

Glossary

Applicant – A person who has applied to a selection exercise (whether eligible or ineligible to apply).

BME – Black and Minority Ethnic as defined by the candidate on a diversity monitoring form in line with guidance from the Office for National Statistics and Equality and Human Rights Commission.

Candidate – An eligible applicant

Completed - (for the purposes of this report only) those exercises which have issued an internal report (“closedown” report) signifying the end of the exercise and for which an internal ‘closedown’ meeting has been held. The report and meeting are opportunities to formally confirm the process which has taken place and verify the associated data.

Disabled – Having a declared physical or mental impairment which has a substantial and long-term adverse effect on a person’s ability to carry out normal day to day activities. Disability declarations are not assessed or verified by the JAC.

Eligible applicant - A person meeting the entry requirements for a particular post.

Eligible pool – The eligible pool is an approximation of the number of people who are able to meet the job-specific entry requirements laid down for that particular judicial post.

Different eligible pools are used, depending on the availability of the data and type of appointment involved.

All judicial posts have statutory minimum entry requirements and the eligible pools reflect these. For example, for legal appointments that require no judicial experience we have calculated the eligible pool based on years of professional qualification using data supplied by the Institute of Legal Executives (ILEX), the Law Society of England and Wales and the Bar Council. For legal appointments requiring judicial experience, we have used the appropriate data relating to existing fee paid or salaried judicial groups as published on the website for the Judiciary of England and Wales. For other professional and lay member appointments we have used data from the Office for National Statistics Labour Force survey or from the relevant professional body.

Many legal and professional/lay appointments have additional ‘non-statutory’ minimum entry requirements. These reduce the number of people eligible to apply, but it is often not possible to reflect ‘non-statutory’ requirements in eligible pool data. Therefore eligible pools may be larger than the actual number of people able to meet the entry requirements.

Ethnic background - The ethnic groups are standard categories for collecting information in line with guidance from the Office for National Statistics and the Equality and Human Rights Commission. The list of groups is designed to allow most people to identify themselves. The list is not intended to leave out any groups of people but to keep the collection of ethnic information simple.

Fee paid legal experience - Having fee paid experience refers to someone who currently holds or has held a judicial post which is part-time and paid on a fee per day basis. Examples of fee paid judicial positions include a wide range of tribunal appointments and also recorder and deputy district judge.

Incomplete - Where a question on a monitoring form is incorrectly completed, it appears in our statistics as 'incomplete'. This occurs where a question has been omitted, partially completed, or multiple boxes selected where only one is permitted.

Non-statutory requirements - On top of the statutory entry requirements laid down by Parliament, there are additional, desirable, minimum entry requirements specified by the Lord Chancellor for particular posts. These extra requirements can include the requirement that the candidate should normally expect to have completed 30 sitting days since appointment in a fee-paid judicial role or have two years' judicial experience. Candidates not meeting the non-statutory requirements may still apply and may be successful. For exercises with such criteria, we aim to define the eligible pool as the number meeting the non-statutory requirements. However, this is not always possible and therefore eligible pools may be larger than the actual number of people able to meet the entry requirements.

Professional background - For legal posts, we ask applicants to declare which professional role qualifies them to apply for judicial appointment, such as solicitor, barrister, ILEX Fellow or other legal experience (e.g. academic).

Recommended for appointment – The recommendation of candidates to the Lord Chancellor for immediate or future judicial appointment.

Section 87 – this refers to a section of the Constitutional reform Act 2005 which stipulates that the Lord Chancellor may request the JAC to recommend a person for immediate judicial appointment

Section 94 - this refers to a section of the Constitutional reform Act 2005 which stipulates that the Lord Chancellor may request the JAC to identify suitable people for future vacancies expected to arise. The names and details are sent to the Lord Chancellor for approval, and the JAC counts the recommendations of suitable people in the complement of people recommended for appointment. The subsequent recommendations in response to section 87 requests 'calling off' people from the section 94 lists are not counted in the complement of recommendations.

Selection and Character Committee - Selection proposals or considerations of good character are considered at a formal meeting of Commissioners sitting as the selection and character committee (SCC).

Selection exercise – A publically open application and selection process for one or more vacancies. Selection exercises can be run under section 87 (immediate appointments) and section 94 (future appointments) of the Constitutional Reform Act 2005.

Shortlisted applicant - An applicant who has progressed beyond the shortlisting stage and will take part in a selection day.

Statutory requirements

There are statutory minimum entry requirements laid down by Parliament for all judicial posts. For example to be able to apply to be a District Judge, applicants must have been a barrister or solicitor or Fellow of ILEX for at least five years. To be able to apply to be a Circuit or High Court Judge, applicants must have been a barrister or solicitor for at least seven years.