

Preparing for JAC selection exercises

This guide will help you prepare for JAC selection exercises. It contains background information on the process, top tips and anonymised real examples so you know what the process involves and can be as prepared as possible.

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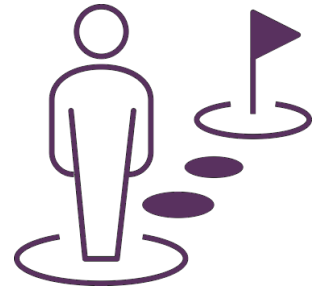
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JAC selection processes



The JAC uses a **structured selection process** to assess candidates fairly, in line with selection good practice. This means that we include a number of different elements, including some form of written statement from the candidate and an interview against a set of agreed selection criteria.

There are a number of benefits to using a structured process. We want to ensure that all candidates, regardless of their background, have **a fair, transparent and equal opportunity to demonstrate their suitability for a role.**

During unstructured selection, assessors tend to subconsciously look for people that they connect with; for example, candidates with a similar background to their own, or with similar experiences to theirs, or even people who are located in the same region or town. These assessors may also ask interview questions based on their own preferences, experiences and approaches, rather than using questions that fairly test a candidate's suitability for the role. In short, a lack of structure in the selection process means that candidates are more likely to be selected on connections than on merit, which is unfair.

By contrast, a structured process helps to **explore a candidate's evidence fully, minimise bias, ensure a focus on merit, and in doing so, it supports fairness and diversity.**

One of the ways that the JAC structures its selection process is to use **competency frameworks** and **skills & abilities frameworks** (see page 7 to 9 of this guide).

These are sets of transferrable knowledge, skills and attributes that are required for successful performance in a role. They provide a common language for candidates and assessors to present / assess evidence of ability against key requirements of the role. A different framework is used for each role, and this is developed carefully in consultation with the Judiciary.

Depending on the role that you apply for, you will also encounter **other elements of the JAC's structured process**, such as:

Eligibility statement

A written statement from the candidate explaining how they meet the published eligibility criteria, such as experience in a particular jurisdiction or length of service.

Self-assessment

A structured written statement where the candidate gives examples against each of the competencies / skills and abilities in turn.

Statement of suitability

A freeform written statement where candidates explain why they are suitable for the post, sometimes against a set of skills & abilities.

CV (Curriculum Vitae)

A brief, factual career chronology, showing posts held and dates.

Qualifying test

The qualifying test (QT) is often the initial shortlisting stage for large-scale selection exercises. It is a rigorous process that tests a candidate's ability to analyse information, identify issues, understand the law, apply sound judgement, and succinctly and clearly explain how decisions are reached.

Candidates are strongly advised to prepare thoroughly ahead of taking the QT. The JAC website provides comprehensive information, including a practice test tool, information on test scoring, preparation resources and signposting to support schemes: <https://judicialappointments.gov.uk/qualifying-test-preparation-guidance-and-resources/>

Scenario Test

In some exercises, as well as a QT there is also a scenario test. Scenario tests require candidates to identify the relevant issues from a scenario and provide a short-written response to the questions. There is a word limit for candidates' answers, which is communicated at the start of the test.

Sift on applications

A panel assesses candidates' applications (including self-assessment or statement of suitability, plus any written work) according to criteria in the vacancy advert e.g. by competency or by skill & ability or by written work examples. As part of this assessment, the panel also examines the independent assessments (see page 16).

Written work

In some senior appointment exercises, candidates are asked to submit examples of their written work, to test their Legal and Judicial Skills.

Situational questions

The panel asks the candidate what they would do in a situation based on a scenario they may encounter as a judge. There is usually reading in advance. The candidate is assessed against the competency or skills & abilities framework.

Role play

The candidate takes part in a simulation of a court, tribunal or similar setting, based on a scenario they may encounter as a judge. The parties in the scenario are played by professional actors. The candidate is assessed against the competency or skills & abilities framework.

A role play may be 'live' where the candidate interacts in real time with the actors, or 'recorded' where the candidate watches and responds to pre-recorded clips of the actors.

Competency interview

The panel asks the candidate for specific examples against each of the competencies. This interview may be conducted face-to-face or online (see page 6).

Skills & abilities interview

The panel asks the candidate for specific examples against each skill & ability. This interview is normally conducted face to face (see page 6).

The exact **process for selection** varies according to the role being recruited. It might also vary year on year.

