



Online Qualifying Test Evaluation and Feedback Report

00326 Recorder

June 2026

Purpose

The purpose of this report is to provide an evaluation of the Recorder online qualifying test and general feedback on candidate performance in the test. This test comprised two elements, a situational judgement test and a critical analysis 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.

Judicial Skills and Abilities Framework

The tests were designed to assess the following skills and abilities:

For the situational judgement test:

- Communication Skills (CS)
- Personal Qualities (PQ)
- Effective Working (EW)

For the critical analysis test:

- Legal Skills (LS)
- Dealing with Information (DWI)

The Judicial Skills and Abilities Framework highlights the key skills that all judicial office holders or prospective judicial office holders should demonstrate across their application or career. This enables us to assess candidates in a fair and consistent way.

Development of the tests

The situational judgement test contained a mixture of questions selected from the JAC's bank of approved questions, along with new questions which were devised by a Circuit Judge, acting as the drafting judge for this exercise. The critical analysis test was drawn from a bank of scenario tests that the JAC may utilise and was reviewed by the drafting judge to ensure it remained fit for purpose.

In common with all the selection tools developed for this exercise, the questions were designed to assess relevant transferable skills.

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 taking the test 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 test 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 the test

The test was hosted on the JAC platform and consisted of two parts:

- Situational judgement: 50 minutes, 20 questions
- Critical analysis: 50 minutes, 20 questions

For the situational judgement test, candidates were presented with a range of different situations including those they might experience in the role of a Recorder. 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.

For the Critical Analysis Test, candidates were presented with the text of a speech titled “*Judicial Independence*” given by Lord Phillips of Worth Matravers, [former] Lord Chief Justice of England and Wales, at the Commonwealth Law Conference, Nairobi, Kenya, on 12 September 2007, one week before the test. The questions and answer options in the test were based on the content of the speech. Candidates were required to use their critical and logical thinking skills to decide upon the correct answer from the four answer options presented for each question.

Marking of the test

The tests were marked automatically by the JAC online platform. Candidates who did not finish their tests within the allotted time had their tests automatically submitted by the online platform, and these tests were 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 either part of 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.

For the critical analysis test, each question had four answer options. It was necessary for the candidate to identify the correct answer, which scored one point. Therefore, candidates could score a maximum of one point for each question.

The situational judgement test contributes 60% to the candidates' overall score and the critical analysis test contributes 40%. The difference in weighting reflects the fact that the situational judgement test assesses candidates on three skill and ability areas (Communication Skills, Personal Qualities and Effective Working) and the critical analysis test assesses candidates on two skill and ability areas (Legal Skills and Dealing with Information).

Distribution of marks

1185 candidates were invited to take the test

73 candidates withdrew from the process or did not take the test

1112 candidates took the test

The process of scoring the qualifying test was as follows:

- all candidates were scored on their answers to the tests based on the marking schedules
- candidates who scored less than 30% in one or both parts of the test were removed from consideration
- a composite score was then calculated for the remaining candidates
- candidates were then ranked in order of merit from first to last, based on their composite score (further outlined below)

