

# Judicial appointments



The Law Society

## The judiciary offers great opportunities to solicitors



Solicitors have never been in a better position to apply for judicial office.

Particularly since the establishment of the Judicial Appointments Commission (JAC) in 2006, the legal profession has made progress towards the creation of a diverse, representative judiciary. Such an ambition cannot be achieved overnight however and there remains one feature lacking - an increase in the number of applications from solicitors.

The perception remains among many solicitors that the judicial appointments process is stacked against them. Misconceptions about the type of references required or the right professional, educational or even social background remain all too prevalent. More often than not, the truth is far removed from the myth.

The Law Society is working hard with the JAC and the judiciary to ensure there is a level playing field for all candidates. We are also providing practical support to those seeking judicial appointment (see details opposite).

### The qualities you need

In selecting the best candidates the JAC looks for evidence of intellectual ability, the right personal qualities, an ability to be fair and even-handed, an air of authority, communications skills and an efficient manner. The application process itself is no longer founded on only identifying highly-skilled advocates and the required qualities are as readily evident in solicitors as in barristers.

Any solicitor stands a chance of selection for the judiciary if they have the right skills for the job. Although not everybody will be suited to the role and others will feel that the role is not suited to them, the judiciary is nevertheless a career option that all should consider.

### Making decisions that affect people's lives

For solicitors, a move to the judiciary offers a chance to make decisions that affect people's lives and to contribute to public service, as well as providing a new personal and professional challenge.

For firms, judicial experience can only enhance the standard of client care offered by a practitioner, which benefits their firm as a whole.

I hope that this supplement gives you the information that you need to begin to think about a possible career in the judiciary and that it serves to dispel some of the myths which exist about the judiciary and the judicial appointments process. There are many opportunities in the judiciary for male and female solicitors of all ethnic and social backgrounds. I hope that you will consider the possibilities that might exist for you.

**Robert Heslett, president of the Law Society**

## Events and training

### Judicial appointments training

The Law Society is running a series of one-day, competency-based workshops to provide skills training tailored to the needs of the JAC's application and selection process.

**London - 22 & 24 April; Birmingham - 18 & 19 May; Cardiff - 18 & 19 June.** Workshops will be held in Manchester and Bristol in the autumn. Each event attracts 5.5 CPD hours. Look out for details in *Professional Update* and at [www.lawsociety.org.uk/events](http://www.lawsociety.org.uk/events) or e-mail [events@lawsociety.org.uk](mailto:events@lawsociety.org.uk) for more information.

### Meet the judges

This series of free events to be held in the regions and Wales will enable delegates to meet solicitor judges and hear about their experiences of the judiciary. Each event attracts 2 CPD hours. Look out for details in *Professional Update* and at [www.lawsociety.org.uk/events](http://www.lawsociety.org.uk/events)

### Outreach events

These free events aim to provide an insight into the work of the JAC and the judicial selection process. They will be held throughout England and Wales and are promoted locally and in *Professional Update*, or look out for details at [www.lawsociety.org.uk/events](http://www.lawsociety.org.uk/events)

### New videos give insight into roleplay exercise

When it comes to the roleplay part of the selection process solicitors may feel at a disadvantage because they spend less time in court than barrister applicants. Two new videos aim to demystify the roleplay exercise and familiarise solicitors with this part of the process.

The first video, produced with the JAC, shows a full roleplay exercise. In the second, two sitting solicitor judges discuss the strengths and weaknesses of the candidate's performance. You can view the videos at [www.lawsociety.org.uk/judicialappointment](http://www.lawsociety.org.uk/judicialappointment)

### Comprehensive guide to the selection process

A new Law Society guide covers everything you need to know about becoming a judge, including the wide range of opportunities available, entry requirements and where posts are advertised. It explains the application and selection process in detail, and includes tips for success. You can download it from the Law Society's website.

Read more at:  
[www.lawsociety.org.uk/judicialappointment](http://www.lawsociety.org.uk/judicialappointment)

opportunities  
for solicitors

# Becoming a judge

## Today's Tribunal Service is an attractive option

*His Honour Judge Phillip Sycamore discusses the role of a modern Tribunal Service and the opportunities it offers to solicitors.*

After completing articles in an East End legal aid firm Phillip Sycamore set up a law firm with a friend and in 1997 he became President of the Law Society. So why move into the judiciary? "Two reasons really," he explains. "In the broadest sense I wanted to give of my best. But on a personal level, I had been lucky enough to have a fulfilling career as a solicitor. A move into the judiciary gave me the chance for a change of emphasis as I became a decision maker. Plus it was a challenging prospect; at that time relatively few solicitors had a judicial post."

