was nearly 14% and 44% were recommended for appointment. And of the nearly 9% of barristers shortlisted, nearly 67% were recommended for appointment.

Of the 6% of BME applicants shortlisted, 40% were recommended for appointment. Of the 13% of white applicants shortlisted 47% were recommended for appointment. Nearly 12% of non-disabled applicants were shortlisted and 49% were recommended for appointment. About 14% of disabled applicants were shortlisted and 40% were recommended for appointment (Table 1.5).

**Figure 6: Shortlisted applicants and recommendations for appointment as a proportion of shortlist**



**Total: shortlisted 75, recommended for appointment 36**

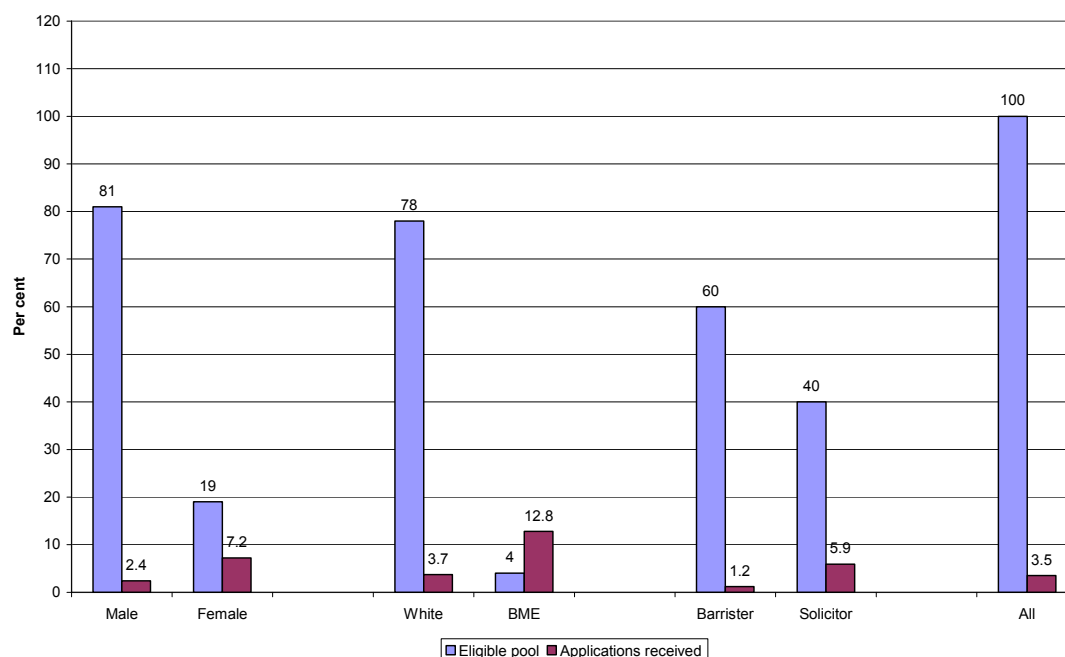
## Salaried Judge of the Employment Tribunal (England and Wales)

This section presents the composition of the applications received in relation to the eligible pool. It also presents diversity in the pool of candidates broken down by gender, ethnicity, professional background and disability status and progress of candidates from application stage to recommendations for appointment for the Salaried Judge of the Employment Tribunal (England and Wales) selection exercise.

### 3.1 Applications received and the pool of candidates

A total of 133, equivalent to 3.5% of applications were received from all those eligible. Figure 7 below shows that men make up 80% and women 20% of the combined eligible pool of candidates and that greater proportions of women applied for the Salaried Judge of the Employment Tribunal (England and Wales) compared to men.

**Figure 7: Composition of the eligible pool of candidates, and applications received as a proportion of the eligible pool for the Salaried Judge of the Employment Tribunal (England and Wales)**



The proportion of BME applicants was 4% and white applicants were 78%. A greater proportion of eligible BME applicants (12.8%) applied compared to white applicants (3.7%). Around 18% of applicants' ethnicity was not known. The lack of complete data for the eligible pool of ethnic background of applicants means that caution should be exercised when interpreting the differences in the proportion of applications received within the ethnic groups. The figure also shows that a greater proportion of solicitors applied compared to the proportion of barristers who applied (Table 2.1).

### **3.2 Diversity of applications received, shortlisted and recommendations for appointment**

This section reports on diversity of applications received, shortlisted and recommendations for appointment between groups for the Salaried Judge of the Employment Tribunal (England and Wales).

Of the 133 applications received, 50 (37.6%) were shortlisted and 28 (21%) recommended for appointment.

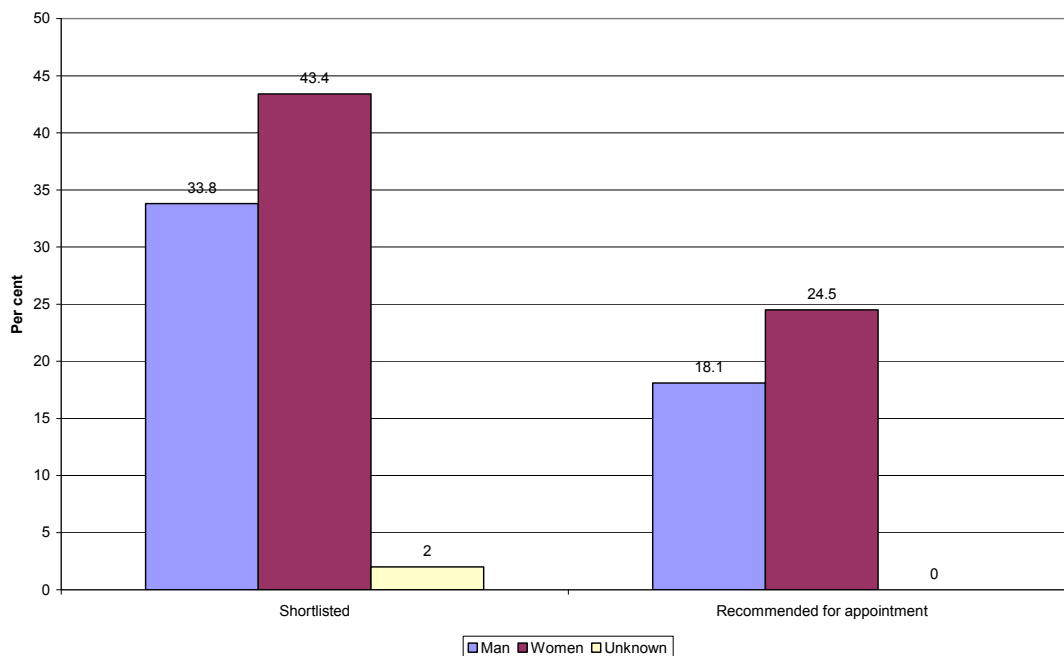
#### **Gender**

Men comprised 58% and women 40% of the combined applications received for the exercise. 2% of applications received were from applicants who failed to disclose their gender.

Figure 10 below shows that the proportion of women who applied and were shortlisted exceeded the proportion of men who applied and were shortlisted. Similarly the proportion of women recommended for appointment exceeded

the proportion of men recommended (Tables 2.3 and 2.4). In percentage terms this means that a greater proportion of women were shortlisted and recommended for appointment than men.

**Figure 8: Shortlisted applicants and recommendations for appointment as a proportion of applications received from male and female applicants**



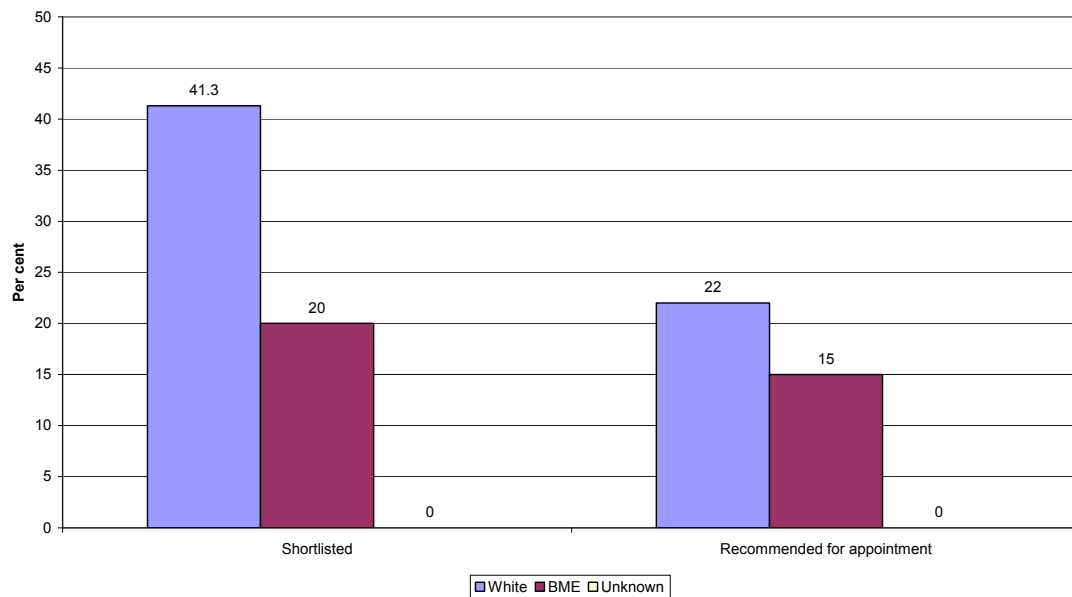
## Ethnicity

White applicants made up 82% of combined applications received within the ethnic groups. The proportion of white applicants who applied exceeded their representation in the eligible pool (78%). Applications received from BME candidates comprised 15% of the applications received, and they also exceeded their representation in the eligible pool (4%). Around 3% of applications received were from applicants who failed to disclose their ethnic background or from unclassified ethnicity.

