



LORD CHIEF JUSTICE
OF ENGLAND AND WALES



SENIOR PRESIDENT
OF TRIBUNALS

Judicial Diversity Statistics 2017

Published 20 July 2017

Main points

28% of court judges and 45% of tribunal judges were female	<p>Among court judges, senior roles showed lower representation of female judges than in less senior roles. This was less evident among tribunal judges, with more variation in female representation across tribunal appointments.</p> <p>Around half of all court judges and just under two thirds of tribunal judges aged under 40 were female.</p>
7% of court and 10% of tribunal judges are BAME; non-legal tribunal members 16%	<p>Of those aged under 40, BAME representation was higher, at 10% for courts and 14% for tribunal judges. Non-legal members of tribunals aged under 40 had considerably higher BAME representation, at 38%.</p>
A third of court judges and two thirds of tribunal judges are from non-barrister backgrounds	<p>Representation of those with a non-barrister background varied by jurisdiction for both courts and tribunals, with higher proportions of judges in lower courts from a non-barrister background.</p> <p>Virtually all declaring their background as non-barristers were formerly solicitors.</p>
Considerable regional variation in gender and ethnicity representation	<p>The percentage of female court judges was highest in the South East (36%), with lowest female representation in the South West (21%).</p> <p>London and the Midlands had the highest representation of BAME court judges (9% and 8% respectively), with 1% BAME in Wales.</p>
More than half of magistrates were female (54%)	<p>11% of magistrates declared themselves as BAME.</p> <p>There were very few magistrates aged under 40 (4%) compared with 86% of magistrates who were aged over 50.</p>

This publication provides an overview of the diversity of appointed judges in the courts and tribunals, non-legal tribunal members, and magistrates, as at 1 April 2017.

It is possible for an individual to hold more than one role; figures reflect the primary appointment of each individual on a headcount basis.

Technical details and explanatory notes can be found in the accompanying *Guide to Judicial Diversity Statistics*.

1. Diversity in the Courts and Tribunals – Gender and Age

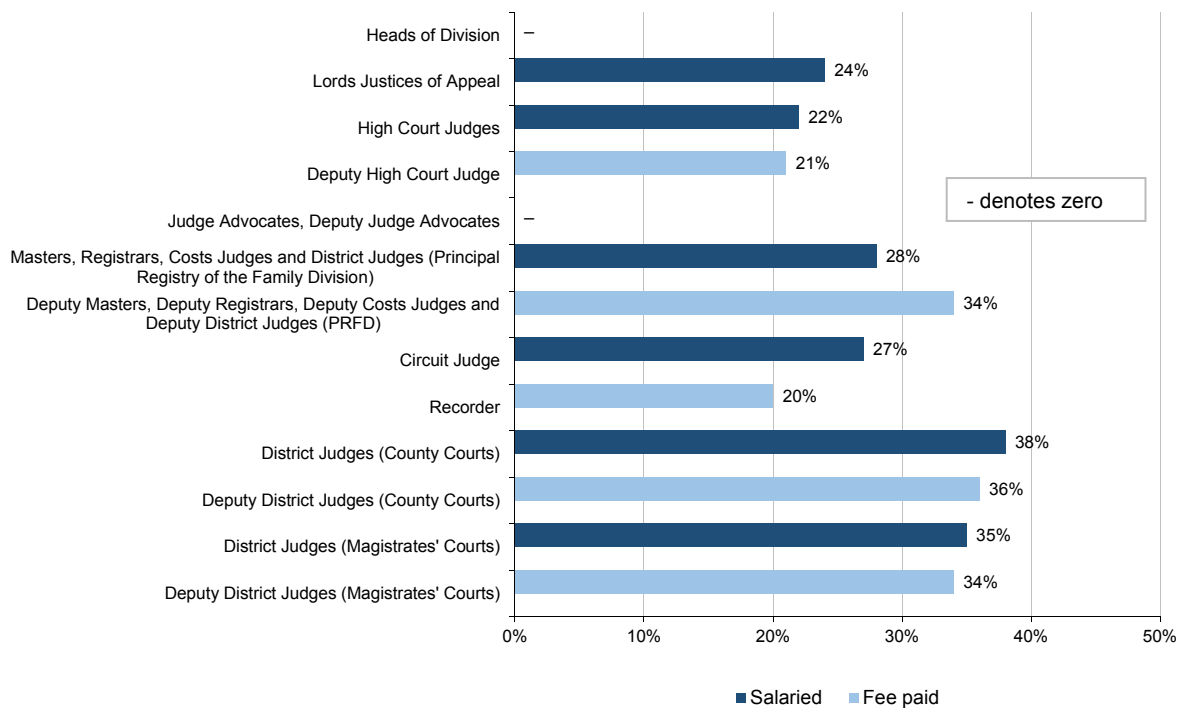
28% of court judges and 45% of tribunal judges were female

Among court judges, senior roles showed lower representation of female judges than in less senior roles. This was less evident among tribunal judges, with more variation in female representation across tribunal appointments.

