

Online Qualifying Test Evaluation and Feedback Report

00189 Deputy Assistant Judge Advocate General

June 2024

Purpose

The purpose of this report is to provide an evaluation of the Deputy Assistant Judge Advocate General online qualifying test and general feedback on candidate performance in the test.

The report describes how the Judicial Appointments Commission (JAC) developed the test and marking schedule, how the test was structured, and how the number of candidates shortlisted for progression was attained. Additionally, it provides information on the overall performance of candidates in the test, identifying areas of good and poor performance in the test.

Competency Framework

The test was designed to assess the following competencies:

- Exercising Judgement
- Assimilating and Clarifying Knowledge
- Working and Communicating with Others
- Managing Work Efficiently

The competencies were developed so that candidates could demonstrate the proficiency and capability transferable to the role from other contexts. The specific bullet points under each competency heading were designed to reflect the skills and abilities that an effective Deputy Assistant Judge Advocate General is expected to have. This enabled us to assess candidates in a fair and consistent way.

Development of the test

The test and marking schedules were selected from the JAC's approved bank of questions. The questions in the bank were devised by a range of judges from across a range of jurisdictions, and those selected for this exercise were reviewed and agreed by the Judge Advocate General.

The materials in the bank were designed to assess relevant transferable skills and to minimise the extent to which candidates might be advantaged or disadvantaged by their professional background.

The materials were reviewed internally by Operations, Policy, and Diversity and Engagement teams to quality and equality assure the material to ensure it was an effective tool to assess candidates. The teams also ensured that the materials did not unfairly advantage or disadvantage any potential candidates taking the test on the basis of their diversity characteristic or professional background.

The materials in the JAC bank were also reviewed by the JAC Advisory Group. The Advisory Group is composed of members of the judiciary and representatives of the legal professions and chaired by a lay JAC Commissioner. It offers advice and guidance on the development of selection material, quality assures the material, and considers – and mitigates – any negative impacts on diverse groups.

The effectiveness of the questions has been assessed by means of a mock assessment with a range of volunteers from relevant candidate groups. This provided an opportunity to trial

the questions and make any necessary amendments before they were placed in the JAC bank.

Structure of the test

The test was hosted on the JAC Digital Platform and consisted of one part:

- Situational judgement: 40 minutes, 20 questions

For the situational judgement test, candidates were presented with a range of different situations they might experience in a judicial role. Candidates were assessed on their reading of a situation and their ability to judge the effectiveness of a number of different options provided under each question. Candidates needed to identify both the most appropriate and least appropriate answer from the five options presented.

Marking of the test

The test was marked automatically by the JAC online platform. Candidates who did not finish their test within the allotted time had their test automatically submitted by the online platform, and their test was also marked.

The pass mark is determined by the number of candidates needed at the next selection stage, which varies between different exercises. Candidates who score below 30% in the test do not proceed.

For the situational judgement test each question had five answer options. It was necessary for the candidate to identify the most appropriate and least appropriate answer, with one point scored for each correct answer. Therefore, candidates could score a maximum of two points for each question.

Distribution of marks

154 candidates were invited to take the test.

8 candidates withdrew from the process or did not take the test.

146 candidates took the test.

The process of scoring the qualifying test was as follows:

- all candidates were scored on their answers to the test based on the marking schedule.
- candidates who scored less than 30% in the test were removed from consideration.
- candidates were then ranked in order of merit from first to last based on their score (further outlined below).

This provided a merit list determining how many candidates would be invited to the next stage of the selection process.

Approach to shortlisting

When the JAC receives notification from HMCTS confirming the final number of vacancies for the requested post, calculations are made to establish how many candidates will be taken to selection day (usually at a ratio of 2 or 3 candidates interviewed for each vacancy). This allows us to estimate the number of candidates we need to progress after the shortlisting stages until we reach the selection day ratio.

For this exercise we received a vacancy request to fill **two** posts. We therefore planned the selection exercise based on inviting around **six** candidates to selection day.

All candidates who applied for the exercise were invited to sit the online qualifying test. We planned to take **40** candidates to the second stage of shortlisting, the name-blind paper sift.

To identify the top **40** candidates from the qualifying test, the candidates' scores were placed on a merit list with the highest score placed at the top and the lowest at the bottom. The number of slots available in the next stage of the process was then applied onto the merit list to create the initial cut off line.

Equal Merit Approach

Where there are candidates with the same score at the cut off line, the Equal Merit Provision (EMP) may be applied in line with the JAC's published policy, which is available [here](#). If the equal merit approach is applied, this will be after the consideration of a sub-committee of Commissioners; consisting of a legal Commissioner, a lay Commissioner and the Assigned Commissioner for the exercise. The sub-committee will consider and will need to be satisfied that:

- the candidates about whom a decision is being taken are of equal merit.
- The particular protected characteristic is underrepresented either in the judiciary as a whole or at the relevant level of judiciary.
- reliance on EMP in the shortlisting process being conducted is a proportionate means of achieving the aim of increasing judicial diversity.