Sycamore also makes the point that back then you had to do your own legwork to find information about the posts and the process: "There was no JAC website!"

### Unifying the tribunal system has been hugely positive

Following positions as a Deputy Registrar, Assistant Recorder, Recorder and a Circuit Judge, in November 2008 he was appointed through a JAC competition to his current role as President of the Health, Education and Social Care Chamber. This was one of the first Chambers introduced as a result of the unification of the tribunal system through the Tribunals, Courts and Enforcement Act 2007.

The unification of the tribunal system was a hugely positive step according to Sycamore: "Not only did it mean a more consistent approach across the range of tribunals, but it also introduced a mixed judiciary with full-time judges sitting alongside fee-paid for the

first time. Fee-paid judges are essential to the service but having a number of salaried judges means that we can offer more, for example effective case management, which in areas such as mental health is key for users," Sycamore explains.

### No longer the poor cousin

The importance of the tribunal system is now widely recognised and it is no longer the poor cousin of the courts. This is something Phillip Sycamore feels very strongly about: "Tribunals cover a wide range of issues from immigration to welfare benefits to mental health to tax. Tribunal judges hear cases where the protection of the public or the liberty of an individual is at stake, as well as those which affect big business. It is worth bearing in mind as well that most members of the public are far more likely to come into contact with the tribunal system than the civil courts."

The Tribunal Service is attractive to solicitors. "The large number of fee-paid posts means that you can book your sitting days one at a time rather than in large blocks. It's this sort of flexibility that could make a sceptical firm possibly warm to judicial appointments. From the perspective of the individual, flexibility is also possible with salaried posts. More roles can now be part-time and there are greater opportunities to arrange flexible sitting patterns."

### Committed to supporting judges

The Tribunal Service is committed to supporting its judges. "It is an area where we are ahead," he says. "Formal appraisal



systems are now widespread, which is viewed positively by all concerned. Getting feedback on performance is so important. I look back to my time as an Assistant Recorder; nobody ever told me how I was doing or gave me suggestions for how I could improve."

Another attraction of the Tribunal Service is that it provides an opportunity to step out of the legal world. "It's hugely stimulating to sit with colleagues from a range of backgrounds. You could be sitting with a consultant psychiatrist or an educationalist. It's a glimpse of a world you may never otherwise see and this kind of experience can benefit both personal and professional development," Sycamore comments.

### Most judges will be keen to share their experience

As for advice to would-be candidates, Sycamore is clear: "I applaud the progress we have seen in opening up the process and increasing transparency through the work of the JAC. The support of the Law Society also remains crucial. However candidates themselves have a responsibility to research the posts that they are interested in and devote some time to the application process. Talk to judges - most will be keen to share their experiences."

The world of judicial appointments is increasingly competitive, although if the words of Phillip Sycamore are anything to go by, well worth joining.

**Read the full interview on the Law Society's website.**



## Her Honour Judge Frances Kirkham, senior circuit judge and judicial appointments' commissioner

### What was your route into the judiciary?

I read modern languages at university and worked in banking for five years before changing to the law. I qualified in 1978 and worked initially in commercial litigation and on professional indemnity disputes. I began to specialise in construction law and in 1994 I was appointed as assistant recorder and subsequently recorder.

In 2000 I was appointed a senior circuit judge, to sit as the designated Technology & Construction Court judge in Birmingham. I also sit in the Administrative court, the Mercantile court and the Chancery Division.

### Why did you decide to become a judge?

I had sat as an arbitrator and enjoyed the challenge of deciding disputes. I enjoyed construction law, but for a partner there was more emphasis on managing a team and practice development and less on the law. Becoming a judge enabled me to concentrate on what I had really enjoyed about being in practice.

### What skills did you bring from the solicitors' profession, and what skills have you developed as a judge?

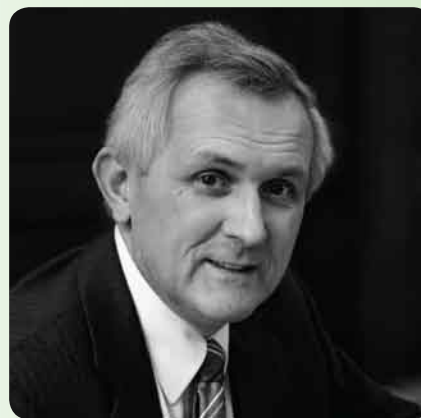
The skills I was able to bring to the judiciary included listening patiently, reading and mastering quickly a large volume of documents, chairing and effectively managing meetings, and a complete lack of desire to wade in and take over the advocacy!

Sitting on a fee-paid basis improved immeasurably my practice as a solicitor. I learned not only what a court or tribunal needs to make a decision, but also about cost-effective dispute resolution.

