

Post Selection Day Evaluation and Feedback Report
00203 Fee-paid Judge of the First-tier Tribunal
February 2025

Purpose

The purpose of this report is to provide an evaluation of the selection days for Fee-paid Judge of the First-tier Tribunal as well as capture general feedback on candidate performance. The report describes how selection days were undertaken by both panels and candidates; including what characterised stronger and weaker demonstrations of the competencies needed to fulfil the requirements of this role.

Competency Framework

The selection day was divided into two parts. The first part was a roleplay which was designed to assess the following competencies:

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

The second part was a competency-based interview, which was designed to assess the following competencies:

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

The assessment criteria were developed so that candidates could demonstrate the proficiency and capability transferable to the role from other contexts. The specific behavioural indicators under each competency were designed to reflect the aptitude and faculty that an effective Fee-paid Judge of the First-tier Tribunal is expected to have. This enabled us to assess candidates in a fair and consistent way.

Performance of candidates

1,843 candidates registered for this exercise. All candidates who registered for the exercise were invited to sit the online qualifying test, which involved a situational judgement and critical analysis test. 550 candidates were then invited to take an online scenario test. Following the scenario test, 347 candidates were invited to selection day, subject to completing a full application form and meeting the eligibility requirements.

In May 2025, due to a change in business need, HM Courts and Tribunals Service increased the vacancy request for Fee-paid Judge of the First-tier Tribunal from 120 vacancies to 166 vacancies.

166 candidates were recommended by the Judicial Appointments Commission to the Senior President of Tribunals for appointment to the role of Fee-paid Judge of the First-tier Tribunal. In making this decision the Commission took into account all relevant character checks, and all evidence provided by the candidates at selection day as well as the candidates' independent assessments and self-assessment

Selection day

Selection days were held remotely via Microsoft Teams between 3 February and 29 February 2025. Candidates who took part in the remote interviews were provided with technical support to get ready for their selection day as detailed on our [website](#).

Development of the roleplay

The roleplay was devised and drafted by a First-tier Tribunal Judge. In common with all the selection tools developed for this exercise, the roleplay was designed to simulate a court or tribunal environment with candidates taking on the role of judicial office holders.

The roleplay assesses how candidates would deal with the situations they may face and decisions they would have to make if appointed. Candidates are expected to demonstrate their ability to meet the competency framework and whether they can maintain their performance under challenge and pressure.

The materials developed for this exercise 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 undertaking the selection days on the basis of their diversity characteristic or professional background.

Following this internal quality assurance, the material was then 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 roleplay was assessed by means of a mock assessment with a range of volunteers from relevant candidate groups. This provided an opportunity to trial the test material and make any necessary amendments.

Structure of roleplay

The candidate was cast in the role of a Fee-paid Tribunal Judge in the fictional Community Allotment and Gardens Appeal Tribunal (CAGAT). This fictional tribunal was inquisitorial but had its own rules, which were provided in advance. No legislation other than that provided for this exercise was relevant.

Candidates had to conduct an appeal hearing, make any necessary interventions, give appropriate reasoned rulings and deliver a final reasoned judgment.

The script was designed to test a candidate's ability to appropriately deal with situations and the people appearing before them, as well as process information and make decisions.

Selection day preparation

Candidates were given information on the background of the roleplay and any relevant law prior to the selection day. The materials sent one week in advance of selection day consisted of:

- Community Allotment (Tenancies and Terminations) Regulations 2009 ("the Regulations")

- Community Allotment and Gardens Appeal Tribunal (CAGAT) (Practice and Procedure) Rules 2010
- Chapter 1, 3 and 4 of the Equal Treatment Bench Book: Litigants in Person, Physical Disability and Mental Disability

At selection day, candidates were given the following material to familiarise themselves with:

- The scenario
- Two witness statements sent by the respondent (one of which was an unnamed and unsigned witness statement)
- A letter from the appellant
- A letter from the appellant's GP

Marking of roleplay

A checklist and marking guide were provided to the selection day panels to guide them in what to look for under each competency.

Assessment of candidates' responses to the roleplay

The evidence for each competency is assessed as either outstanding, strong, sufficient or insufficient.

