

Reference Guidance

Writing a Reference – how you can assist the JAC and candidates

This guidance has drawn on recent advice provided by Commissioner David Bean, and also advice from a Circuit Judge who has acted as a JAC judicial referee, and sat as a Panel member at selection day interview.

“Bean J says the best references are: “frank, objective and evidence-based.”

Benchmark | Issue 51 | June 2011 In particular, he recommends writing references that are **based on facts** and **highlight the candidate’s judicial qualities**. “Saying that candidate X is a first-rate advocate (or, for that matter, a second-rate one) is unhelpful unless you give particulars of how you came to that conclusion.”

Purpose and value of references

The value of references is the evidence they provide the selection panel with. The reference form you will have to complete is based on five Qualities and Abilities. These Qualities and Abilities form the basis for the panel assessment of a candidate. At every stage of the selection process, evidence of the Qualities is sought. Thus the reference is a very vital part of the assessment process. We therefore need the referee to provide specific examples to evidence the statements that are being made. No assertions please!

Addressing what has been asked for

Each quality has several aspects to it, denoted by bullet points. Please address each of these points in your answer - if you do not there is often insufficient evidence for the Panel to easily assess a candidate in respect of that quality. For example, with regard to the quality “Personal Qualities” the aspects of this quality which the Panel are seeking evidence of, are integrity and independence of mind, sound judgement, decisiveness, objectivity and the ability to learn and develop professionally.

The referee who, in large handwriting, wrote: **“An honest woman who is a regular churchgoer and a pillar of the community”** and the one who wrote **“Mr X is also well turned out and early at court”** did not quite address what was actually being sought in a reference!

Evidence Based

The Panels assessing a candidate are asked to make evidence based decisions, and to justify those decisions by referring to the evidence that they have considered and taken into account when making their assessment. Thus a reference which says the candidate, “analyses cases quickly and intelligently and identifies the important points in an argument” would be of more use if such a statement was supported by specific examples of this.

Conclusion –suitability of candidate

This is the section where a more summative view of the candidate may be given, commenting on suitability and readiness for the post overall. Again brief reasons are needed to evidence referee statements made here.

And finally! - Ideally references should be word processed and not handwritten, unless there are exceptional circumstances, in order to assist the Panel, which will have many references to read through, in order to elicit the information it needs.