Around half of all court judges and just under two thirds of tribunal judges aged under 40 were female.

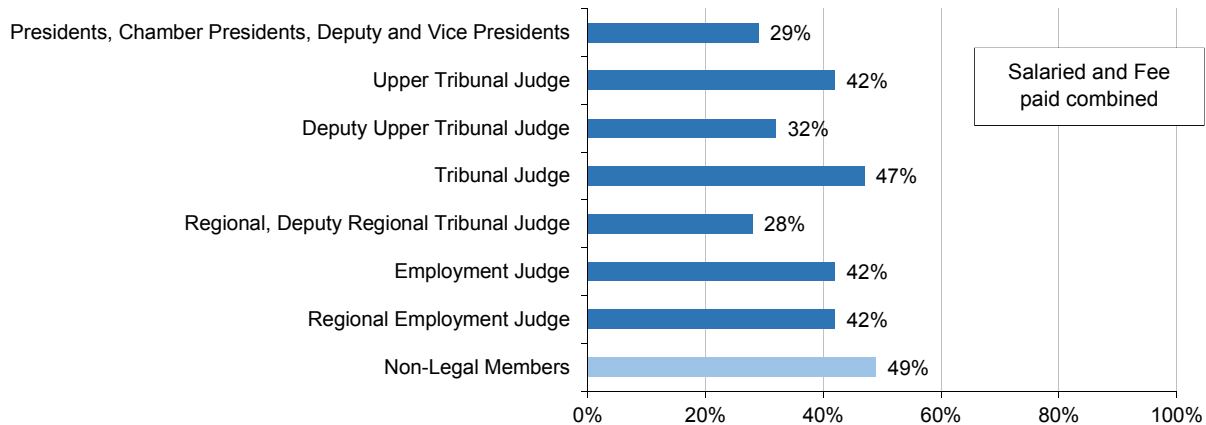
As at 1 April 2017, there were 3,134 judges (on a headcount basis) with a primary appointment in judicial roles in courts. Of these, 28% of court judges were female. Considerable variation was evident in the level of female representation across the different judicial roles in courts, with senior roles tending to have lower representation of female judges than in less senior roles, although some caution is advised in interpretation given the relatively low numbers in senior positions. Figure 1 shows the representation of females, as a percentage, at each court judicial role (in order of seniority).

Figure 1: Female representation at each court judge role, 1 April 2017



For tribunals, as at 1 April 2017, there were 1,786 judges (on a headcount basis) with a primary role as a tribunal judge. In addition to tribunal judges, there were 3,127 non-legal members of tribunals.

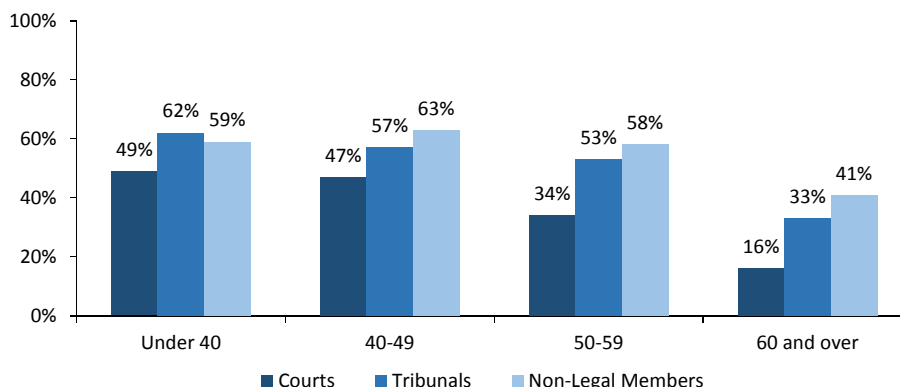
Figure 2: Female representation of judges and non-legal members of tribunals, by appointment, 1 April 2017



As at 1 April 2017, 45% of tribunal judges were female, although with considerable variation in female representation across appointments. Females accounted for 29% of the most senior roles in tribunals (Presidents, Chamber Presidents, Deputy and Vice Presidents). Almost half (49%) of non-legal members of tribunals were female.

As seen in Figure 3, at all age groups, tribunal judges and non-legal members showed higher female representation than did court judges. In general, younger age groups had higher levels of female representation. Around half of court judges under 40 were female. Notably, tribunals and non-legal members had greater representation of female judges than courts, among those aged 60 and over (16% for courts, 33% for tribunals and 41% for non-legal members).