Outstanding evidence included:

- Demonstrating awareness of the purpose of the hearing, the procedure and timings and briefly explaining this to the parties
- Checking for reasonable adjustments and adjusting their communication style so they could be understood clearly
- Being fair with both parties
- Listening carefully and clarifying any uncertainty
- Demonstrating calm authority and inspiring respect and confidence
- Demonstrating a firm grip on the time throughout the hearing, starting by reminding the parties of the time available and continuing by reducing distractions and ensuring that no time was wasted
- Taking a calm and flexible approach to getting through the submissions and allowing ample time for their final judgment

Strong evidence included:

- Making the key decisions and covering most of the main points but may have missed some smaller or more nuanced points
- Absorbing most of the key parts of the scenario
- Maintaining some control of the hearing and covering most of the points but being slightly less clear or succinct, or not always intervening after cues from the parties.
- Maintaining some control of the time
- Ensuring that the parties were continuously moving forward through the different parts of the hearing

Sufficient evidence included:

- Covering the key decisions but not being so well-reasoned and lacking detail
- Absorbing some key parts of the scenario but missing some of the issues in the brief and/or in what the parties tell them
- Maintaining some control of the time but not managing the parties as effectively

Insufficient evidence included:

- Not taking all the necessary decisions, making decisions that were not logical or based on the evidence heard, or giving decisions without supporting reasons
- Not grasping the basics of the hearing and missing key issues from the brief and what parties told them
- Not demonstrating authority or communicating clearly, and/or demonstrating impatience or insensitivity with either or both parties
- Not managing their time efficiently, getting stuck in too much detail and/or failing to manage the hearing efficiently
- Running out of time before delivering their final judgment or missing out many of the matters that should have been covered because of lack of time

Further feedback from panels

- In conducting the roleplay of a hearing, consider what would be good practice in terms of controlling the hearing; being assertive but not overly authoritative
- Rehearse a roleplay or observe tribunals

Competency based interview

Each candidate then had a competency-based interview. Here the panel was seeking further evidence and examples from the candidate of the required competencies and in the context of the role of Fee-paid Judge of the First-tier Tribunal. The panel drew upon evidence provided in the candidate's self-assessment and career history to inform their questioning.

Exercising Judgement

Outstanding evidence included:

- Providing clear, complex and well-developed examples
- Demonstrating their handling of a delicate and difficult situation which was handled without bias and prejudice
- Identifying and applying the relevant law and procedure correctly; to come to a clear decision in a complex situation

Strong evidence included:

- Demonstrating independence of mind, application of the law and confident decision making
- Demonstrating their ability to make a difficult decision under time pressure with a legally complex example
- Demonstrating fair treatment and clear integrity when they made a finely balanced decision

Sufficient evidence included:

- Demonstrating integrity and independent decision-making
- Providing examples that provided evidence of fairness and integrity
- Providing examples that had great challenge but lacked the more detailed account of the candidate's own actions

Insufficient evidence included:

- Giving examples that gave negative evidence
- Failing to answer the question asked, sometimes because candidates appeared to be too tied to pre-prepared notes
- Giving examples that gave little more than what is professionally required

- Giving examples from their self-assessment but added little additional evidence to these, despite being informed they would need to

Possessing and Building Knowledge

Outstanding evidence included:

- Demonstrating how they mastered an unfamiliar and complex area of law
- Providing examples evidencing how they keep abreast with changes in law, new processes and how they share relevant knowledge appropriately
- Demonstrating how they applied their knowledge in relation to a legally complex piece of work
- Providing examples that were clear, detailed and complex, addressing the question asked fully
- Providing details of their involvement with published articles, including books and legal journals

Strong evidence included:

- Demonstrating an ability to acquire further knowledge of unfamiliar law rapidly
- Providing evidence of applying previous knowledge to an unfamiliar area of law, identifying gaps in their knowledge and researching appropriately
- Demonstrating their ability to sharing knowledge with others

Sufficient evidence included:

- Providing examples that demonstrated their knowledge of the law
- Providing examples that demonstrated their ability to acquire further knowledge rapidly but wasn't unfamiliar or a complex subject matter

Insufficient evidence included:

- Failing to answer the question asked
- Providing examples that were extremely straight forward and lacked any challenge
- Providing examples where the knowledge acquired was very narrow in scope

Assimilating and Clarifying Information

Outstanding evidence included:

- Providing examples of their ability to assimilate complex information from a variety of sources and how they analysed this to make a finely balanced decision
- Providing clear and compelling examples that illustrated the techniques used to weigh conflicting evidence in a highly complex case
- Providing examples that demonstrated considerable complexity and challenge
- Providing examples that were detailed with the actions they personally took

Strong evidence included:

- Demonstrating a range of approaches taken to assimilate and clarify key issues
- Providing a clear and detailed account of keeping an open mind in a challenging situation
- Providing relevant and well explained examples which demonstrate sound skills in assimilating voluminous information
- Demonstrating their ability to identify gaps in evidence

Sufficient evidence included:

- Providing examples that showed how they assimilated information quickly

- Providing examples that demonstrate their critical analysis of information and how they reach decisions

Insufficient evidence included:

- Providing examples that did not answer the question asked
- Providing examples that lacked detail, clarity and complexity

Working and Communicating with Others

Outstanding evidence included:

- Providing examples that clearly demonstrated their professionalism in a complex and difficult situation
- Providing concrete examples of the way they adapt to others' needs
- Demonstrating the ability to collaborate and showed clear communication with vulnerable litigants, colleagues and other professionals
- Demonstrating an effective communication style throughout their interview
- Demonstrating evidence of their awareness of the importance of diversity, communication and sensitivity.