You can find out the up-to-date process for each specific role on the **JAC vacancies page**: <https://apply.judicialappointments.digital/vacancies>

To assist you, the table below indicates current processes for a variety of roles:

Role	Application by candidate	Shortlisting	Selection day
Fee-paid Tribunal / Employment Judge Deputy District Judge Recorder	<ul style="list-style-type: none"> Self-assessment against 5 competencies <p><i>[** see footnote]</i></p>	<ul style="list-style-type: none"> Qualifying test Scenario test <p><i>[** see footnote]</i></p>	<ul style="list-style-type: none"> Role play Competency interview
Employment Judge Judge of the First-tier Tribunal	<ul style="list-style-type: none"> Self-assessment against 5 competencies 	<ul style="list-style-type: none"> Scenario test Sift on applications 	<ul style="list-style-type: none"> Situational questions Competency interview
Judge of the Upper Tribunal	<ul style="list-style-type: none"> Eligibility statement 	<ul style="list-style-type: none"> Tbc, may be a qualifying test 	<ul style="list-style-type: none"> Situational questions Competency interview
District Judge	<ul style="list-style-type: none"> Self-assessment against 5 competencies 	<ul style="list-style-type: none"> Sift on applications 	<ul style="list-style-type: none"> Situational questions Competency interview
Circuit Judge	<ul style="list-style-type: none"> Self-assessment against 5 competencies Statement of suitability 	<ul style="list-style-type: none"> Sift on applications 	<ul style="list-style-type: none"> Situational questions Competency interview
Deputy High Court Judge	<ul style="list-style-type: none"> Statement of suitability against 3 skills & abilities 	<ul style="list-style-type: none"> Sift on applications 	<ul style="list-style-type: none"> Role play Skills & abilities interview
High Court Judge	<ul style="list-style-type: none"> CV Statement of suitability against 3 skills & abilities 2 pieces of written work 	<ul style="list-style-type: none"> Sift on applications and written work 	<ul style="list-style-type: none"> Situational questions Skills & abilities interview

**** For fee-paid First-tier Tribunal Judge and Deputy District Judge, the qualifying test and scenario test now take place before the self-assessment form is completed by the candidate.**

Online or face to face

The information on the [Vacancies page](#) sets out which elements of each exercise are to be conducted online or face to face. Candidates will also be kept up to date by the JAC during the process.

At present, in 2024/25, the protocol is:

- For all exercises, any assessment before selection day (such as qualifying tests, assessment of written evidence) is conducted remotely.
 - For salaried roles, selection days are face to face.
 - For most fee paid legal roles, selection days are conducted remotely.
 - The JAC currently uses MS Teams as the usual medium for remote work.
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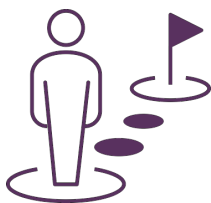
Grading of evidence and banding

For each element of the process, the selection panel grades the candidate on each competency or skill & ability. Evidence is graded as:

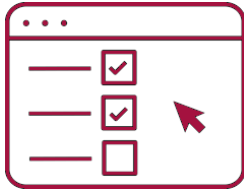
A = Outstanding
B = Strong
C = Sufficient
D = Insufficient

To better understand how panels assessed the evidence and awarded different grades for particular exercises, you can view the feedback and evaluation reports at <https://judicialappointments.gov.uk/feedback-and-evaluation-reports/>

At the end of the process each candidate is allocated a band, to reflect the entirety of the evidence gathered. Candidates are banded as: an outstanding candidate (A), a strong candidate (B), a selectable candidate (C) or a not presently selectable candidate (D).



1. Completing an online application



Background

Information about preparing to apply is here:

<https://judicialappointments.gov.uk/how-to-prepare-before-you-apply/> If this is a first application, the candidate will start by entering qualification details and career history information.

Candidates requiring **reasonable adjustments** at any stage of the process will be able to make the JAC aware during this stage.

For the online application, candidates are asked to prepare **written evidence**, in an eligibility statement, a suitability statement, a self-assessment and / or a CV. The JAC website's [Vacancies page](#) gives instructions on which of these documents you need to complete; some exercises require more than one.

Your evidence must be tailored to the role, by following the relevant competency framework or skills & abilities framework. Check the Vacancies page to see the exact framework used for each exercise.

A typical **competency framework** looks like this:

Exercising Judgement

Demonstrates integrity and applies independence of mind to make incisive, fair and legally sound decisions.

- Applies the relevant law and procedure correctly to progress the case
- Reaches timely decisions which are soundly reasoned and easy to follow
- Demonstrates independence of mind
- Ensures fairness; demonstrates integrity and acts without bias or prejudice, especially in challenging, complex situations

Possessing and Building Knowledge

Possesses a detailed knowledge of own field of law and practice. Demonstrates an ability and willingness to learn new areas of law and procedure when required and develop professionally, encouraging others to do so as well

- Demonstrates a detailed knowledge of the law and procedure in own field(s) of practice and prepared to learn other area(s) of law and procedure where required
- Demonstrates an ability to acquire knowledge rapidly, especially of unfamiliar or complex subject matter
- Keeps abreast of changes in the law and new processes and procedures
- Pursues, and supports others in, continuous learning and professional development, regularly sharing relevant information and knowledge when appropriate