Figure 3: Female representation among judges in courts and tribunals and non-legal members, by age band, 1 April 2017

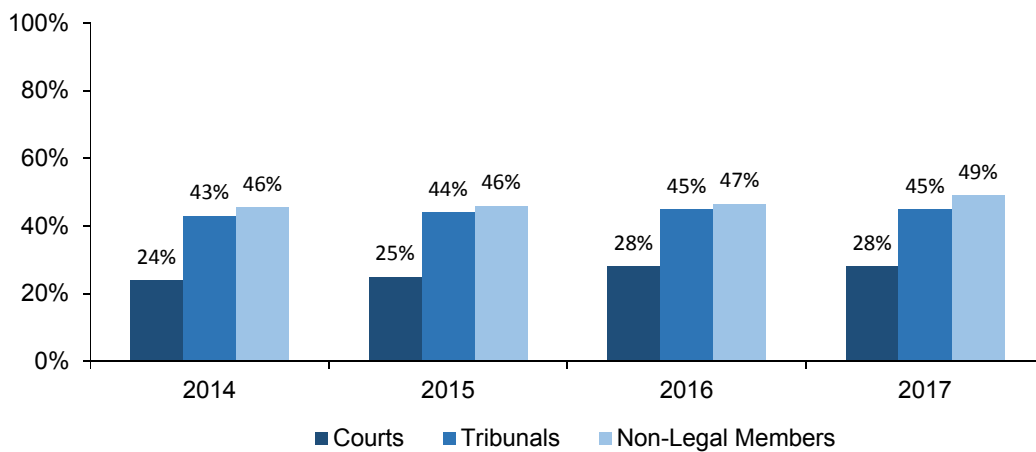


Caution is advised against making direct year on year comparisons of percentages for interactions of gender by age group. Simple percentages in this form may not be directly comparable to other years due to variation in the age distribution in each year.

Figure 4 shows the time series available on a comparable basis for female representation among court and tribunal judges and non-legal members of tribunals. Since 2014 there has been an increase in female representation among court and tribunal judges, with a 4 percentage point increase seen in female representation among court judges, and a 2 percentage point increase for tribunal judges over the four year period, although no real change was seen in the most recent period from the previous year.

The representation of female non-legal members has risen by 3 percentage points since 1 April 2014, with females representing around half of all non-legal members of tribunals (49%) as at 1 April 2017.

Figure 4: Female representation among court and tribunal judges and non-legal members, 1 April 2014 to 1 April 2017



2. Diversity in the Courts and Tribunals – Ethnicity and Age

7% of court and 10% of tribunal judges are BAME; non-legal tribunal members 16%

Of those aged under 40, BAME representation was higher, at 10% for courts and 14% for tribunal judges. Non-legal members of tribunals aged under 40 had considerably higher BAME representation, at 38%.

Ethnicity is self-declared on a non-mandatory basis. In the most recent period, the rates of ethnicity declaration were 83% for court judges, 93% for tribunal judges and 90% for non-legal tribunal members.

As at 1 April 2017, 7% of court judges were Black, Asian or Minority Ethnic (BAME). Of these, Asian and Asian British accounted for 3%, and the remaining three groups, Black and Black British, Mixed Ethnicity, and Other Ethnic Group at around 1% each. A similar pattern was seen among tribunal judges. Due to the numbers involved when considering ethnicity below the total level, non-white ethnic groups are presented in aggregated form as BAME only. Further breakdowns would be less meaningful due to low numbers, and may pose a disclosure risk.