There are not a very large number of applications from the BME applicants, and as a result the use of percentages can be misleading and must be interpreted with caution.

Figure 9 below shows that a greater proportion of white applicants who applied were shortlisted compared to the proportion of BME applicants who applied (Tables 2.3 and 2.4).

**Figure 9: Shortlisted applicants and recommendations for appointment as a proportion of applications received from white and BME applicants**



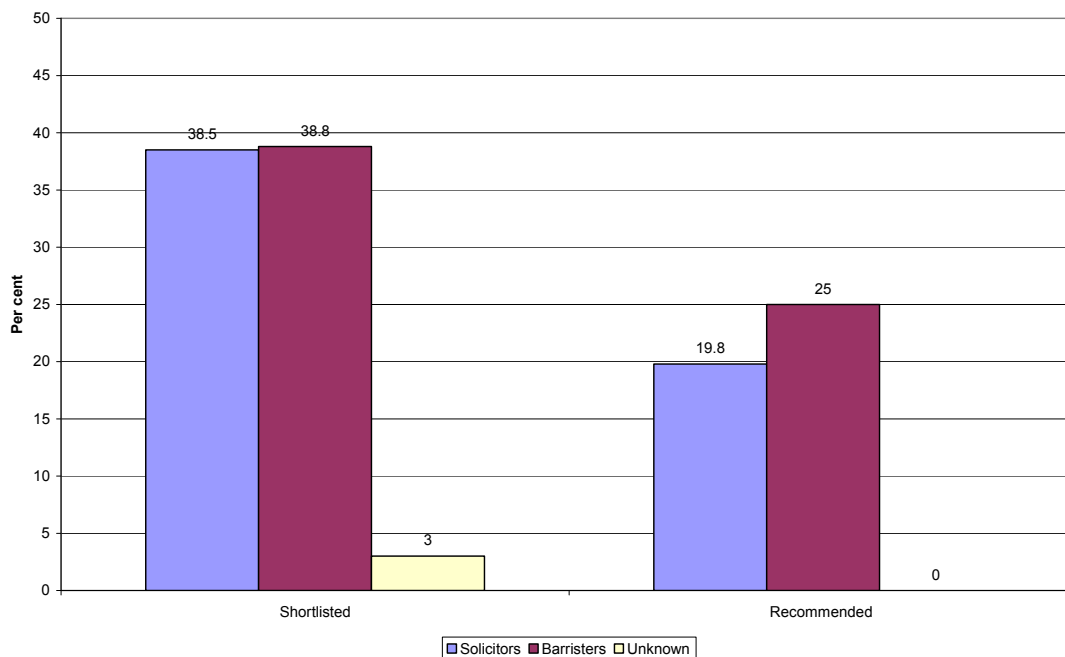
The figure also indicates that a greater proportion of white applicants were shortlisted and recommended for appointment compared to the proportion of BME applicants.

### Professional Background

Solicitors made up 68% and barristers 28% of the combined applications received. The proportion of solicitors who applied exceeded their representation in the eligible pool (40%) for the exercise. And the proportion of barristers who applied was below their representation in the eligible pool (60%). 3% of applications received were from candidates who failed to state their legal background; around 2% of applications were from other parts of the legal profession.

Figure 10 shows that around 38% of solicitors who applied were shortlisted. A similar percentage of eligible barristers who applied for the Salaried Judge of the Employment Tribunal (England and Wales) were also shortlisted. 2% of applicants who failed to declare their legal background were shortlisted. Around 6% of eligible solicitors applied compared to 1.2% of eligible barristers.

**Figure 10: Shortlisted applicants and recommendations for appointment as a proportion of applications received from solicitors and barristers**



The proportion of candidates recommended for appointment among the professions indicates that a greater proportion of barristers (25%) were recommended for appointment compared to nearly 20% of solicitors (Tables 2.3 and 2.4).

### **Disability status**

Given the very small number of candidates who declared a disability, the percentage differences here can be misleading and must be interpreted with caution. The percentage of applications received cannot be compared to the eligible pool for candidates with disability as reliable data on the eligible pool of disabled applicants is not available.

**Figure 11: Shortlisted applicants and recommendations for appointment as a proportion of applications received from disabled and non-disabled applicants.**

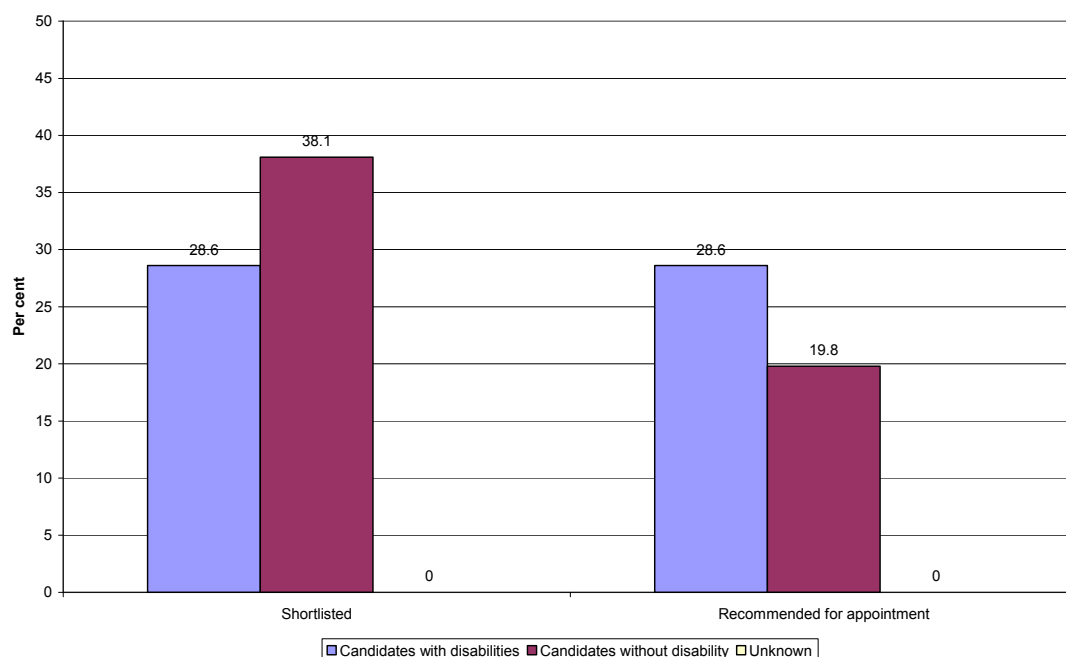


Figure 11 shows that nearly 29% of disabled applicants who applied were shortlisted and 38% of non-disabled applicants who applied were also shortlisted. The proportion of non-disabled applicants relative to the proportion of applications received which were recommended for appointment was 28.6% compared to 19.8% of non-disabled applicants (Tables 2.3 and 2.4).

### **3.3 Progress of applicants from the shortlisting stage to recommendation for appointment**

This section reports on progress made by applicants from the shortlisting stage to recommendation for appointment for the Salaried Judge of the Employment Tribunal (England and Wales).

Of all the applications received from the applicants, nearly 38% were shortlisted and 56% of shortlisted candidates were recommended for appointment.

#### **Progress of applicants from the shortlisting stage to recommendation for appointment**

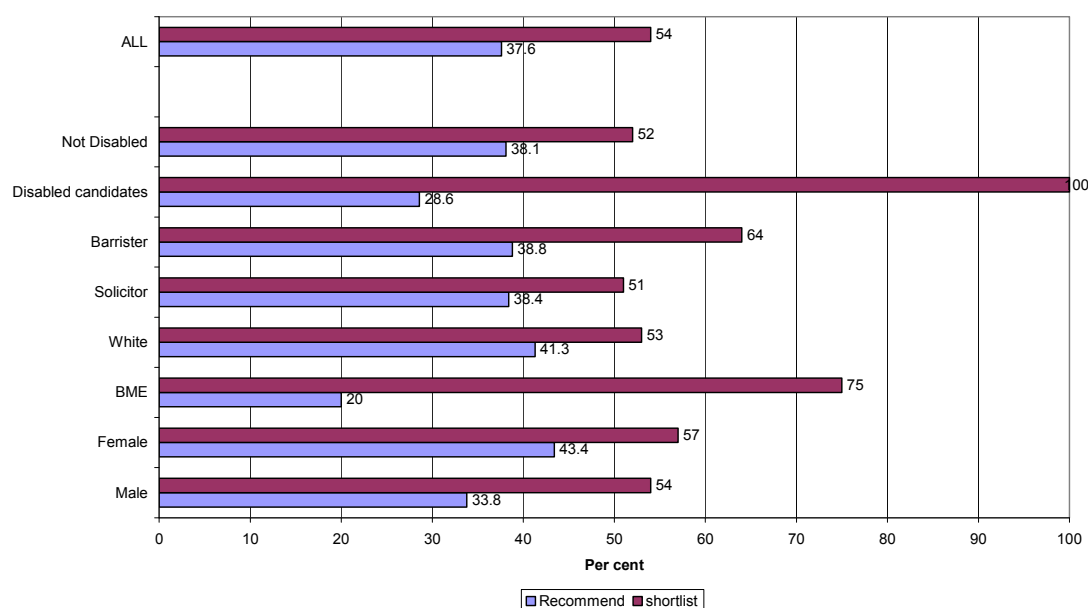
Figure 12 shows that of nearly 34% of men shortlisted, 53% were recommended for appointment. For women, around 43% were shortlisted and 57% were recommended for appointment. The proportion of solicitors shortlisted was 38.5% and 51% were recommended for appointment, compared to nearly 39% barristers shortlisted and 64% recommended for



appointment. Of the 20% of BME applicants shortlisted, 75% were recommended for appointment. Of white applicants 41.3% were shortlisted and 53% were recommended for appointment.