Assimilating and Clarifying Information

Quickly assimilates information to identify essential issues, develops a clear understanding and clarifies uncertainty where necessary

- Effectively assimilates and processes large amounts of complex information from multiple sources
- Identifies, and ensures the focus remains on, the relevant issues
- Critically analyses information and applies appropriate weight to it in order to reach a reasoned decision
- Works collaboratively with other tribunal members to evaluate and interpret evidence to reach a well-reasoned decision

Working and Communicating with Others

Values diversity and shows sensitivity to the particular needs of different individuals, communities and groups. Demonstrates good communication skills and develops effective working relationships with all

- Remains approachable, is supportive of colleagues and receptive to their contributions
- Establishes authority and demonstrates courtesy, gaining the confidence of others
- Deploys appropriate strategies to defuse conflict and facilitate constructive working relationships
- Communicates effectively both orally and in writing in a manner that ensures understanding by others
- Shows an awareness of the importance of diversity, takes an anti-discriminatory approach and demonstrates sensitivity to the particular needs of different communities and groups

Managing Work Efficiently

Works and plans effectively to make the best use of available resources

- Manages time and prioritises tasks to ensure efficient completion of workload
- Utilises available resources, including making full use of the latest technology, to carry out the role in the most efficient way
- Resolves problems independently but seeks advice and offers assistance to others when appropriate
- Demonstrates resilience, responding calmly and flexibly to changing circumstances and pressure
- Engages with colleagues to maintain high levels of professional standards

A typical **skills & abilities framework** looks like this:



Legal and judicial skills

- Exceptional intellect
- Analysis of complex issues, reaching clear reasoned decisions
- Expertise in their chosen field
- Grasp of what underpins a fair hearing

Personal qualities

- Integrity, accountability and independence of mind
- Resilience and calm under pressure
- Attentive listener, clear communicator
- Courteously authoritative even in complex and demanding situations
- Understanding, and treating fairly, different communities

Working Effectively

- A team player, seeking and offering candid advice when needed
- Efficiently despatching business, including by supporting staff
- Supporting change throughout the judiciary
- Aware of the role of the judge in twenty-first century society

....or....

Leadership

- A team player, offering candid advice when needed and leading by example
- Efficiently despatching business and organising its delivery, including by supporting colleagues and staff
- Works collaboratively to improve performance
- Supporting and driving change throughout the judiciary
- Aware of the role of the judge in twenty-first century society]

Top tips for your online application

- Choose examples that are **relevant to each competency / skill & ability** for the role you are applying for. You do not need to supply evidence for every bullet point under each competency / skill & ability heading but do cover several if you can.
- Give **specific examples**. Choose a particular case or situation and explain exactly what you did, and how and why you did it. Use 'I', not 'we' or 'the team'. Try to use recent examples (last 1-5 years) if you are able to.
- You can structure your examples using the **SOAR method**, where you describe the Situation, Objective, Action and Result. If you use this method, focus your evidence mainly on the action you took, as this will be of most interest to the panel.
- **Pick examples that show depth or complexity**, though more routine examples can achieve high grades if well-described. Some examples could be non-legal or personal, as long as they demonstrate the relevant competency / skill and ability.
- **Avoid assertions about yourself and generalities about your job**, such as "In my work I make sound judgments across a range of areas of law" or "I always treat everyone I meet with respect and courtesy". Assertions and generalities are a common reason that evidence is assessed as insufficient by the panel.
- **Avoid listing too many examples** under each competency / skill & ability; 1 or 2 examples are fine. Listing 4 or 5 examples under one competency / skill & ability will only allow you a couple of sentences about each, which is unlikely to provide rich evidence of the action you took.
- Keep your examples **free of jargon and of technical terms**, remembering your panel will have one or two lay members. Describe the type of case in a few simple words. Using hyperlinks, case reference numbers and acronyms is often unhelpful.
- You don't have to write in full sentences. Bullet points are fine as long as they make sense to the reader. If you give more than one example, **make clear where each example starts and ends** by leaving a line between them or similar.
- If you are applying for a post which requires written work, think carefully about what you submit. If you hold a judicial role, it helps the panel if you **include at least one example of a judgment**. Try to choose recent rather than old examples, and ideally work which was yours alone or where your role was distinct from the rest of the team. In your covering note, you should explain briefly why you chose these particular pieces.
- Finally, if you get to interview, you will be asked for more examples. You could expand on some self-assessment examples but panels also need **fresh examples**.

Examples of good and bad self-assessments

We recognise that candidates often struggle with knowing how to present evidence against the competencies / skills & abilities. To assist you, you will see below some examples of highest rated (A grade) and lowest rated (D grade) evidence, for a particular competency or skill & ability.