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

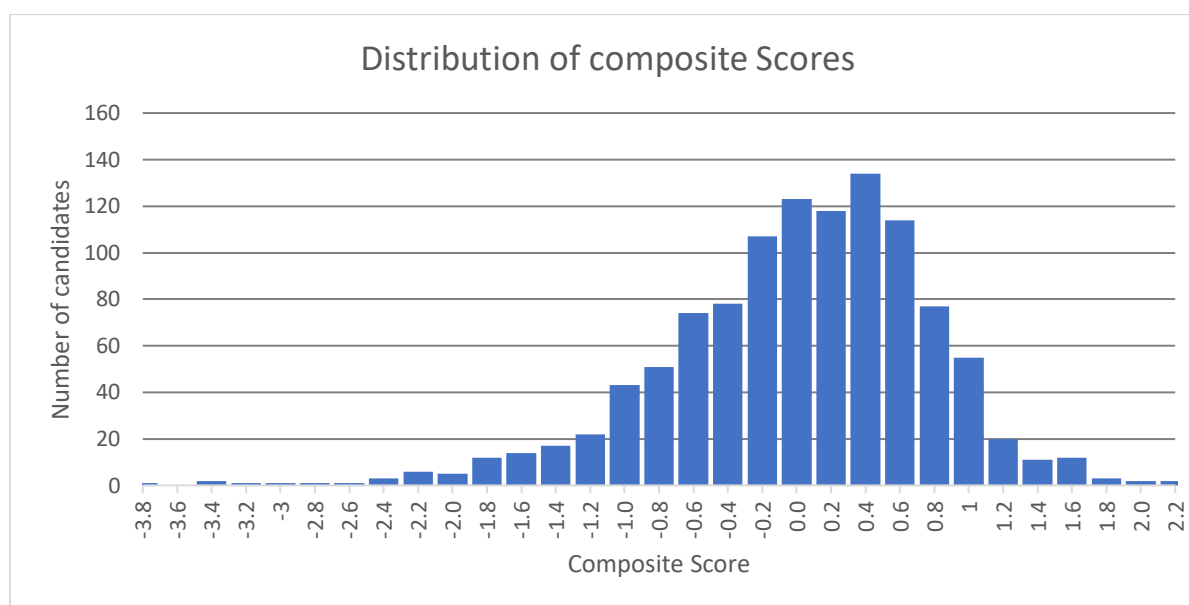
Calculating the composite score

The composite score was calculated in two steps. Firstly, a standard score was calculated for each part of the test. The standard score represents how high or low a candidate's score is in relation to the scores of all other candidates. [More details on standard scores](#) can be found on the JAC website.

Secondly, the composite score was produced by taking a weighted average of the two standard scores, with 60% of the weight in this average given to the situational judgement test and 40% to the critical analysis test.

In this exercise, the highest composite score was 2.25 and the lowest composite score was -3.76. Candidates with a composite score of 0.01 or higher were progressed to the next selection stage.

The distribution of the composite scores is shown in the graph below, with scores grouped by rounding to the nearest 0.2.



Approach to shortlisting

When the JAC receives notification from HMCTS confirming the 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 two or three 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 **128** posts. We therefore planned the selection exercise based on inviting around **325** candidates to selection day.

All candidates who applied for the exercise were invited to sit the online qualifying test. We planned to take around **590** candidates to the second stage of shortlisting, the scenario test.

To identify the top **590** candidates from the qualifying test, the candidates' composite 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](#). 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, and
- reliance on EMP in the shortlisting process being conducted is a proportionate means of achieving the aim of increasing judicial diversity.

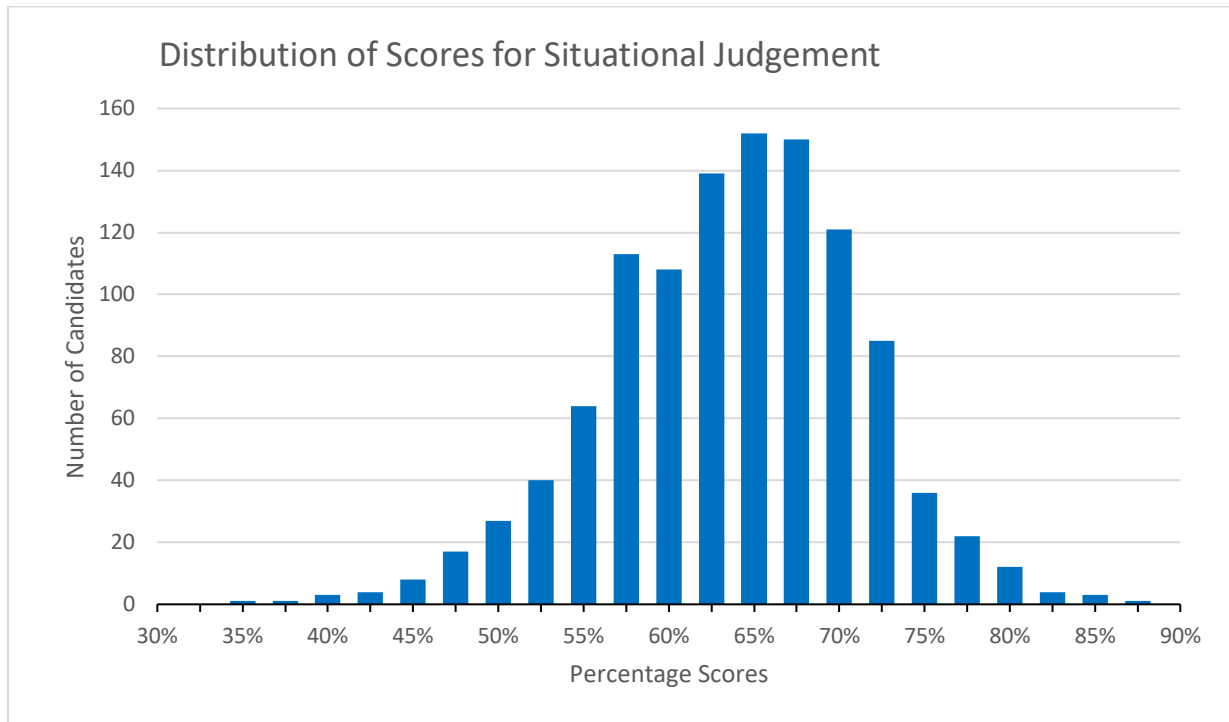
The equal merit provision was applied at this stage of the selection process.