Figure 5: BAME representation among court judges, 1 April 2017

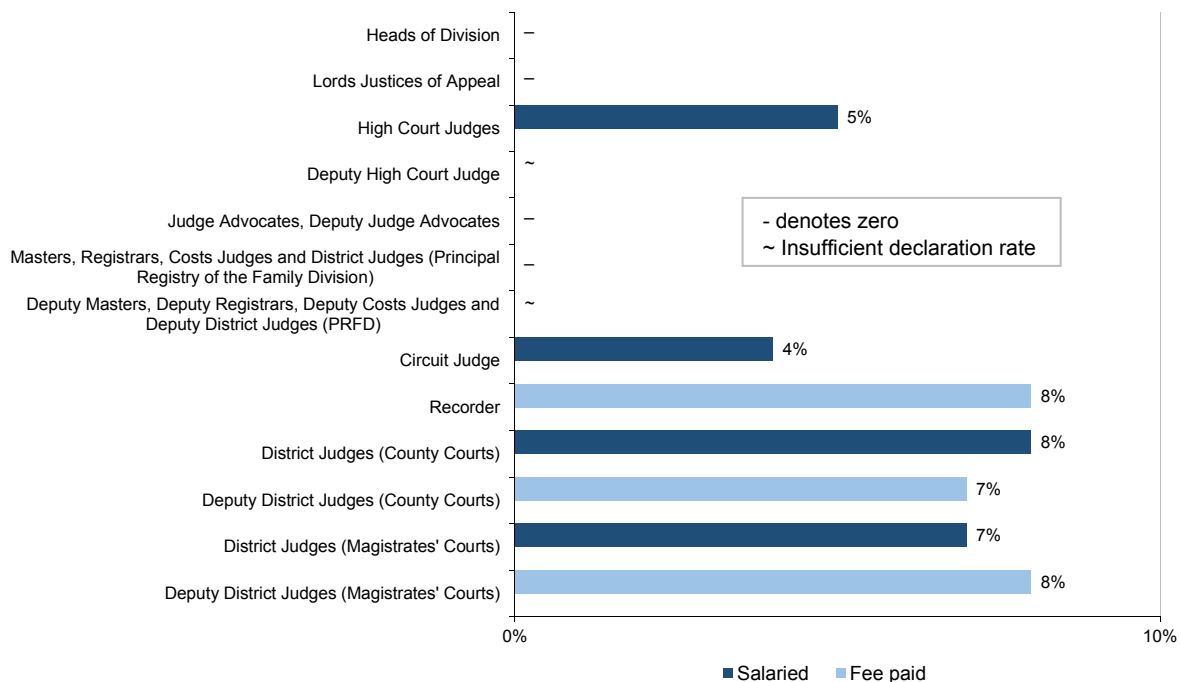
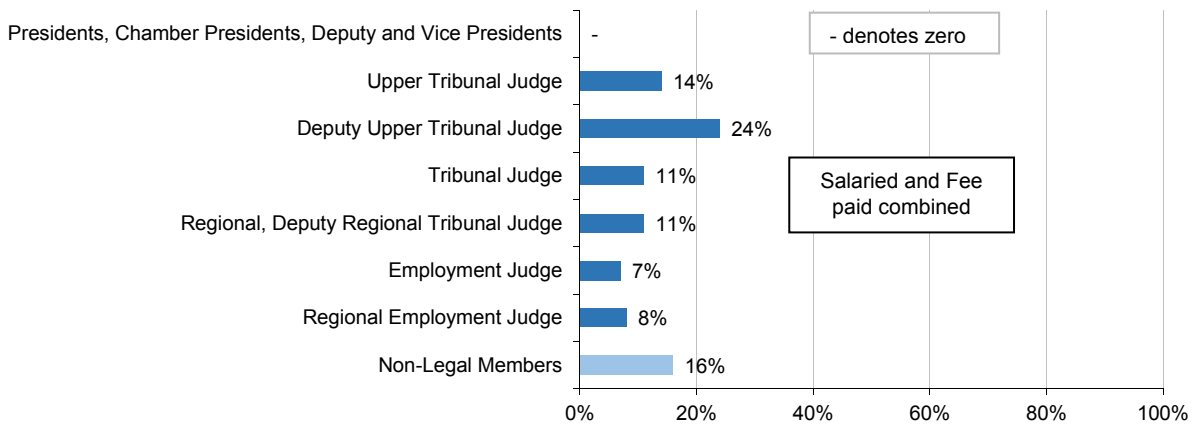


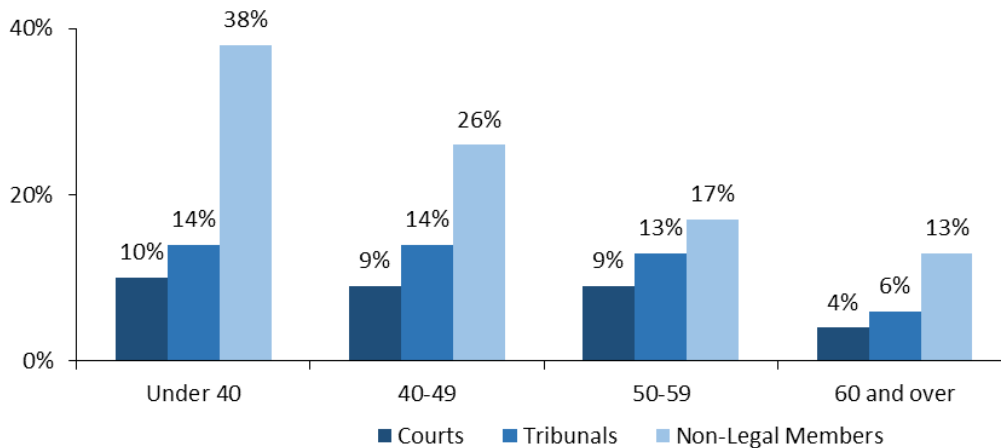
Figure 5 presents BAME representation among court judges by judicial role, as at 1 April 2017. BAME representation was broadly consistent among positions at Recorder level and below, at around 7% to 8%. Circuit Judges had lower BAME representation, at 4%. There were 4 BAME High Court Judges (5%). Ethnicity information is not presented for other senior roles due to the numbers involved and the level of declaration.

Figure 6: BAME representation of judges and non-legal members of tribunals, by appointment, 1 April 2017



As at 1 April 2017, 10% of tribunal judges overall were BAME, although with considerable variation by appointment type, with the highest BAME representation among Deputy Upper Tribunal Judges (24% BAME), and the lowest among Employment Judges and Regional Employment Judges (7% and 8% respectively). BAME representation among non-legal members of tribunals was 16%.