This is an **A-grade outstanding** answer against one **competency**:

Assimilating and Clarifying Information

Quickly assimilates information to identify essential issues, develops a clear understanding and clarifies uncertainty where necessary

- Effectively assimilates and processes large amounts of complex information from multiple sources
- Identifies, and ensures the focus remains on, the relevant issues
- Critically analyses information and applies appropriate weight to it in order to reach a reasoned decision

(250 word limit)

I heard a complex 18-day whistleblowing unfair dismissal case. A few days before, I received 26 large bundles without proper pagination or indexing. I skimmed the contents, marked key parts and at the start of the hearing, checked which documents were most relevant. To stay on top of the material I created a spreadsheet of key issues against evidence and focussed the Tribunal on those. I asked numerous questions in areas where I identified gaps in the evidence. During panel discussions, we weighed the often-conflicting evidence, giving attention to the source, credibility and internal consistency. I repeatedly refocused the members on key issues such as the principal reason for the dismissal.

In another unfair dismissal claim, I sat alone. The claimant had accepted redundancy from a builders yard due to closure, but the yard continued to operate afterwards. There were very limited written records of key events, processes and conversations. The claimant was in person and the employer's representative not legally qualified. I explained the process and issues I would focus on at each stage, and kept my questions and explanations jargon-free. I adjourned briefly to allow parties to locate documents, which produced new evidence such as a job advert for yard workers dated after the claimant left and emails showing how workers were selected for redundancy. In my ex- tempore judgment I explained how I had weighed the evidence, why I preferred particular pieces of evidence, and why my decision went in favour of the claimant.

By contrast, this is a **D-grade, insufficient** answer for the same **competency**. The examples are specific but too short, too vague about what the candidate did and how they did it, and the case reference numbers do not help the panel understand what the case was about or how complex / challenging it was.

My competence in assimilating and clarifying information is demonstrated by the numerous complex cases I have dealt with including [long list of case reference numbers].

In [case reference] I represented the parents. Dealing with French and Canadian medical experts by telephone and video link. Assimilating detailed medical information in late night meetings including reports from GOSH, details of experimental treatments, scan results and bloodwork. Short notice consideration of viability following further testing.

In [case reference] again rep parents, six week shaken baby case. Police evidence contradicted mother's account. Medical evidence CT and MRI scans expert reports served 48 hours before as to final examination.

In [case reference] conflicting expert evidence on causes of injury to child. Long and complex reports, many exhibits, many conflicting points. Clinical notes from hospital inconclusive. Had to decide on weight of each.



This is an **A-grade outstanding** answer against a **skill & ability**:

Personal qualities

Integrity, accountability and independence of mind

- Resilience and calm under pressure.
- Attentive listener, clear communicator.
- Courteously authoritative even in complex and demanding situations.
- Understanding, and treating fairly, different communities

(400 word limit)

Prosecuted a woman for death by dangerous driving whilst she was intoxicated (drugs). She pleaded guilty to a lesser charge of death by careless driving, but I felt sentence would be same for careless or dangerous driving and judge indicated so. Explained my view to CPS, but they were adamant I should prosecute more serious offence, possibly due to many of deceased's family at court. I spoke with deceased's family to explain, answered their many questions; they then agreed lesser plea should be accepted. This helped to convince CPS and ultimately judge gave same sentence as for more serious offence, without the need to put bereaved family through considerable stress and upset of a trial.

Represented a Defendant accused of murdering his mother, with variety of mental health issues, jumpy and aggressive in court. Early on, he repeatedly made offensive comments about mother, visibly upsetting family members and some members of jury. Judge becoming irritated, I felt my client in danger of prejudicing his case. Asked for a brief adjournment and explained to client I knew outbursts not deliberate but still damaging to his case, needed to find way to make him feel calmer. Spoke with judge and dock officer, agreed he could leave court without notice each time he felt need to calm down. This worked, he left briefly several times. Enabled trial to proceed with minimal disruption and I was able to explain to the jury what was happening. Was thanked by family afterwards for minimising their distress while allowing evidence to be heard.

Sitting as Deputy District Judge. Difficult defendant, very rude to usher at start. Refused to sit, answer me or accept court's authority, claiming religious grounds for objection. I explained carefully the purpose of hearing, process and how he could assist. Asked questions and listened to his concerns, checked how he wanted to be addressed, explained why he may be more comfortable sitting down. Was able to ascertain he had some literacy issues and was very nervous. Checked his understanding throughout, read out key parts of documents for him. Established authority by being firm about his outbursts and reiterating what I was doing at each step and what was expected of him. Defendant began to engage in process and was able to present his case. Judgment went against him finally, but he told me that he accepted decision and apologised to the usher.

This is a **D-grade insufficient** answer for the same **skill & ability**. It is full of assertions and generalities, and it lacks specific examples of what he did and how he did it. The quote from their appraisal adds little.