Of the 38% of candidates without disabilities who were shortlisted, 52% were recommended for appointment. 29% of disabled candidates were shortlisted, with 100% of those recommended for appointment (Figure 12 Table 2.5).

**Figure 12: Shortlisted applicants and recommendation for appointment as a proportion of shortlist**



### Salaried Judge of the First-tier Tribunal (Social Entitlement Chamber)

This section presents the composition of the applications received in relation to the proportion of the eligible pool. It also presents diversity of candidates' pool broken down by gender, ethnicity, professional background and disability status and progress of candidates from application stage to recommendations for appointment for the Salaried Judge of the First-tier Tribunal (Social Entitlement Chamber) (England and Wales) exercise.

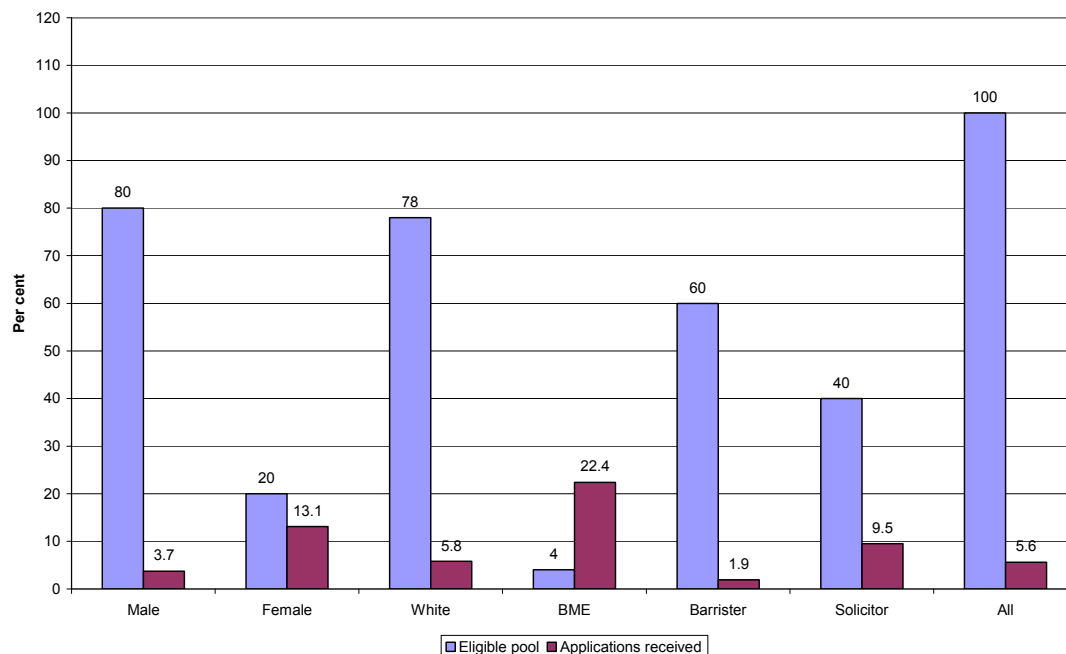
#### 4.1 Applications received relative to the eligible pool of candidate

A total of 213 applications, or the equivalent of 5.6% of the eligible pool, were received from all the applicants for the Salaried Judge of the First-tier Tribunal (Social Entitlement Chamber).

Figure 13 shows that a greater proportion of under-represented applicants (women, BME and solicitors) applied for the Salaried Judge of the First-tier

Tribunal (Social Entitlement Chamber) compared to other candidates. And that a greater proportion of women (13%) applied compared to 3.7% of men.

**Figure 13: Composition of the eligible pool of candidates, and applications received as a proportion of the eligible pool for the Salaried Judge of the First-tier Tribunal (Social Entitlement Chamber)**



**Total: Number of eligible pool 3,820, applications received, 213**

The proportion of BME applicants who applied for the Salaried Judge of the First-tier Tribunal (Social Entitlement Chamber) was greater than their representation in the eligible pool (22%). 9.5% of solicitors compared to 1.9% of barristers applied. The proportion of solicitors who applied was greater than the proportion of barristers in the exercise, in comparison to their representation in the eligible pool (Figure 13 Table 3.1).

#### **4.2 Diversity of applications received, shortlisted and recommendations for appointment**

This section reports on the diversity of applications received, shortlisted and recommended for appointment between groups for the Salaried Judge of the First-tier Tribunal (Social Entitlement Chamber).

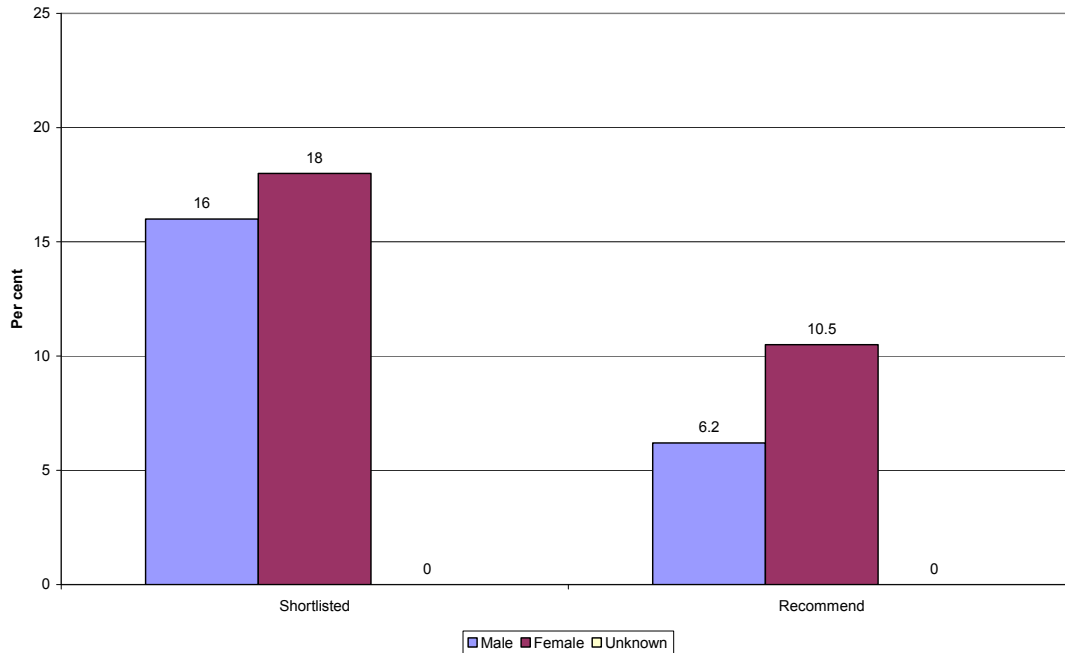
Of the 213 applications received, 34 (16%) were shortlisted and 17 (8%) were recommended for appointment.

#### **Gender**

Men comprised 53% and female candidates 45% of the combined applications received for the exercise. 2% of applications received were from candidates who failed to disclose their gender.

Figure 14 below shows the proportion of shortlisted candidates and recommendations for appointment relative to proportion of applications received from men and women.

**Figure 14: Shortlisted applicants and recommendations for appointment as a proportion of applications received from men and women**



Total: number of shortlisted 34, number recommended 17

The proportion of women shortlisted and the proportion recommended for appointment exceeded the proportion of men shortlisted and recommended for appointment. 18% of women were shortlisted compared to 16% of men. And around 11% of women that applied were recommended for appointment compared to 6% of men (Tables 3.3 and 3.4).