Figure 7: BAME representation among court and tribunal judges and non-legal members by age band, 1 April 2017



Caution is advised against making direct year on year comparisons of percentages for interactions of ethnicity by age group. Simple percentages in this form may not be directly comparable to other years due to variation in the age distribution in each year.

The ethnic breakdown of judges in courts and tribunals and non-legal members varied considerably by age group. As illustrated in figure 7, BAME representation was greater among judges aged under 60, although less variation in BAME representation was evident by age group below 60 among judges (courts and tribunals). For non-legal members, there was a clear trend for BAME representation declining with increasing age. However, non-legal members in all age groups had far higher BAME representation than judges, with court judges having the lowest BAME representation at all age groups. Non-legal members had

four times the proportion of BAME judges in courts among those aged 60 and over and similar patterns can be observed for those aged under 40.

Figure 8: BAME representation among court and tribunal judges and non-legal members, 2014 to 2017

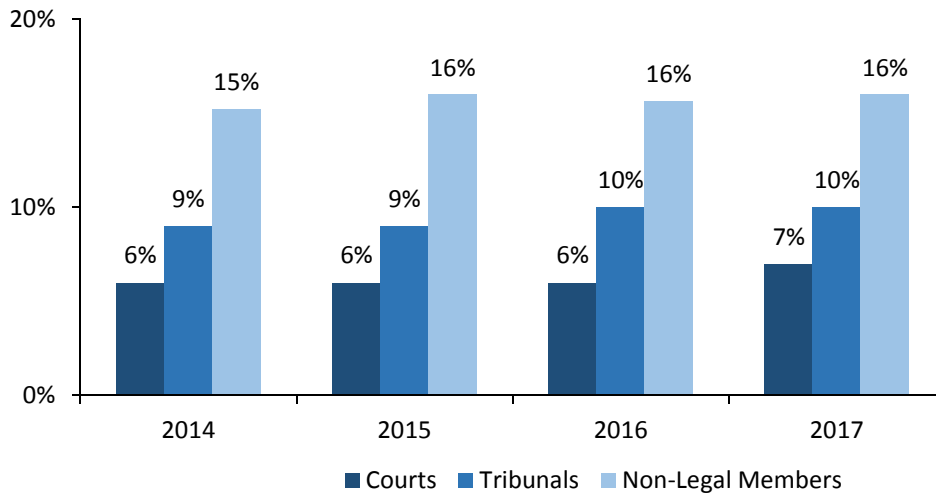


Figure 8 presents the time series of BAME representation among court and tribunal judges as at 1 April in each of the last four years, the period for which figures are available on a comparable basis. Small increases have been seen in BAME representation over the four year period, increasing slightly from 6% to 7% among courts judges, from 9% to 10% for tribunal judges, and from 15% to 16% for non-legal members.

3. Diversity in the Courts and Tribunals – Professional background

A third of court judges and two thirds of tribunal judges are from non-barrister backgrounds.

Representation of those with a non-barrister background varied by jurisdiction for both courts and tribunals, with higher proportions of judges in lower courts from a non-barrister background.

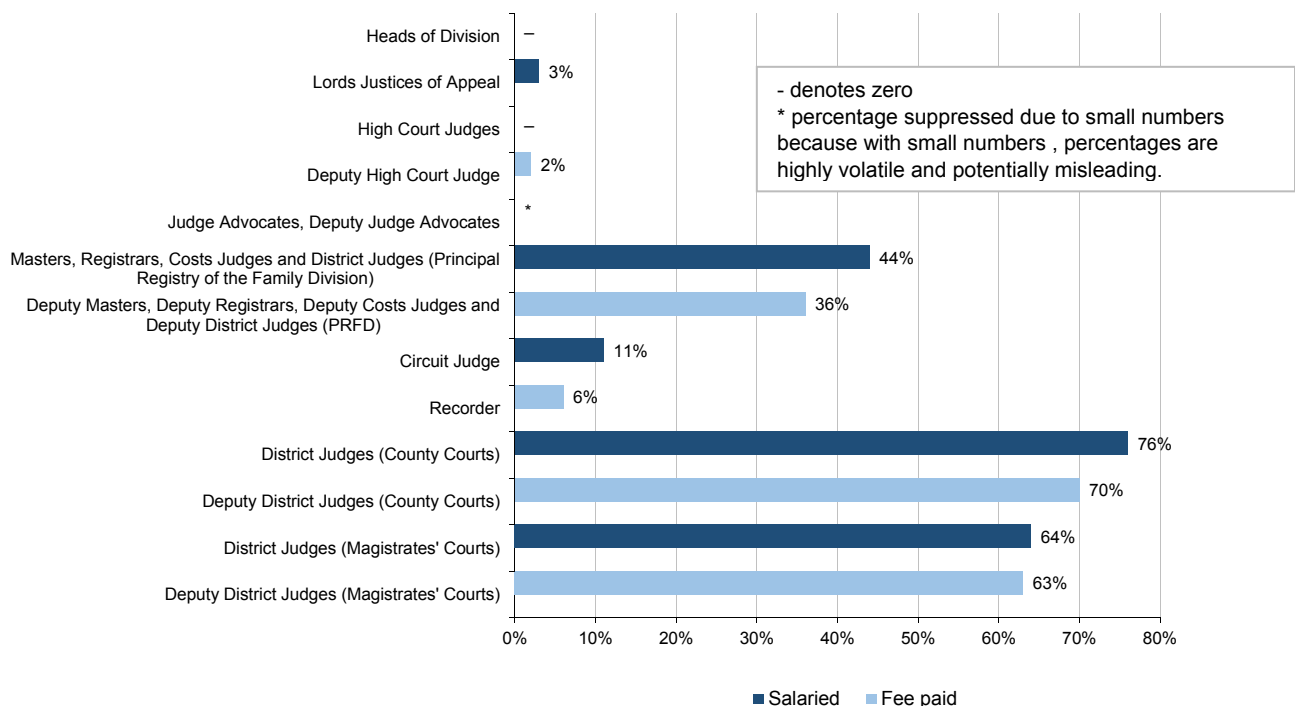
Virtually all declaring their background as non-barristers were formerly solicitors.