After applying the above process, **617** candidates were invited to progress to the next stage of the selection exercise.

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 two tests

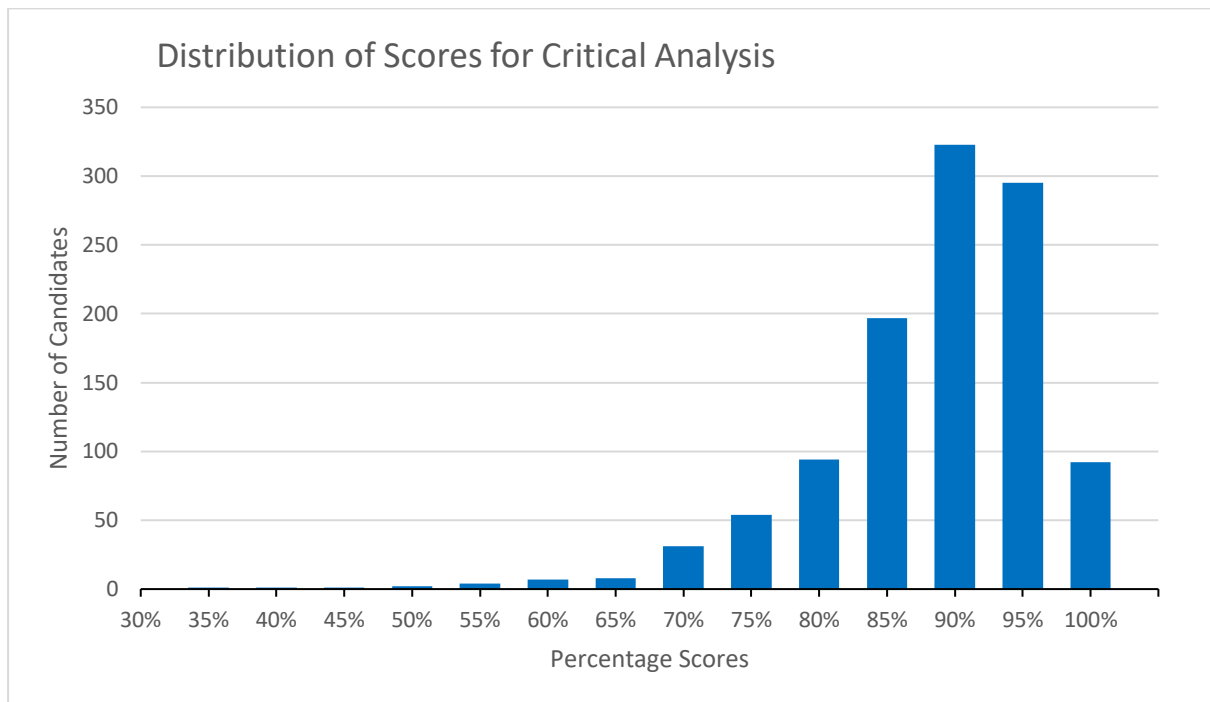
The range of candidate scores for the situational judgement test was as follows: the lowest score was **5%**, the highest score was **87.5%**, and the average score was **63.7%**. The small number of scores lower than 30% have been left off the below graph.