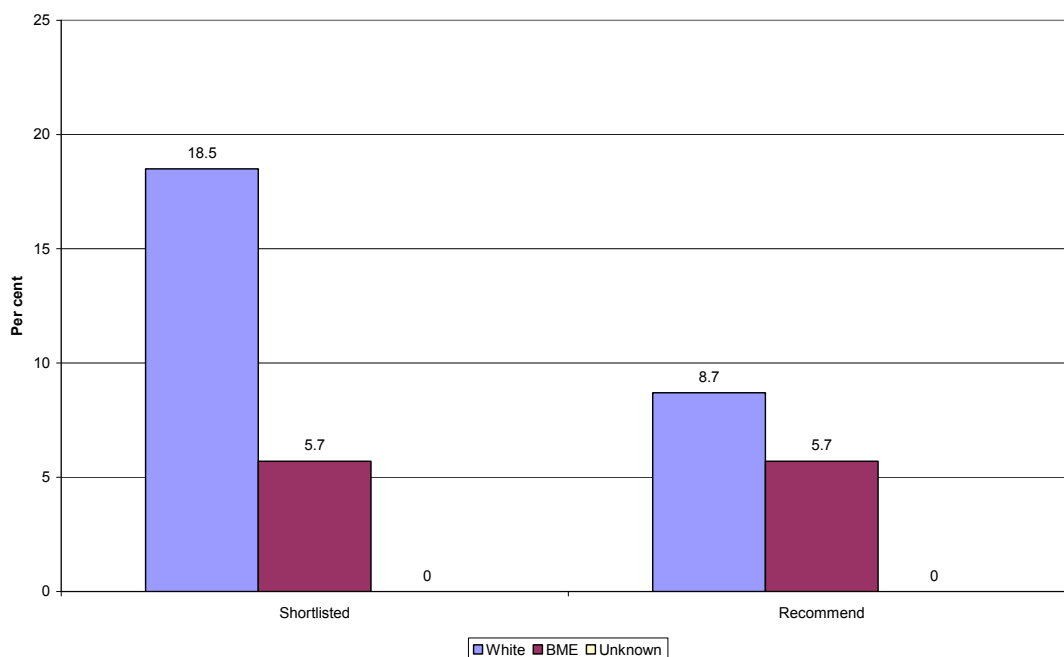
### Ethnicity

White applicants made up 81% of combined applications received within the ethnic group and BME candidates made up 16%. Around 2.5% of the applications received were from applicants who failed to disclose their ethnic background or unclassified ethnicity.

There are not a very large number of applications from the BME applicants and disabled applicants, and as a result the use of percentages can be misleading and must be interpreted with caution.

Figure 15 shows that around 6% of BME applicants who applied were shortlisted for the Salaried Judge of the First-tier Tribunal (Social Entitlement Chamber) exercise compared to 18.5% of the white applicants (Figure 15 Tables 3.3 and 3.4).

**Figure 15: Shortlisted applicants and recommendations for appointment as a proportion of applications received from white and BME applicants**



Total: number shortlisted 34, number recommended 17

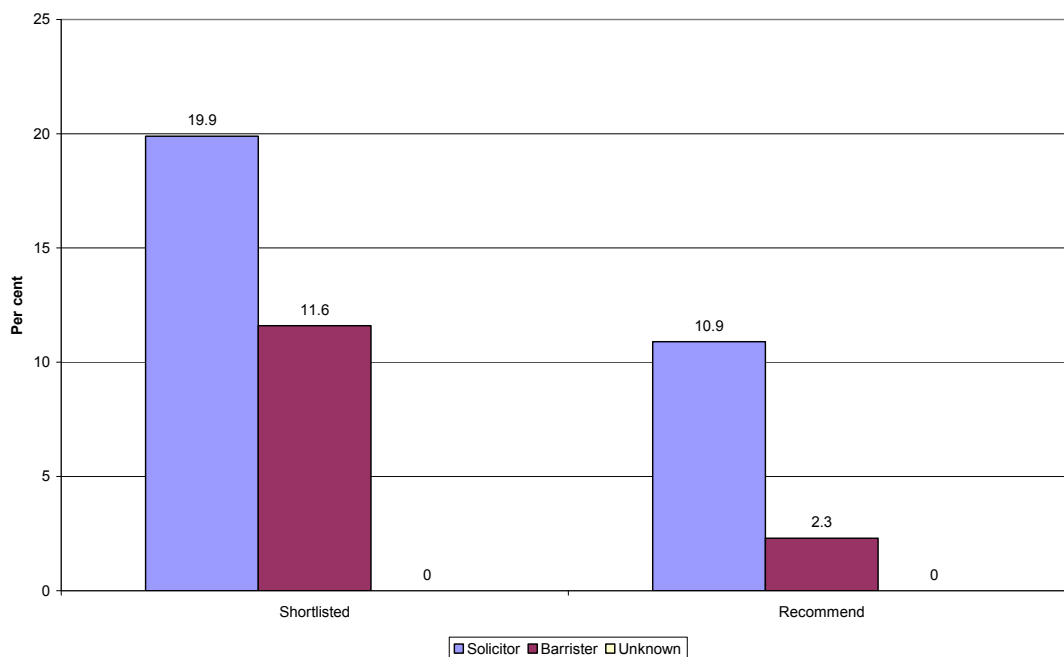
While the proportion of BME applicants exceeded the proportion of eligible white applicants, the proportion of BME applicants shortlisted and recommended for appointment was fewer than the proportion of white applicants (Tables 3.3 and 3.4).

### Professional Background

Solicitors made up 69% and barristers 20% of the combined applications received within the professional group. Around 10% of applications were received from applicants who failed to disclose their legal background; around 1% of applications were received from eligible ILEX candidates.

Figure 16 below shows that 20% of solicitors who applied were shortlisted compared to (around 12%) of barristers who applied.

**Figure 16: Shortlisted applicants and recommendations for appointment as a proportion of applications received from solicitors and barristers**



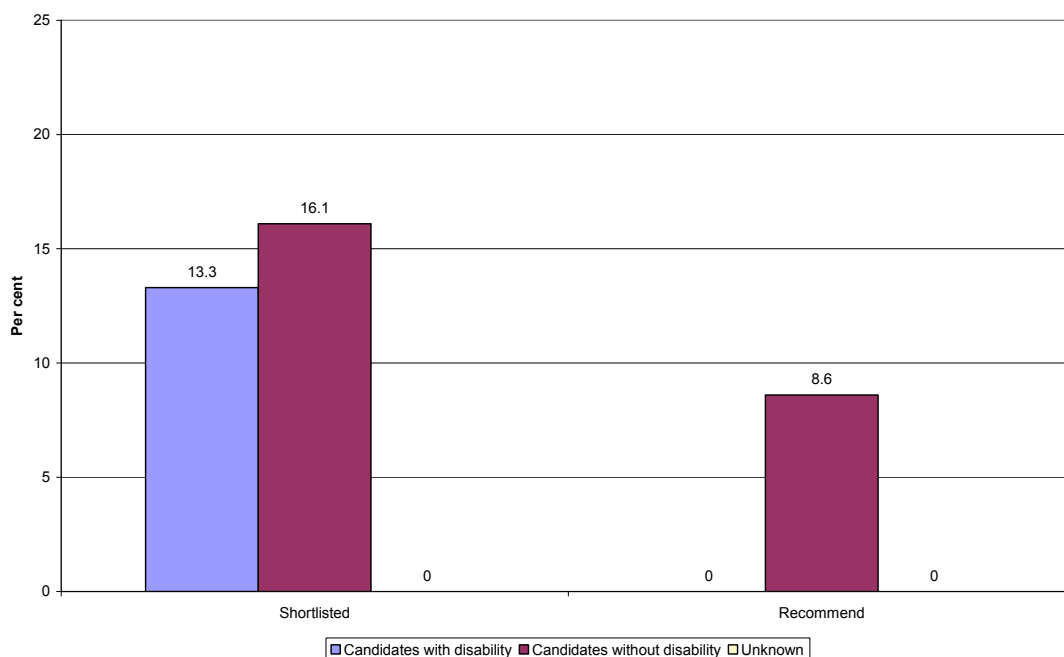
**Total: number shortlisted 34, number recommended 17**

The percentage of candidates recommended for appointment show that a greater proportion of solicitors who applied were recommended for appointment compared to barristers (Figure 16 Tables 3.3 and 3.4).

### **Disability status**

There were not large numbers of applications from disabled applicants, and given the very small number of applicants who declared a disability, the percentage differences here can be misleading and must be interpreted with caution.

**Figure 17: Shortlisted applicants and recommendations for appointment as a proportion of applications received from applicants with and without a disability**



**Total: number shortlisted 34, number recommended 17**

Figure 17 shows that the proportion of shortlisted non-disabled applicants was 16% and shortlisted disabled applicants 13%. And that none of the disabled applicants were recommended for appointment compared to 8.6% of non-disabled applicants (Figure 17 Tables 3.3 and 3.4).