As at 1 April 2017, professional legal background information was declared for over 99% for courts (only seven court judges had not made a declaration) and 98% for judges in tribunals. There is no statutory requirement for legal experience for non-legal members.

A third (34%) of court judges and two thirds (66%) of tribunal judges whose professional background, where declared, was not as a barrister. The non-barrister group were virtually all solicitors, apart from two (0.1%) court judges who were formerly Fellows of CILEx, and 35 (2%) tribunal judges from other professional backgrounds.

Some ambiguity in professional background may exist where individuals have had multiple prior roles. For example, an individual that had previously been both a solicitor and a barrister select just one profession to declare (the primary professional legal role held prior to becoming a judge). Figures will not capture the full prior professional legal background in such cases.

Figure 9: The percentage of court judges whose profession is non-barrister, 1 April 2017



Representation of those from a non-barrister background among court judges was highest among Deputy District Judges and District Judges in County Courts (70% and 76% respectively) and Magistrates' Courts (63% and 64% respectively). However, 11% of Circuit Judges and 6% of Recorders had not previously been barristers. Given the relatively low numbers involved for more senior positions, some caution should be taken when interpreting results for positions above Circuit Judge.

Figure 10: Percentage of tribunal judges whose professional background is non-barrister, 1 April 2017

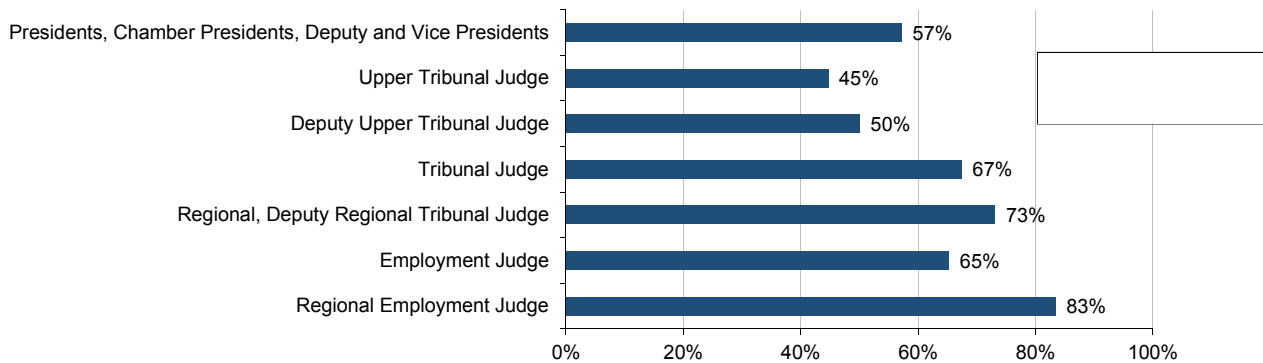


Figure 10 presents professional legal background representation among tribunal judges (this excludes non-legal members, for whom there is no requirement for legal experience).

Representation of those from a non-barrister background compared to former barristers was more evenly split in higher tribunal positions, however some of these groups comprise a very small proportion of the total number of tribunal judges, so caution is advised in interpreting these results. Presidents, Chamber Presidents, Deputy and Vice Presents (Upper Tribunal Judge; Deputy Upper Tribunal Judge) only accounted for 6% of tribunal judges in total, whereas Tribunal Judges and Employment Judges accounted for 92% of tribunal judges in total. Notably, although the percentage of non-barristers was highest for Regional Employment Judge (83%) and Regional, Deputy Regional Tribunal Judge (73%), these groups only accounted for 2% of the overall total of judges.