In my 12 years as a deputy district judge, I have heard a wide range of complex and difficult cases that require independence of mind and resilience. I approached each decision with an open mind and was often complimented on the clarity of my judgments.

As well as my judicial experience, my time as a school governor and charity board chair means that I have chaired meetings and hearings with senior business leaders, politicians, government officials, and people from all parts of society. I always deal with people in an inclusive and respectful manner, even when they are rude and tempers are frayed. I always act impartially. I am not afraid to speak my mind, especially where I see potential injustice. I stay calm when under pressure. Chairing brings a requirement to move people towards consensus and get people on board with decisions, which requires a combination of diplomacy, a firm hand and patience.

I work well with other court staff and am efficient. My most recent appraisal (2019) stated "He is personable and appears to get on well with colleagues. During my observation he liaised effectively with the Clerk and they were clearly comfortable working together.... The day involved a heavy case load but he managed each case effectively".

Working where I do, I have dealt with parties from a wide range of communities. I am careful to never discriminate and I make my decisions irrespective of the parties' ethnicity, age, educational background, mental health and so on. I recognise that my decisions can have life changing impacts and am sensitive and respectful to all.

To show you how the panel assesses applications, here are some **extracts from panel reports**:

In his **self-assessment**, the candidate provided strong evidence of Exercising Judgement and sufficient evidence of the remaining four competencies. For Exercising Judgement he gave two in-depth examples of complex cases, including a Land Registry boundary case and an alleged abuse of process. These clearly evidenced his ability to apply the law and his independence of mind. Evidence for the other four competencies was more routine and straightforward. For example, for Assimilating and Clarifying Information he described a case as a Tribunal Judge where he had to assimilate several large files and a 40-page breakdown of costs, in order to identify and clarify relevant issues. His examples demonstrated sound practice but lacked depth and complexity.

[In his **self-assessment**] He gave an outstanding example of leadership. As Head of Chambers, a member of his chambers alleged that another member of chambers was bullying a young counsel. He explained how he reviewed his options and decided to investigate, gathering evidence and seeking advice from the Bar Council. He created a disciplinary hearing within chambers and the panel determined that the allegations were proved.

[In their **self-assessment**] They gave sufficient evidence for Exercising Judgement, with an example of hearing an appeal arising from two different decisions over a period of two years, with complex inter-dependencies. Strong evidence was provided for Possessing and Building Knowledge, with a description of building and then applying complex legal knowledge in both new jurisdictions in which they sit as a judge. Evidence for Assimilating and Clarifying Information was sufficient, with an example of handling a voluminous and disorganised appeal file, where they succeeded in identifying the key documents and relevant issues. They gave strong evidence of Working and Communicating with Others, with an example of introducing special measures in a hearing with a young Albanian applicant with mental health issues who had not been allowed a Litigation Friend previously. For Managing Work Efficiently the evidence was sufficient, with a routine description of handling a pressurised list in the Immigration & Asylum Chamber. Overall, their self-assessment contained relevant, specific examples, mainly drawn from their judicial roles, though some were rather routine.

In her **statement of suitability** the candidate demonstrated strong Legal and Judicial Skills. She demonstrated her extensive expertise in criminal law and how she mastered extradition law to enable her to deal with the most complex cases. As an example of her intellect and ability to analyse complex issues, she described an Environment Agency prosecution involving multiple legal and evidential challenges, which resulted in 3 separate written rulings covering novel and complex areas of law. In another example, as a new judge, she heard a test case concerning the refusal of a gambling licence, which had attracted significant press interest. She explained the key issues and how she reached a reasoned decision within the allotted time. The panel noted from her CV that she has an outstanding academic record and that she is Visiting Professor at LSE, which adds to her other evidence for exceptional intellect.

[In his **statement of suitability**] The candidate demonstrated sufficient evidence of Personal Qualities. He described a judicial review which upheld his decision to extend the time allowed to appeal a decision regarding a historic sexual abuse victim. This demonstrated some independence of mind though the reasons for the decision being upheld appeared to be more relevant to Legal and Judicial Skills. His second example was a straightforward account of managing an aggressive appellant and considering expert evidence, which gave sufficient evidence of his authority.

In their **statement of suitability** they provided insufficient evidence of leadership. They gave detailed assertions about their approach to efficiently dispatching business, describing in general terms their approach to completing Employment Tribunal cases on time. They gave no specific examples in this section of their statement, which insufficiently demonstrated this ability.

Her written submissions of **significant pieces of work** were assessed as providing strong evidence. The first case, (Re T) was considered by the panel to be a good and well-written judgment covering a number of legal issues, including a novel point about whether a local authority could administer a drug to a child without the consent of the parents. Her second piece of work (RVH v TF) was considered to be an example of a routine case that a Deputy High Court Judge would do. The panel assessed it as not exceptional but a well-structured judgment.