### **4.3 Progress of applicants from the shortlisting stage to recommendation for appointment**

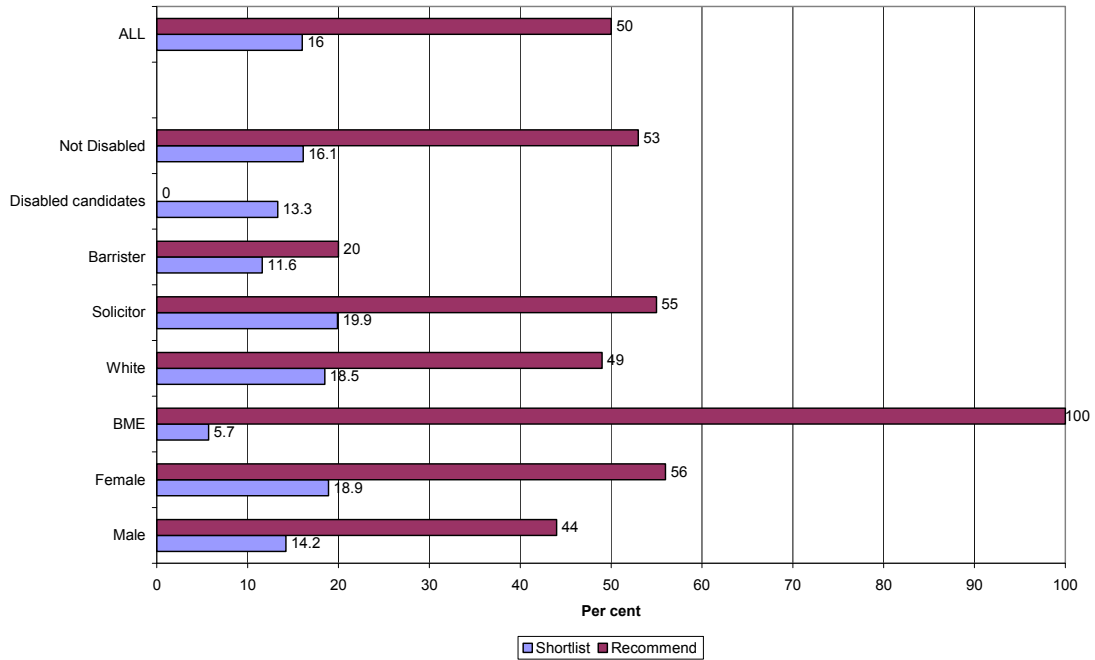
This section reports on progress made by applicants from the shortlisting stage to recommendation for appointment for the Salaried Judge of the First-tier Tribunal (Social Entitlement Chamber). Nearly 16% of applicants were shortlisted and 50% recommended for appointment.

Figure 18 shows that of nearly 14% of shortlisted men, 44% were recommended for appointment compared to around 19% of shortlisted women of whom 56% were recommended for appointment. The proportion of women recommended for appointment far exceeded their representation in the eligible pool (Figure 18 Table 3.5).

The proportion of solicitors shortlisted was 20%, and 55% were recommended for appointment. As with women, the proportion of solicitors recommended for appointment exceeded their representation in the eligible pool. Of the 6% of BME applicants shortlisted, 100% were recommended for appointment, while around 19% of white applicants shortlisted, 49% were

recommended for appointment. Around 16% of non-disabled applicants were shortlisted, and 53% were recommended for appointment (Table 3.5).

**Figure 18: Shortlisted applicants and recommendations for appointment as a proportion of those shortlisted**



**Total: number shortlisted 34, recommend 17**

## Grouped small selection exercises

This section presents the results of grouped completed selection exercises (that is, selection exercises with fewer than 10 recommendations for appointment).

It presents the diversity of the eligible pool of applicants broken down by gender, ethnicity, professional background and disability status and progress of applicants from the shortlisting stage to recommendations for appointment.

The small number of applications received, shortlisted and recommended for appointment means that caution needs to be exercised in drawing too many conclusions from the percentages.

### 5.1 Applications received, shortlist and recommendations for appointment

A total of 162 applications were received, 47 (29%) were short listed and 16 (10%) were recommended for appointment. 34% of the shortlisted applicants were recommended for appointment.

#### Gender

Men comprised 74% and women nearly 24% of the total applications received for the grouped exercises. Around 2.5% of applications received were from applicants who failed to disclose their ethnic background.

**Figure 19: Shortlisted applicants and recommendations for appointment as a proportion of applications received from men and women**

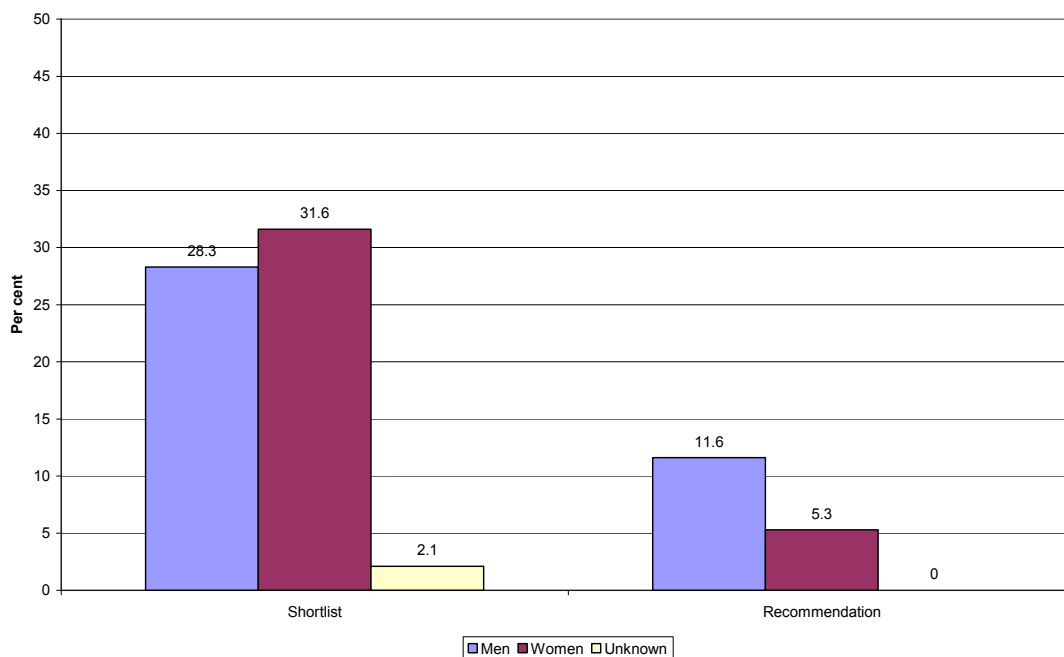




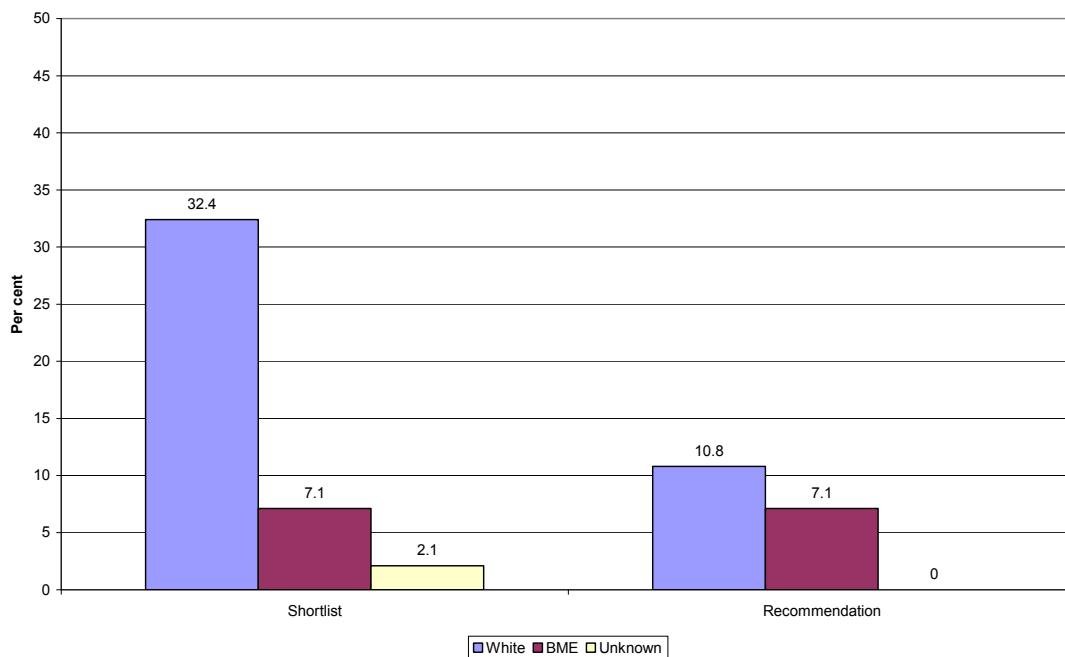
Figure 19 shows that the proportion of women shortlisted was nearly 32% for the grouped exercises and exceeded the proportion of men. However, the proportion of women recommended for appointment (5%) was nearly half that of men. Nearly 2% of applicants who failed to disclose their gender were shortlisted but none was recommended for appointment (Figure 19 Tables 5.3 and 5.4).

## Ethnicity

White applicants made up nearly 86% of applications received between the ethnic groups and BME applicants nearly (9%). Around 6% of applications received were from applicants who failed to disclose their background.

Figure 20 shows that a greater proportion of eligible white applicants (32.2%) were shortlisted compared to 7.1% of BME applicants and that around 11% of white applicants were recommended for appointment compared to 7% of BME applicants (Tables 5.3 and 5.4).