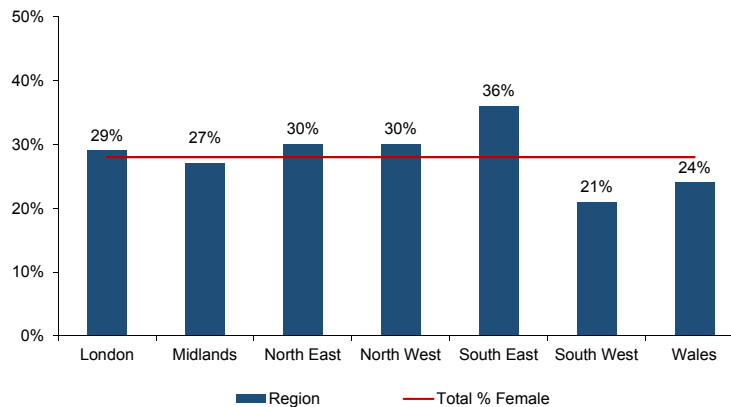
4. Diversity in the Courts – Judges by region

Considerable regional variation in gender and ethnicity representation

The percentage of female court judges was highest in the South East (36%), with lowest female representation in the South West (21%).

London and the Midlands had the highest representation of BAME court judges (9% and 8% respectively), with 1% BAME in Wales.

Figure 11: Female representation among court judges, by region, 1 April 2017



As figure 11 illustrates, there was some variation in female representation among court judges by region. London accounted for just over 40% of court judges around the country, and 29% of those court judges were female. The South East had the highest female representation, with 36% of court judges being female, however the South East only accounted for 7% of court judges around the country. In contrast, the South West had the lowest percentage of female court judges (21%), although only 9% of court judges overall were located in the South West. As such, the impact is small to the overall total level of female representation among court judges in comparison to the impact of London.

Figure 12: BAME representation among court judges, by region, 1 April 2017

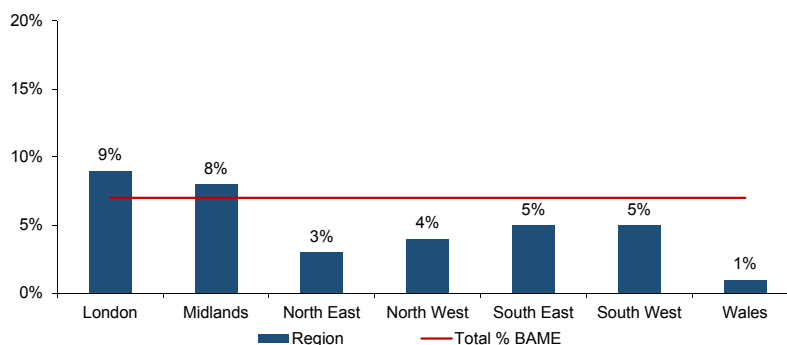


Figure 12 shows substantial variation in BAME representation among court judges by region around the total figure for court judges. The percentage of court judges identifying as BAME was highest in London and the Midlands where 9% and 8% of judges respectively declared their ethnicity as BAME. In other regions, BAME representation was considerably lower. 1% of court judges in Wales were BAME.

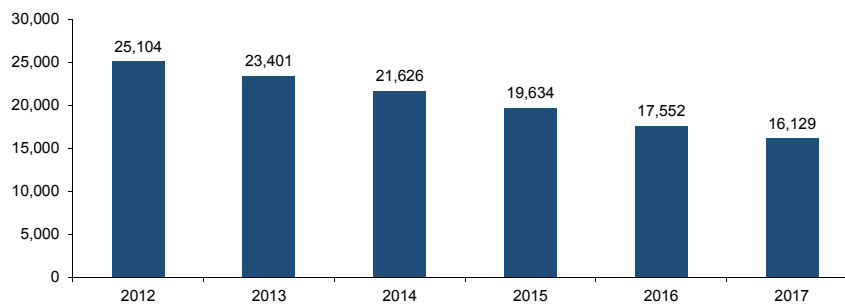
5. Diversity in Magistrates

More than half of magistrates were female (54%)

11% of magistrates declared themselves as BAME.

There were very few magistrates aged under 40 (4%) compared with 86% of magistrates who were aged over 50.

Figure 13: Total headcount of magistrates in England and Wales, 1 April 2012 to 1 April 2017



There has been a continuing reduction in the number of magistrates, reducing from 25,104 as at 1 April 2012 to 16,129 as at 1 April 2017, a 36% reduction across the period. This reduction was a consequence of falling workload in the magistrates' courts due to increased use of out of court disposals, and downturn in recruitment, combined with relatively consistent annual levels of resignations and retirements.

Slightly more than half of magistrates were female (54%). This proportion has gradually increased from 51% as at 1 April 2012, although this increase is small relative to the considerable reductions in numbers seen across the same period.

Figure 14 shows small variations in female representation by region. The proportion of females was slightly higher in London at 58%, and was lowest in the North East and Wales at 50% and 51% respectively, while the rest of the regions showed little deviation from the total level of female representation among magistrates.