2. Choosing independent assessors (referees)

Background

Independent assessments are an important piece of evidence which JAC panels consider during candidate assessment. In this way, they are different from typical references for a job which are usually taken up after the assessment process.

Candidates are asked to nominate two 'independent assessors' (referees).

Guidance on choosing assessors is available here:

<https://judicialappointments.gov.uk/independent-assessments-for-candidates/>

Once nominated, the JAC approaches the assessors, sending them an assessment template to complete and the deadline.

We encourage you to consider the following:

- It is normal to **speak with your independent assessors** before you pass their names to the JAC (see page 17).
- Unless their assessor decides to give you a copy, which would be unusual, **you will not know what your assessors said**. Panels are careful not to reveal the content, it stays confidential.
- **Assessors are asked** how they know the candidate, for how long, how recent and frequent is their contact, whether they have doubts about being an assessor and whether they know anything which could make the candidate unsuitable for judicial office. Then they are asked to comment on each competency or skill & ability, providing specific evidence where possible.
- When reading the independent assessments, **panels look for specific examples** and then factor this evidence into overall grades, looking at the totality of evidence across self-assessment, selection day and the independent assessments.
- Panels **do not give weight to the seniority** of independent assessors. For example, a High Court Judge does not 'count' for more than a First Tier Tribunal judge or a partner in a firm. Panels focus on how well the person knows the candidate's work and whether they have offered specific evidence of the candidate's abilities.
- Candidates should **avoid nominating personal friends** who do not know their work, as these assessments tend to offer very little useable evidence.

Top tips in choosing independent assessors



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- Follow the JAC's guidance on who to choose. If there is a reason why you cannot choose the recommended person, ask the JAC what to do.
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- Always try to choose people who know you and your work well, ideally someone who sees you regularly (several times a year minimum) and if possible has seen you recently. Choosing a senior figure who barely knows you or your work will not help you.
-
- Rather than choosing two very similar assessors, think about two people whose assessments will complement each other, and together provide a fuller picture.
-
- It is perfectly acceptable to speak to your assessors about writing the assessment. You could remind them that specific examples help the panel more than assertions, and remind them of your work and / or particular cases or events they could write about, if that helps them.
-

Examples of helpful and unhelpful independent assessments

This is an extract from a **helpful independent assessor** who knows the candidate's work well and gives specific, detailed and relevant examples:

Assessor type: Professional assessor

Assessor position: Director, ABC Solicitors

Do you have any doubts about being an assessor? None

How do you know the applicant? We instruct her regularly

How long have you known the applicant? Since around 2011

How recent and frequent has your contact been with the applicant? Around monthly, last saw her two weeks ago

Do you know anything about the candidate that may render him/her unsuitable for judicial office? No

Exercising Judgement

She represented the Defendant in the matter of P v Aviva Insurance Ltd in a road traffic accident claim. Causation of the Claimant's injuries was disputed. She felt that the Defendant had good prospects of challenging the injury claim but limited prospects of challenging the vehicle damage claim. She presented her case calmly, clearly and concisely, despite encountering aggressive pressure at the door of the Court. After giving advice, she was able to negotiate a settlement of the vehicle damage claim and the Claimant agreed to abandon the injury claim, thereby saving a significant amount in damages and costs.

In the matter of L v AXA Insurance, concerning a local politician and widely reported in the local media, she again represented the Defendant who disputed causation of injury. She argued that the witness evidence had not been put forward in line with the Civil Procedure Rules and that it would not be proper to proceed. The judge eventually accepted the argument, vacated the trial and issued an unless order requiring the Claimant to remedy the defects in their case. The Claimants subsequently discontinued their claim.

Possessing and Building Knowledge

She has excellent knowledge of both law and procedure, which enables her to be both practical and resourceful in her handling of cases. I have numerous examples of her using her knowledge to good effect but a recent one is when she represented the Defendant in MJ v AXA Insurance. The Claimant had failed to comply with numerous directions and caused repeated delays. Prior to the hearing, the claim was struck out on the grounds that the Claimant had not paid a fee. Normally in these circumstances the Defendant would be unable to obtain an enforceable costs order under the Qualified One Way Costs Shifting rules. However, she argued that the rules should be dis-applied and persuaded the court that the Claimant had obstructed the just disposal of proceedings prior to strike out, so he should not be allowed costs protection. The judge agreed, reinstated the claim and struck it out again on different grounds, giving the Defendant the enforceable costs order that they sought.

This a **less helpful assessment**.

It is extremely brief because the assessor does not know the candidate well and has to rely on comments of colleagues. It contains no specific examples and so no evidence to help the panel.

The candidate is not marked down for an assessment like this, it is simply a wasted opportunity for the panel to receive additional evidence.