**Figure 20: Shortlisted applicants and recommendations for appointment as a proportion of applications received from white and BME applicants**



Total: Number shortlisted 47, number recommended, 16

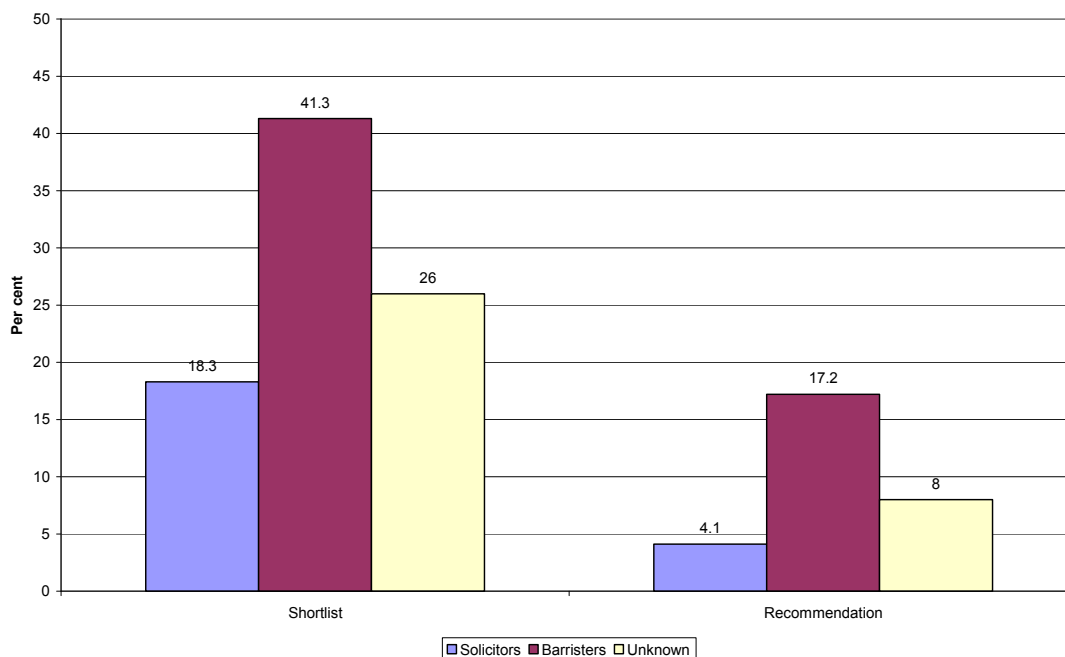
## Professional Background

Solicitors made up 30% and barristers 36% of the proportions of applications received between the legal professions. Around 29% of applications were from applicants who failed to state their legal background and from an exercise for lay Tribunal members, in which information on legal professional background was not requested. Around 1% of applications were received from

ILEX and about 4% from other legal professions or multiple legal backgrounds.

Around 22% of eligible solicitors who applied were shortlisted compared to 41% of eligible barristers. Around 4% of solicitors who applied were recommended for appointment compared to around 17% of barristers who applied (Figure 21 Tables 5.3 and 5.4).

**Figure 21: Shortlisted applicants and recommendations for appointment as a proportion of applications received from solicitors and barristers**

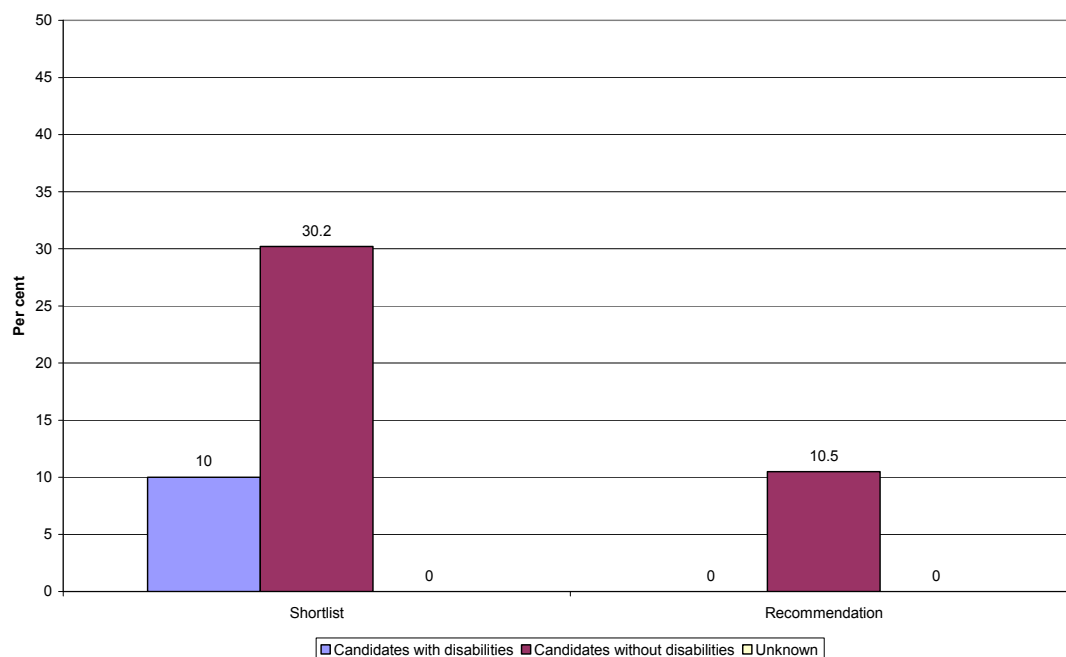


Total: Number of shortlist 47, number recommended for appointment, 16

### Disability status

There were not large number of applications, shortlist and recommendations among disabled applicants, and given the very small number, the percentage differences here can be misleading and must be interpreted with caution.

**Figure 22: Shortlisted applicants and recommendations for appointment as a proportion of applications received from applicants with and without disability**



**Total: Number of shortlist 47, number recommended for appointment, 16**

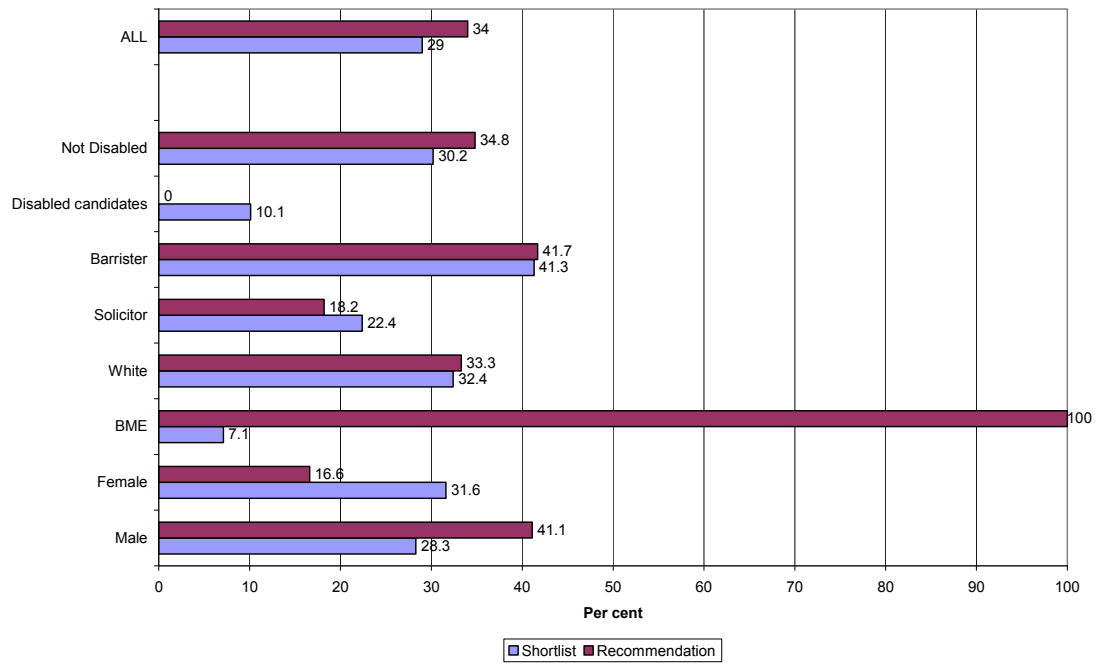
Figure 22 shows that the proportion of shortlisted non-disabled applicants was 30% and the proportion of disabled candidates was 10%. Nearly 11% of non-disabled applicants who applied were recommended for appointment. None of the disabled applicants who applied were recommended (Tables 5.3 and 5.4).

### **5.3 Progress of applicants from the shortlisting stage to recommendations for appointment**

This section reports on progress made by applicants from shortlist stage to recommendation for appointment for the grouped exercises completed between April and September 2009.

Figure 23 shows that 29% of all the applicants were shortlisted, 34% were recommended for appointment. Of the 28% of men who were shortlisted, 41% were recommended for appointment. While around 32% of women who applied were shortlisted and 17% recommended for appointment. The proportion of solicitors shortlisted was around 22% and 18% were recommended for appointment. Of the 7% of BME applicants shortlisted, 100% were recommended for appointment, while around 32% of white applicants were shortlisted and 33% were recommended for appointment. Around 30% of non-disabled applicants were shortlisted and nearly 35% were recommended for appointment (Table 5.4).