Figure 14: Female representation among magistrates, by region, 1 April 2017

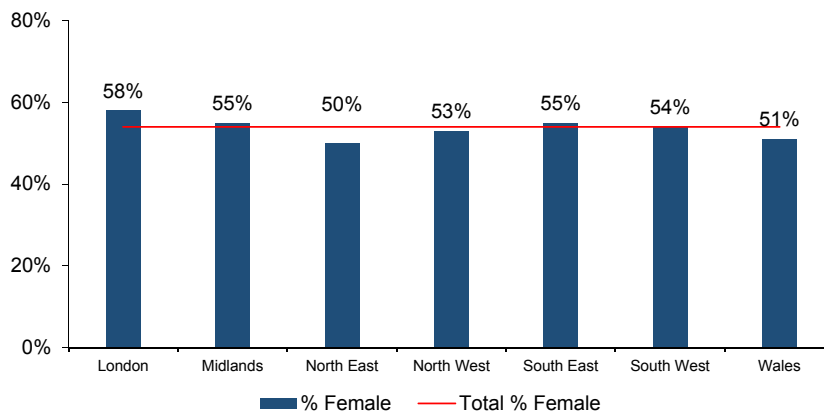
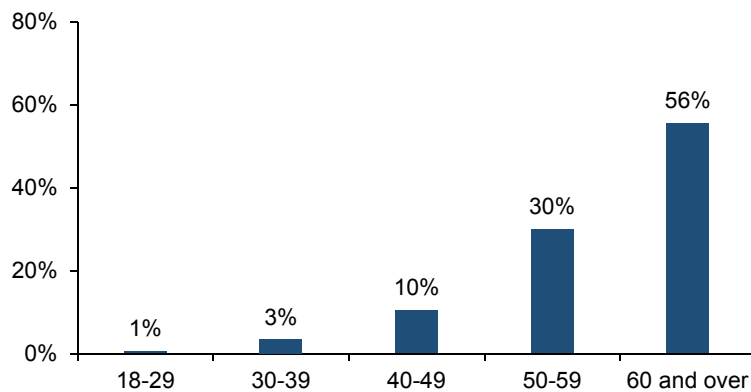
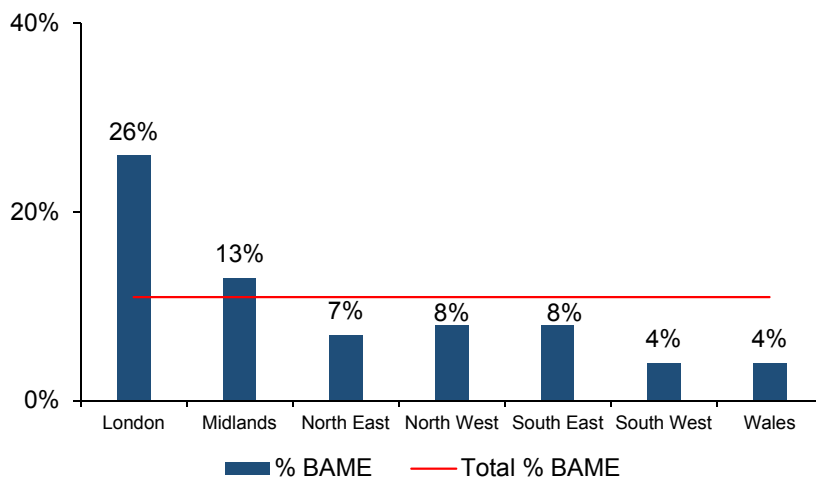


Figure 15: The percentage of magistrates by age band, 1 April 2017



Although magistrates can be appointed from age 18, there are very few magistrates under 30 (< 1%), while 86% of magistrates are over 50, see figure 15. The average age of magistrates has remained just under 60 for the past 6 years.

Figure 16: BAME representation of magistrates, by region, 1 April 2017



As at 1 April 2017, ethnicity information was declared for 97% of magistrates, of which 11% declared themselves as BAME. This is a 3 percentage point increase in BAME representation since 1 April 2012, when 8% of magistrates declared themselves as BAME.

Figure 16 shows considerable variation in BAME representation by region, in comparison to the total level of BAME representation among magistrates. The percentage of magistrates who identify as BAME was by far the highest in London (26%), double the level seen in the Midlands (13%), which was second highest, compared with only 4% in South West and Wales.

In London, representation amongst the Asian or Asian British and Black or Black British groups was more or less equal at 40% and 45% respectively of the total BAME group, whereas in the Midlands the proportion was considerably higher for Asian or Asian British (63%) than Black or Black British (26%).

Accompanying file

As well as this bulletin, a set of overview tables, covering each section of this bulletin will be published as part of this release. In previous years a set of tables, including a data tool was also published but due to data disclosure issues this tool is currently being revised and will be published in due course.

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Next update: July 2018

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