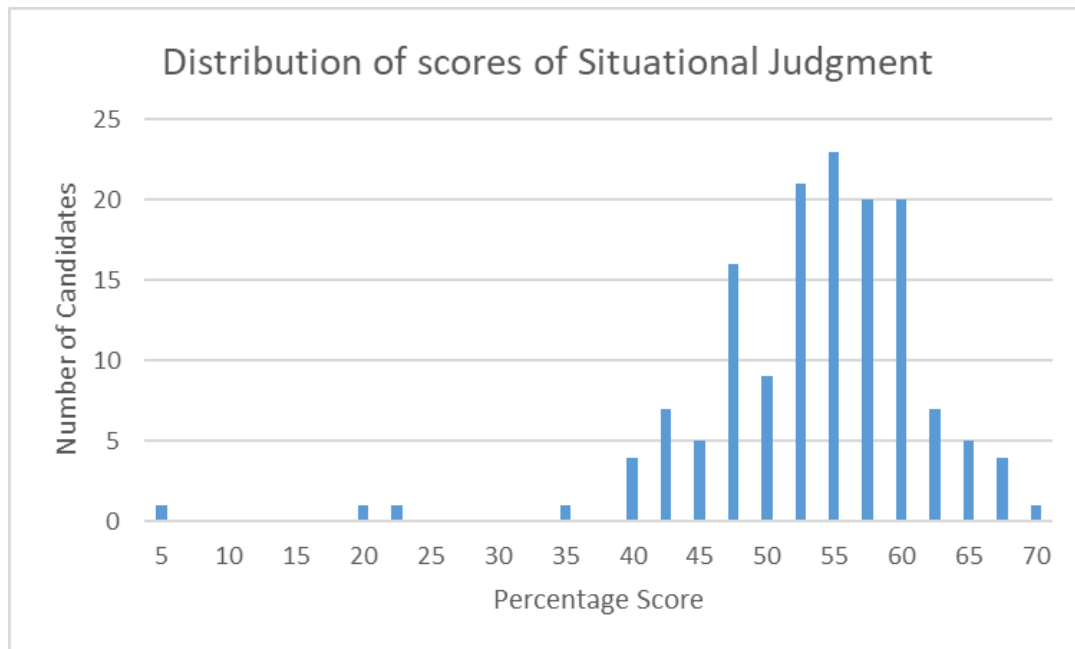
The EMP was applied at this stage of the selection process and **10** candidates were invited to the next stage.

In total **47** candidates progressed to the name-blind paper sift.

We do not have a pre-determined pass mark for the test; the line of shortlisting is determined by the relationship between the relative performance of candidates against each other in any given test, and how many slots there are for the next stage of shortlisting.

Candidates' performance in the test

The range of candidate scores for the **situational judgement test** were as follows: lowest candidate score was **5%**, highest candidate score was **70%**. The average candidate score was **53%**.



In the situational judgement test, there was:

- **One** question where **80%** or more of candidates chose both parts of the question correctly (an easier question according to the results). This question related to how candidates would respond being in a small car accident that left them feeling fine but would have them delayed on a busy court day to exchange insurance details.
- **Three** questions where under **9%** of candidates chose both parts of the question correctly (harder questions according to the results). These questions referred to what a candidate's response is when after sentencing a party to imprisonment they started shouting abuse at a clerk, what a candidate's responses is when they realised a witness went to the same school as them and what a candidate's response is when on a two-day trial both parties are unable to attend before lunch due to traffic.

Feedback from candidates

After the qualifying test, candidates were invited to complete an anonymous candidate survey. A total of **69** candidates responded to the survey. Based on the results of the candidate survey:

How would you rate the quality of the customer service you received from JAC staff during the qualifying test process?

- 67% of candidates said excellent or good.
- 6% of candidates said fair.
- 27% of candidates said not applicable.

I understood from the instructions what was expected during the qualifying test.

- 93% of candidates strongly agreed or agreed.
- 6% of candidates neither agreed nor disagreed or said not applicable.
- 1% of candidates disagreed or strongly disagreed.

The situational judgement test enabled me to demonstrate how I would tackle daily challenges working in a court.

- 61% of candidates strongly agreed or agreed.
- 16 % of candidates neither agreed nor disagreed.
- 23% of candidates disagreed or strongly disagreed.

I am confident in the situational judgement qualifying test as a JAC selection tool.

- 36% of candidates strongly agreed or agreed.
- 29% of candidates neither agreed nor disagreed.
- 35% of candidates disagreed or strongly disagreed.

The qualifying test was accessible in terms of format, language used and topics covered.

- 86% of candidates strongly agreed or agreed.
- 7% of candidates neither agreed nor disagreed or said not applicable.
- 7% of candidates disagreed or strongly disagreed.

The qualifying test was easy to complete.

- 62% of candidates strongly agreed or agreed.
- 23% candidates neither agreed nor disagreed or said not applicable.
- 15% of candidates disagreed or strongly disagreed.