Assessor type: *Judicial assessor*

Assessor position: *Senior Circuit Judge*

Do you have any doubts about being an assessor? *Some*

How do you know the applicant? *We sit in the same court centre from time to time*

How long have you known the applicant? *Since two years ago*

How recent and frequent has your contact been with the applicant? *Rare, I do not know this candidate well*

Do you know anything about the candidate that may render him/her unsuitable for judicial office? *No*

Exercising Judgement

From speaking with other colleagues in [location] he seems to have settled in well as a DDJ and there are no doubts about his intellect or judgement. I have not had the benefit of seeing his appraisal.

Possessing and Building Knowledge

Again from speaking to colleagues he appears to have good knowledge.

Assimilating and Clarifying Information

I cannot comment on this.

Working and Communicating with Others

His colleagues find him personable and I am not aware of any complaints about him.

Managing Work Efficiently

I cannot comment on this beyond the fact that he has not come to my attention for any poor efficiency, as others have from time to time.

3. Succeeding at selection day



On selection day, the candidate meets the assessing panel and completes some exercises, such as role play or situational questions (see pages 3 to 5), and an interview based on the competencies / skills & abilities. For some senior roles there might be an interview and leadership questions and / or a presentation.

JAC coordinators contact the candidate beforehand and greet them on the day. They will tell you what the day involves and whether it will be conducted remotely using MS Teams or whether it will be face to face (see page 6 for current protocols).

The assessing panel

The panel's task is to assess the candidate against the job requirements, specifically the competency / skills & abilities framework. The panel composition depends on the role applied for. A standard panel consists of a lay panel chair, a lay independent member and a judicial member, who have no conflict of interest with the candidate.

However, for some roles such as High Court Judge, the panel includes one or more of the JAC's Commissioners, the Lead Judge for the appropriate division (Chancery, Family, Queen's Bench) and a lay member.

Reasonable adjustments

We want to ensure that candidates with disabilities and those with long-term health conditions can participate fully and fairly at all stages of our selection processes. We consider all reasonable adjustment requests from disabled candidates, those with long term health conditions and anyone who may be experiencing short term injury or temporary illness. If you want to ask us about a reasonable adjustment after you have submitted your application, please contact the selection exercise team. If you experience any difficulty on selection day, just tell the chair of your panel and they will assist you.

Full information on reasonable adjustments can be found on the JAC website, here: <https://judicialappointments.gov.uk/equality-and-diversity/diversity-and-equality-measures/reasonable-adjustments/>

Technical support (for remote selection days)

Detailed information on what you need to have ready and how to access Teams is available on the JAC website here: <https://judicialappointments.gov.uk/technical-support-getting-ready-for-your-selection-day-remote/> This web page also tells you how to access technical support. Technical guidance calls are available if you require further assistance, and these can be booked on the same web page.

Top tips for selection day

- **Manage your nerves:** Mental preparation is important to help you feel more positive and less nervous. Read the JAC's guidance carefully, as there is much information to help you available on the JAC website. Make time beforehand to relax, plan, and rehearse by practising out loud. Panels know candidates are nervous and want you to give a good account of yourself, so they will be supportive and sympathetic. If you feel confused and need to hear the instruction or question again, feel free to ask the panel to repeat it.
- **Preparing for role plays or situational questions:** You might be given specific reading a week or so in advance and / or some reading on the day. Do it thoroughly, be ready to refer to key parts of it on the day and keep it handy so you can look at it. For roles such as High Court Judge you might have a lot of complex reading in advance, so make sure you have time in your diary for the preparation.
- **Preparing for the interview:** Re-read the job description and the competency / skills & abilities framework. You will be asked for specific examples of them. Remind yourself of what you said in your self-assessment and be ready to give new specific examples. Try speaking those examples out loud. Be aware that the panel may also ask you how you prepared.
- **Handling situational questions and role plays:** You need to provide evidence of the competencies or skills & abilities, so keep these in mind. For example, the panel often looks for clear decisions with reasons as evidence of Exercising Judgement, it expects you to refer to specific parts of the pre-reading as evidence of Assimilating and Clarifying Information, and it will be watching for clear communication and sensitivity to any vulnerable party as evidence of Working and Communicating with Others. Keep a close eye on the time and manage it to ensure you leave enough time for your judgment(s). You can view an example role play at <https://judicialappointments.gov.uk/example-roleplay/>
- **Choosing examples for interview:** The panel wants to hear your specific examples. Listen carefully to each question, think about it and choose a relevant example to talk about e.g. if you're asked about a complex case, choose a situation that really was more difficult than the norm. Avoid low level and routine examples if you can, it's better to think about a situation that really tested you and where you clearly demonstrated your ability. Examples where you did something wrong but reflected on it and learned from the experience can be just as evidence-rich as success stories.
- **Structuring your answers:** Avoid lengthy background at the start of an example; one or two sentences is often enough. The panel is most interested in hearing what you did, how you did it and why you did that. Some candidates find the SOAR structure helpful (talk about the **S**ituation - the **O**bjective - your **A**ction - the **R**esult) but if you use this, focus mainly on the action. Make sure you say 'I' not 'we', as the panel needs to know what you personally did.
- **Bringing notes into the interview:** Please use with caution. Although you might think it's a good idea to bring notes, it might hinder more than it helps. You will lose eye contact with the panel when you're reading, your words could sound less natural and convincing, and notes often distract you from listening carefully to the question because you are fixated on getting pre-chosen examples across.

