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Dear Mark,

### **REVIEW BODY ON SENIOR SALARIES: REQUEST FOR WRITTEN EVIDENCE**

Thank you for your letter of 27 August inviting the Ministry of Justice (MoJ) to submit evidence to the Review Body on Senior Salaries (SSRB) about its judicial remit group. I have enclosed a report containing our evidence.

In summary, the main points about judicial remuneration covered in the MoJ evidence are:

- Public sector pay policy is that 1% of funding is available in 2016/17, with the expectation that pay awards will be targeted to support the delivery of public services and address pressures with recruitment and retention.
- The MoJ's proposed approach for the pay award for the judicial remit group in 2016/17 is that there should be a 3% increase for salary group 4, a 0.55% increase to salary groups 6.2 and 7, and a 1% increase to all other salary groups. The total cost of implementing this approach is within the 1% available.
- The evidence available suggests that there is an emerging problem with recruitment and retention of High Court judges; this proposal aims to mitigate this risk by awarding this group an additional uplift in pay. No problems have been identified with recruitment or retention of judges in salary groups 6.2 and 7 and previous reviews conducted by the SSRB have shown that these judges are comparatively well remunerated.
- The department considers that there is a strong case for conducting another major review of the judicial salary structure and will update the SSRB when we are able to make a final decision about when this review will start.
- The MoJ is in a challenging financial position and these challenges will continue throughout the next Parliament. Any increases in judicial pay must be absorbed within existing budgets.

As I have previously discussed with you, the MoJ welcomes the key priorities of the SSRB that you set out in your letter, including the need for pay decisions to be supported by reliable, comparable and high quality data. We have aimed to meet all of the Review Body's core evidence requirements in our evidence pack. Some of the information requested is not applicable to the judiciary, as indicated in our evidence pack. We also are aware that data on some other areas will be provided by the judiciary and the Judicial Appointments Commission. In the few other instances, however, it has not been possible to provide meet the Review Body's requirements. Where comprehensive data is not current held on the judicial remit

group – for example, in relation to geographic location - we will aim to make sure that the necessary evidence is available for future reviews. The work that is underway to set up a new electronic HR system for the judiciary will help in this regard and in making sure that high quality and consistent data about the judicial remit group is available. In other areas where further research is required – for example, for up to date pay comparisons with legal practitioners – we propose that information should be gathered as part of the proposed major review of the judicial salary structure.

I look forward to the Lord Chancellor meeting the Review Body on 8 December to discuss the matters covered in this evidence.

Yours sincerely,

**Helen Whitehouse**

Deputy Director, Judicial Policy, Pay and Pensions Directorate