**Figure 23: Progress of applicants from the shortlisting stage to recommendations for appointment**



**Total: Number of shortlist 47, number recommended, 16**

## Recorder (South Eastern Circuit)

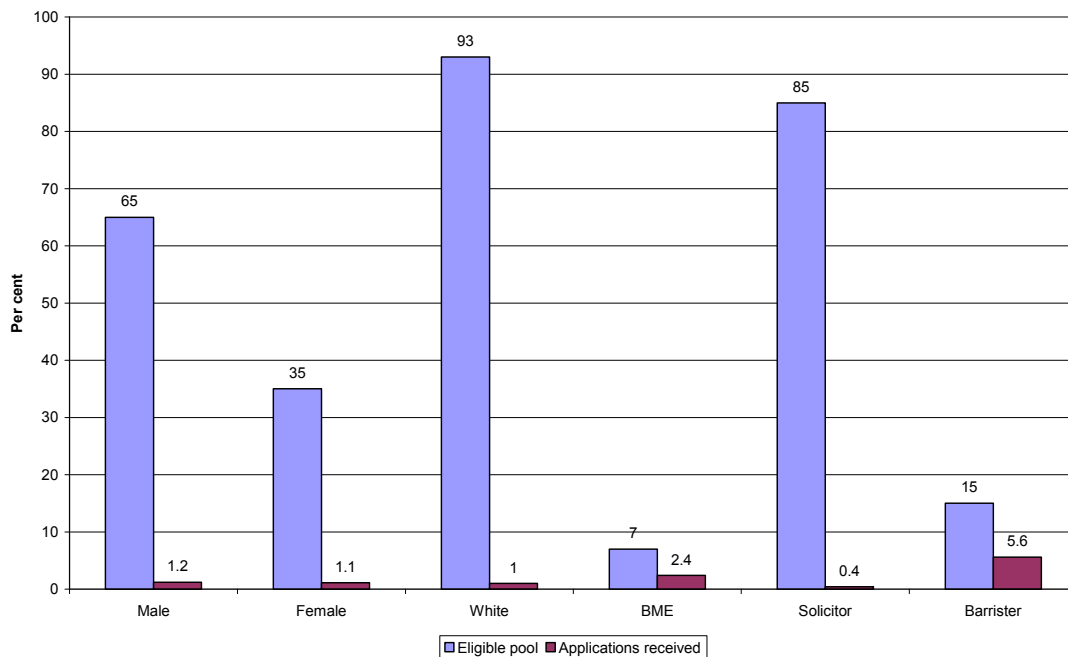
This section presents the composition of the applications received in relation to the eligible pool. It also presents diversity of applicants broken down by gender, ethnicity, professional background and disability status and progress of candidates from application stage to recommendations for appointment for the Recorder (South Eastern Circuit) exercise.

### 6.1 Applications received relative to the eligible pool of candidates

A total of 982 applications were received from all the applicants or 1.2% of the eligible candidates. There is no data on eligible pool for disabled applicants.

Figure 24 below shows that a greater proportion of eligible BME applicants and barristers applied for the Recorder (South Eastern Circuit) exercise. And that almost equal percentage of women (1.1%) and men applied (Table 4.1).

**Figure 24: Composition of the eligible pool of candidates, and applications received as a proportion of eligible pool for the Recorder (South Eastern Circuit)**



**Total: Number of Eligible pool 80,081, applications received 982**

## 6.2 Diversity of applications received, shortlisted and recommendations for appointment

This section reports on diversity of applications received, shortlisted and recommendations for appointment between groups for the Recorder (South Eastern Circuit) exercise completed between April and September 2009.

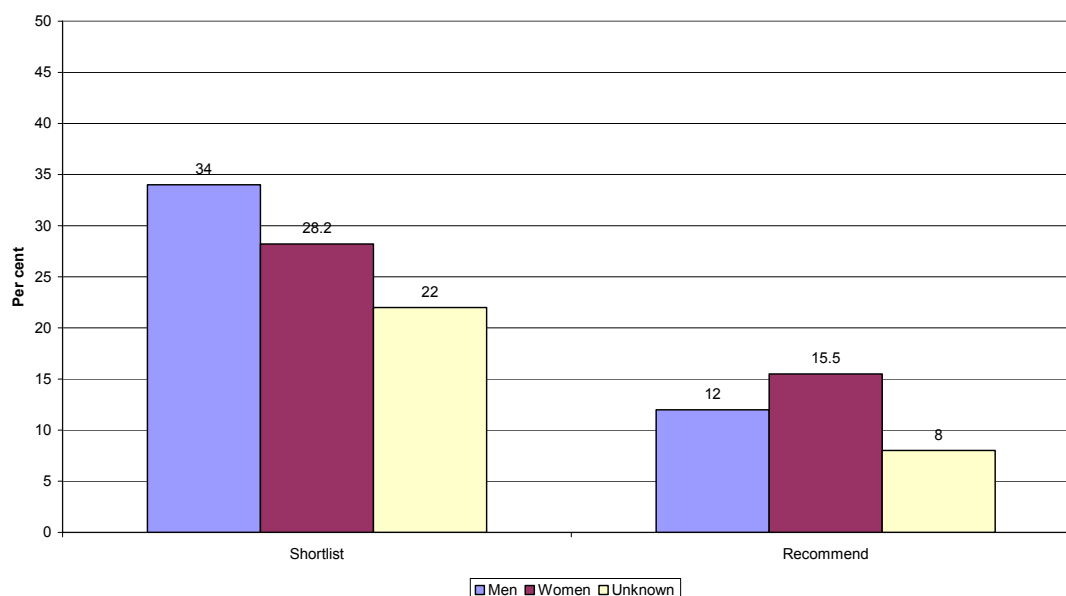
Of the 982 applications received from the eligible applicants for the Recorder (South Eastern Circuit), 311 (31.7%) were shortlisted and 128 (13%) were recommended for appointment.

### Gender

Men comprised 65% and women 31% of the combined applications received for the exercise. Around 4% of applications received were from applicants who failed to disclose their gender. Figure 25 shows that around 34% of applications received from men were shortlisted compared to 26% of applications received from the women. The proportion of women shortlisted for Recorder (South Eastern Circuit) is just below their representation in the eligible pool and the proportion of men shortlisted is well below their representation in the eligible pool.

Around 12% of men who applied were recommended for appointment compared to 16% of women (Figure 25 Tables 4.3 and 4.4).

**Figure 25: Shortlisted applicants and recommendations for appointment as a proportion of applications received from men and women**

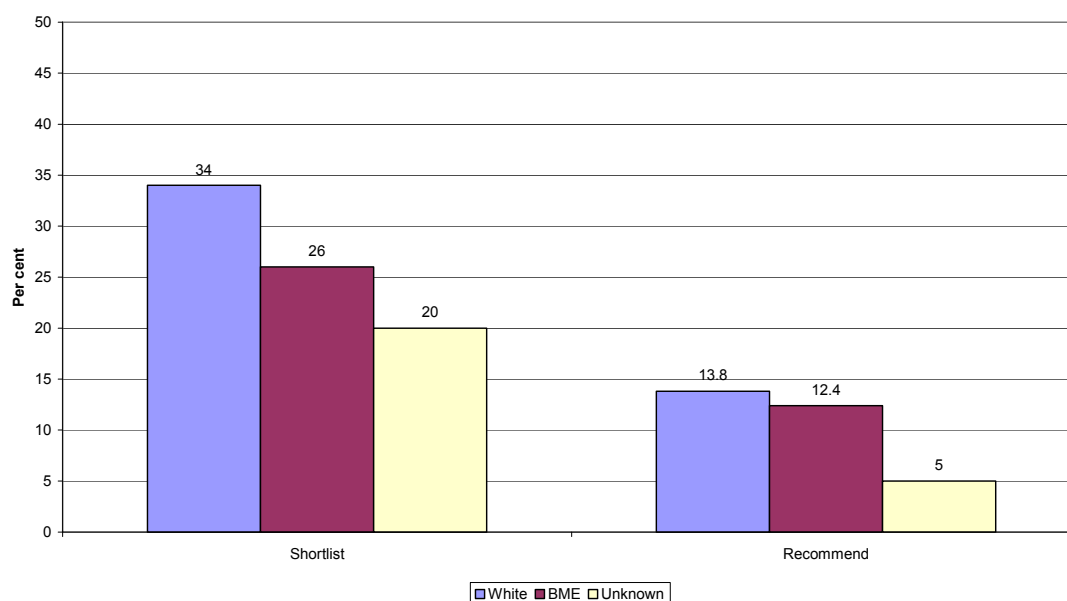


Total: Number of shortlist 982, number recommended, 311

## Ethnicity

White applicants made up 79% of combined applications received within the ethnic groups, 13% of the applications received coming from BME applicants. Around 7% of applications received were from applicants who failed to disclose their ethnic background or were from an unclassified ethnicity.

**Figure 26: Shortlisted applicants and recommendation for appointment as a proportion of applications received from white and BME applicants**



Total: Number of shortlist 982, number recommended, 311

Figure 26 indicates that a greater proportion of white applicants who applied were shortlisted (34%) and that the percentage shortlisted is lower than their representation in the eligible pool. The percentage of BME applicants exceeded their representation in the eligible pool. Nearly 14% of white applicants who applied were recommended for appointment compared to 12% of BME applicants. The percentage of BME applicants recommended for appointment exceeded their representation in the eligible pool (Tables 4.3 and 4.4).