Strong evidence included:

- Providing examples that showed their commitment to reducing cultural barriers
- Providing examples that demonstrated a range and complexity of evidence

Sufficient evidence included:

- Demonstrated how they were approachable and providing examples that showed their communication and sensitivity
- Demonstrating appropriate strategies to maintain control and build relationships

Insufficient evidence included:

- Providing examples that had too much context and not enough time spent explaining their role in it or how it met the competency
- Providing examples that lacked depth and detail
- Providing examples that did not answer the specific question asked

Managing Work Efficiently

Outstanding evidence included:

- Providing extremely impressive examples that demonstrated an ability to put systems and procedures in place to enhance their efficiency, and an ability to remain resilient under pressure
- Demonstrating their ability to be flexible and their resilience under pressure in challenging and complex situations
- Describing, in some detail, the practical steps that they had taken to manage their workload and the manner in which they had engaged others

Strong evidence included:

- Demonstrating the ability to plan effectively and use their time efficiently
- Providing examples that demonstrated them introducing new efficiency strategies and how they instructed their colleagues in the use of new tools
- Providing evidence that was structured, detailed and showed what they did and how they did it
- Demonstrating how they structured their time carefully to manage pressure, and to keep focus

Sufficient evidence included:

- Providing evidence of taking a structured approach to work
- Providing an example of their ability to balance competing priorities but while detailed was lack complexity
- Demonstrating an ability to improve efficiency
- Giving examples of their ability to respond flexibly to changing circumstances

Insufficient evidence included:

- Providing examples that lacked detail of what they personally did in a given situation
- Providing examples that were extremely straightforward
- Providing answers that didn't answer the question asked

Further feedback from panels

- Prepare carefully for the interview and ensure you read the materials provided on the JAC website.
- Review the competencies in advance and consider a range of potential examples.
- Prepare a range of examples to pull upon at interview but ensure you listen to the questions so you can answer them fully. Do not read out pre-prepared answers from a script.
- Give specific, detailed, and evidence-based examples.
- Talk to people who have been successful in the process to understand what is required.

Welsh Questions

Candidates for posts in Wales were required to have an understanding, or the ability to acquire the understanding, of the administration of justice in Wales, including legislation applicable to Wales and Welsh devolution arrangements. This requirement was assessed via an online video assessment through a series of questions. Candidates were assessed as either suitable or not suitable for posts in Wales, based on their answers to these questions.

Feedback from Candidates

After the selection days, all candidates were invited to complete an anonymous candidate survey. 101 candidates responded to the survey as below.

How would you rate the quality of customer service you received from JAC staff on selection day?

- 99% of candidates agreed it was either good or excellent
- 1% of candidates disagreed, indicating it was poor

The instructions provided beforehand enabled me to prepare for the remote selection day

- 94% of candidates either agreed or strongly agreed
- 3% of candidates neither agreed nor disagreed
- 3% of candidates disagreed or strongly disagreed

I understood what was expected on the selection day

- 88% of candidates either agreed or strongly agreed
- 10% of candidates neither agreed nor disagreed
- 2% of candidates disagreed or strongly disagreed

The live role play, including the setting, scenario and actors, created a convincing situation

- 87% of candidates either agreed or strongly agreed
- 2% of candidates neither agreed nor disagreed
- 11% of candidates disagreed or strongly disagreed

The role play enabled me to demonstrate my suitability for the role

- 75% of candidates either agreed or strongly agreed
- 14% of candidates neither agreed nor disagreed
- 11% of candidates disagreed or strongly disagreed

I am confident in the role-play as a JAC selection tool

- 78% of candidates either agreed or strongly agreed
- 11% of candidates neither agreed nor disagreed
- 11% of candidates disagreed or strongly disagreed

The interview questions gave me the opportunity to demonstrate my skills, abilities and competence for this role

- 60% of candidates either agreed or strongly agreed
- 18% of candidates neither agreed nor disagreed
- 22% of candidates disagreed or strongly disagreed

I am confident in the interview as a JAC selection tool

- 56% of candidates either agreed or strongly agreed
- 28% of candidates neither agreed nor disagreed
- 16% of candidates disagreed or strongly disagreed

The panel behaved professionally and treated me with respect

- 94% of candidates either agreed or strongly agreed
- 6% of candidates neither agreed nor disagreed