### What would be your top tip for a solicitor thinking about joining the judiciary?

Be realistic - don't apply for jobs for which you have no real aptitude or prospect of success. But if you find the right job at the right time, go for it.

Read the full interview on the Law Society's website.



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## District Judge Michael Walker CBE

### What was your route into the judiciary?

My route to becoming a district judge was the traditional one of sitting as a deputy district judge. That time gave me an invaluable insight into what life on the bench is actually like; I realised that I wanted to be a judge full-time.

Now I sit as a district judge as well as being seconded to the Office of the Senior Presiding Judge for England and Wales, in which capacity I am a board member of HM Courts Service. I have also been Hon Secretary of the Association of HM District Judges since April 2000.

### Why did you decide to become a judge?

I was coming before district judges almost daily as a legal aid practitioner, but I had never thought of doing the job myself. Then a district judge asked me if I were interested, and I decided to apply to become a deputy.

### What skills did you bring from the solicitors' profession, and what skills have you developed as a judge?

Much of what I do as a district judge is dealing with people who are unaware of their legal position, unfamiliar with court procedure and unclear how to get their case heard. That is much the same as what solicitors do, everyday.

There is a misconception that to be a good judge you need to have been a good advocate. That isn't true. But I did find that sitting as a deputy was one long, invaluable, advocacy training course. My speeches as a solicitor became much shorter as I realised what the judge wanted to hear!

### What would be your top tip for a solicitor thinking about joining the judiciary?

Consider work-shadowing - the webpage to visit is [www.judiciary.gov.uk/workshadowing](http://www.judiciary.gov.uk/workshadowing). Seeing life from that side of the bench is absolutely invaluable.

Read the full interview on the Law Society's website.





## District Judge (Magistrates' Courts) Tan Ikram

### What was your route into the judiciary?

I was appointed a full-time district judge in 2009, having sat part-time for five years. I most recently practised as a solicitor-advocate dealing with criminal defence and prosecution work, but was previously a magistrates' court clerk. I started my judicial career as a parking adjudicator and also acted as a legal assessor to disciplinary panels of the Nursing & Midwifery Council.

### Why did you decide to become a judge?

I started my career advising on how to make decisions, spent most of my career persuading courts to adopt the decision I sought, and one day realised that I would actually like the challenge of making the decisions. I chose a career in criminal law because of a real passion to fight injustice. What better place to fight it than from within the judiciary?

### What skills did you bring from the solicitors' profession, and what skills have you developed as a judge?

I bring my individual mix of second generation immigrant and working class values to a judiciary that is working hard to broaden its base of experience. I hope I also bring the common sense, logical thinking and plain talking of practice to the difficult task of administering justice in a diverse and increasingly polarised society.

Since taking up position I have had to carefully think again about my own prejudices and stereotypes, and open my mind to environments of which I have had little experience. Most challenging has been reflecting on my own role in striving to ensure that justice is done in a system which I sometimes feel undermines justice itself....

### What would be your top tip for a solicitor thinking about joining the judiciary?

Plan early. Ensure you understand what the JAC will want in order to establish your skills and experience, and have a portfolio ready.

Read the full interview on the Law Society's website.



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## The JAC's application process

*By Edward Nally, judicial appointments commissioner, senior partner of Fieldings Porter Solicitors in Bolton and former president of the Law Society.*

The JAC wants you to apply at the appropriate time for the correct level of post for you because it's a competitive business. These are the stages of the application process.

### The application letter and references

You and your referees need to give evidence of the required qualities and abilities. These don't need to come from court - they might come from life outside work.

Many people believe that referees need to be judges. That is just not true; what counts is the quality of what they have to say and how well they know your work.

### Shortlisting

For most exercises, candidates are shortlisted on the basis of a written test; there are examples on our website.

The test requires you to analyse case studies, identify issues and apply the law, which for some exercises may be a hypothetical statute.

There is no pass mark as such - the cut-off point for the shortlist will be determined by the number of posts we are being asked to select for.

Some successful candidates will have applied unsuccessfully in the past. A previous rejection is not held against a candidate.

### Selection day

For those who make it to the next stage, there is an interview with two or three people, including a judge.

For entry level posts (eg recorder, deputy district judge) there will also be a roleplay.

### What happens next?

Panel members examine all the material including references, before agreeing which candidates best meet the required qualities and abilities. Commissioners then make the final recommendations.

Once the Lord Chancellor has accepted these, you will hear from us whether or not you have been recommended for the post.

If you have been successful, the Ministry of Justice will be in touch to tell you when you start. There may be a delay before the post becomes available and your Judicial Studies Board training can begin.

Find out more at [www.judicialappointments.gov.uk](http://www.judicialappointments.gov.uk)