In the situational judgement test, there were:

- **Three** questions where **73%** or more of candidates chose both parts of the question correctly (easier questions). These questions assessed the application of judicial values and procedural fairness in practical scenarios. The topics included making reasonable adjustments for witnesses, responding appropriately to inappropriate behaviour in professional settings, and balancing the need to accommodate religious observance and other belief systems (including non-belief) with the need to ensure fairness and the effective administration of justice.
- **Two** questions where under **10%** of candidates chose both parts of the question correctly (harder questions). These questions assessed decision-making in complex case management and judicial fairness scenarios. The topics included managing requests for adjournments following significant developments affecting proceedings and ensuring that unrepresented parties are able to participate effectively in complex hearings while maintaining fairness, judicial impartiality, and the efficient administration of justice.

The range of candidate scores for the critical analysis test were as follows: the lowest score was **15%**, the highest score was **100%** and the average score was **88.4%**. The small number of scores lower than **30%** have been left off the below graph.



In the critical analysis test, there were:

- **Six** questions where **98%** or more of candidates gave the correct answer (easier questions). These questions assessed understanding of the key constitutional safeguards that underpin judicial independence. The topics included the judiciary's role in scrutinising executive action, protection from political interference, safeguards around judicial pay and tenure, accountability mechanisms for judicial conduct, and the institutional arrangements designed to preserve the independence and integrity of the justice system.
- **Two** questions where under **50%** of candidates gave an incorrect answer (harder questions). These questions assessed understanding of the constitutional foundations of judicial independence and the reforms introduced by the Constitutional Reform Act 2005. The topics included the statutory protection of judicial independence, changes to the leadership and governance of the judiciary, and the constitutional arrangements designed to support the separation of powers and maintain public confidence in the justice system.

Feedback from candidates

After the qualifying test, candidates were invited to complete an anonymous candidate survey. **265** candidates responded to the survey. The results of the

candidate survey are below (please note that due to rounding, percentages may not sum to 100%):

Customer Service

- 68% of candidates rated the customer service they received from JAC staff as either excellent or good.
- 26% of candidates selected not applicable.
- 5% of candidates rated the customer service as fair
- 2% of candidates selected poor or very poor.

Instructions

- 96% of candidates agreed or strongly agreed that they understood from the instructions what was expected during the qualifying test.
- 1% of candidates neither agreed nor disagreed.
- 3% of candidates disagreed or strongly disagreed.

Accessibility:

- 91% of candidates agreed or strongly agreed that the qualifying test was accessible in terms of format, language used and topics covered.
- 5% of candidates neither agreed nor disagreed.
- 3% of candidates disagreed or strongly disagreed.

Ease of Completion

- 68% of candidates agreed or strongly agreed that the qualifying test was easy to complete.
- 20% of candidates neither agreed nor disagreed.
- 11% of candidates disagreed or strongly disagreed that the qualifying test was easy to complete

Part 1 – Situational Judgement

In relation to the situational judgement test:

- 64% of candidates agreed or strongly agreed that the situational judgement test enabled them to demonstrate how they would tackle daily challenges working in a court or tribunal.
- 14% of candidates neither agreed nor disagreed.
- 22% of candidates disagreed or strongly disagreed.

In terms of confidence in the situational judgement test as a selection tool:

- 51% of candidates agreed or strongly agreed that they were confident in the situational judgement test as a JAC selection tool.
- 20% of candidates neither agreed nor disagreed.
- 29% of candidates disagreed or strongly disagreed.

Part 2 – Critical Analysis Test

In relation to the critical analysis test:

- 79% of candidates agreed or strongly agreed that the critical analysis test enabled them to demonstrate how they would analyse facts to form a judgement.
- 11% of candidates neither agreed nor disagreed.
- 10% of candidates disagreed or strongly disagreed.

In terms of confidence in the critical analysis test as a selection tool:

- 75% of candidates agreed or strongly agreed that they were confident in the critical analysis test as a JAC selection tool.
- 12% of candidates neither agreed nor disagreed.
- 12% of candidates disagreed or strongly disagreed.