Examples of panel observations / assessments

Below are some extracts from panel reports to show what they observe and assess:

In the **role play** he provided strong evidence for Assimilating and Clarifying Information. He correctly referred to the fairness test in the application to dismiss. He probed on the further evidence and picked up on its inadmissibility quickly. He questioned the issues of reasonableness and continuing behaviour comprehensively. He also covered the issues in the cross-appeal thoroughly and advised Mr F that no written judgement would be available.

In the **role play** on Working and Communicating with Others she provided insufficient evidence. She failed to ask the judge for his account in response to the allegations of bias. She did not attempt to provide any support for the distressed clerk. She did not display any authority in tackling the judge's poor time management issues, and in general seemed very reluctant to raise any issues with him directly.

In the **role play** on Managing Work Efficiently he provided sufficient evidence. It was unclear whether he planned to refer the appeal to a fresh tribunal. He correctly handled the issue of the judge's TV appearances himself and did not refer it up the chain of command. He acknowledged the impact of the judge interrupting training sessions on the process of learning. He completed the exercise in good time at 22 minutes, although he took almost 11 minutes to complete the first of the six questions and thereafter his answers were brief.

In the **situational questions** the candidate demonstrated outstanding evidence of Legal and Judicial Skills. They cited all the leading authorities, the Rules and the contents of the Practice Direction comprehensively and accurately. Their approach to the individual problems was impeccable, by way of analysis and common sense. Their conclusions were entirely sound and they repeatedly demonstrated an exceptional ability to think constructively and imaginatively. They showed a remarkably versatile approach to the legislative provisions and addressed the potential avenues to admissibility with real skill. They fused a clear knowledge of case law with a powerful practical analysis that would have ensured a wholly fair outcome.

She demonstrated insufficient evidence of Personal Qualities. Her **presentation** was clear and assured but it did not touch on any staff issues. She dealt adequately with the first **situational question**, reflecting her experience of representing her Tribunal at conferences. She showed integrity in both scenarios but the panel was concerned that she was overly rigid in handling a case that required a more pastoral approach. Her insistence on investigating in a fixed manner seemed to the panel to be fraught with difficulty. She also offered no support to the new judge in the third scenario.

In the **situational questions** he provided strong evidence for Assimilating and Clarifying Information. At the outset he identified all the issues, demonstrating full assimilation of the brief. He was aware of the difference in expectations of fee-paid versus salaried judges, discussed his concerns directly with the judge and referred him to the Guide to Judicial Conduct. He articulated his concern about perceived bias in the judge's conduct and referenced the Equal Treatment Bench Book. He also carefully explored the clerk's view of what happened at the hearing.

At **interview** on Possessing and Building Knowledge he provided strong evidence. He gave a strong example of researching new legislation and the surrounding issues, in a case about exemption for a religious group in a House in Multiple Occupation. As an example of applying his knowledge to a complex case, he described how he tackled a professional negligence case concerning the Reverter of Sites Act. During his case, the Supreme Court overturned a decision on a similar case, and he described very well the major impact this had on how he conducted the case.

At **interview** they provided insufficient evidence for Working and Communicating with Others. Their example of a challenge to their authority was poorly chosen, concerning a disagreement with their instructing solicitor. The panel felt that there was little challenge. Their example of explaining dissolution of a partnership to a lay person was very low level.

At **interview** he demonstrated outstanding evidence of Personal Qualities. In all his examples, the candidate described clearly what he did, why and how in a way that the panel found was exceptionally clear. When asked about a time he had defended his position, he spoke of an extradition case that he took on at short notice where he had a different view of the way forward to others, including the more senior judge who had passed on the case. He explained clearly how he defended his position, which he knew to be correct in law. As an example of a challenging situation, he detailed an unusual case of a severely deaf individual who had very specific needs in order to be understood. He explained how he managed the process effectively and efficiently so that the individual could play a full part in proceedings. His example of managing issues of diversity related to members of the traveller community, who were keen to explain aspects of their culture that did not seem directly relevant to the case, but which he correctly felt would have a bearing on the outcome.

Finally, you may also like to check out **how the panels graded selection day evidence for specific selection exercises** by looking at the evaluation reports here: <https://judicialappointments.gov.uk/feedback-and-evaluation-reports/>



We hope this guidance is useful. If you have any queries or comments, please contact the Targeted Outreach team:

Email: targetedoutreach@judicialappointments.gov.uk