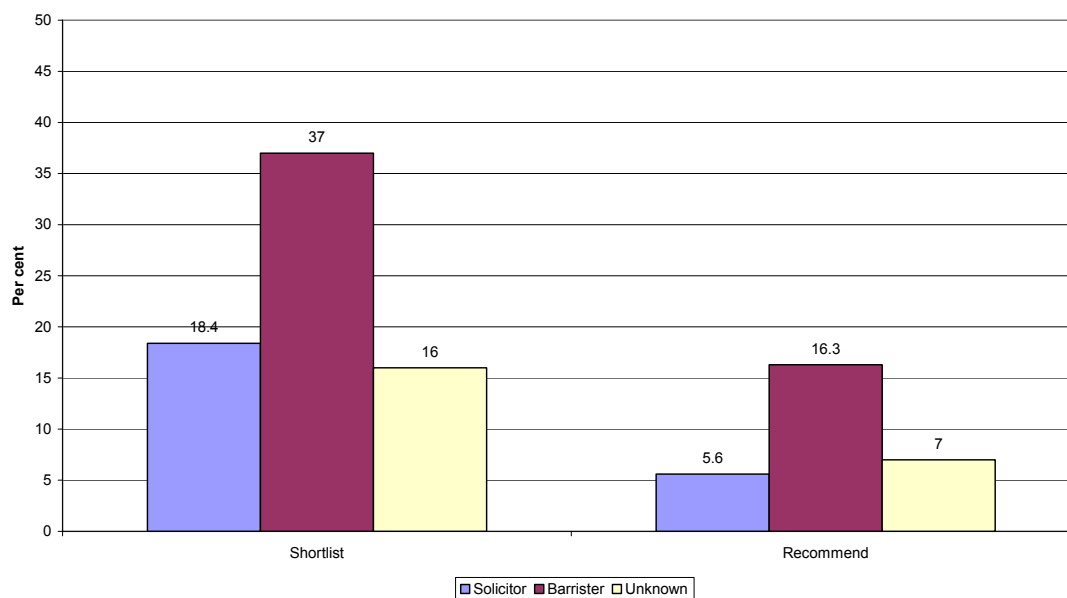
## Professional Background

Solicitors made up 25% and barristers 68% of the combined applications received within the professional group. Around 6% of applications received were from applicants who failed to state their legal background; around 1% of applications were from other unclassified legal background such as multiple legal backgrounds.

Figure 27 shows that the percentage of solicitors who applied and were shortlisted was 19% compared to 37% of barristers who applied. The percentage of barristers shortlisted exceeded their representation in the

eligible pool. And the percentage of solicitors shortlisted failed to reflect their representation in the eligible pool of candidates.

**Figure 27: Shortlisted applicants and recommendations for appointment as a proportion of applications received from solicitors and barristers**



**Total: Number of shortlist 982, number recommended, 311**

The percentage of candidates recommended for appointment show that a greater proportion of barristers who applied were recommended for appointment compared to solicitors (Tables 4.3 and 4.4).

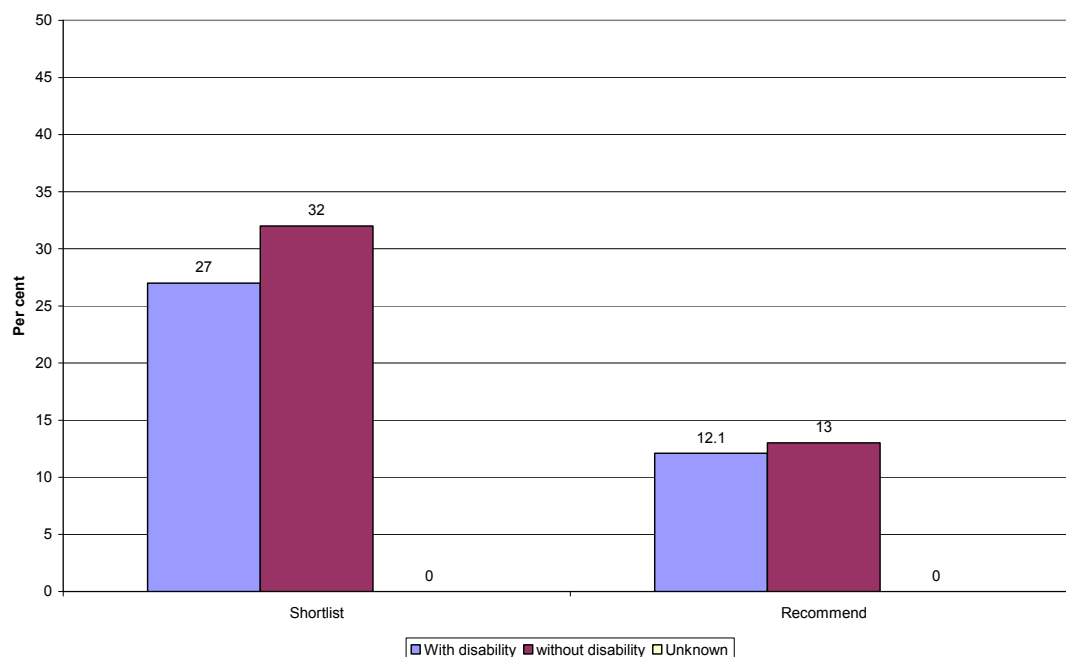
### **Disability status**

Given the very small number of candidates who declared a disability, the percentage differences here can be misleading and must be interpreted with caution.

Figure 28 shows that the proportion of shortlisted non-disabled applicants was 32% and the proportion of disabled applicants shortlisted was 27%. The proportion of non-disabled applicants recommended for appointment was 13% compared to 12% of disabled applicants (Tables 4.3 and 4.4).



**Figure 28: Shortlisted applicants and recommendations for appointment as a proportion of applications received from disabled and non-disabled applicants.**



**Total: Number of shortlist 982, number recommended, 311**

### 6.3 Progress of applicants from shortlisting to recommendation for appointment

This section reports on progress made by candidates from the shortlisting stage to recommendation for appointment for the Recorder (South Eastern Circuit) exercise.

311 of applicants were shortlisted and 128 (41%) were recommended for appointment.

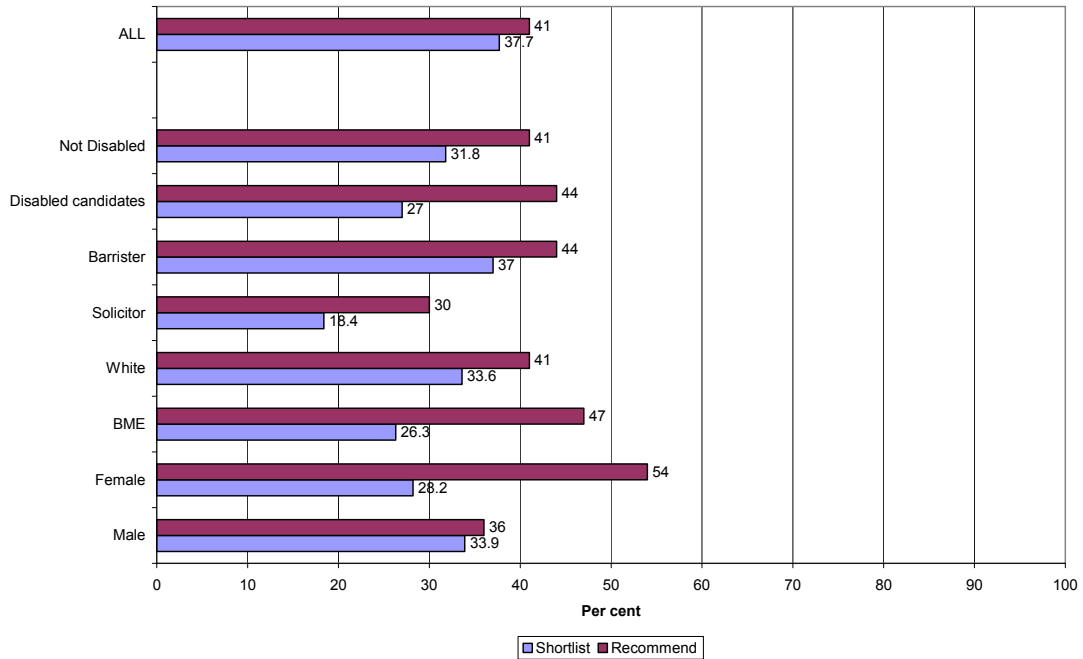
Figure 29 below shows that nearly 36% of shortlisted men were recommended for appointment. Men were under-represented in comparison to their representation in the eligible pool. The proportion of women recommended for appointment was 54% and show the women were over-represented in comparison to their representation in the eligible pool.

The proportion of solicitors recommended for appointment was 30%. The result shows that solicitors were under-represented in the pool of candidates recommended for appointment in comparison to their representation in the eligible pool. The proportion of barristers recommended for appointment was 44%. This shows that barristers are over-represented when compared to their representation in the eligible pool. Of nearly 26% of BME applicants shortlisted, 47% were recommended for appointment. The proportion of BME candidates recommended for appointment was well above their

representation in the eligible pool. White applicants were under-represented at the shortlisting stage and in recommendations for appointment .

44% of disabled applicants who were shortlisted were recommended for appointment. And 41% of non-disabled applicants who were shortlisted were recommended for appointment (Table 4.5).

**Figure 29: Shortlisted applicants and recommendations for appointment as a proportion of shortlist**



**Total: shortlist 311, recommended, 128**