**Major Review of the Judicial Salary Structure**

**Call for Evidence Response Form**



Please use this form to submit responses to the Review Body on Senior Salaries’ (SSRB) call for evidence for its Major Review of the judicial salary structure.

This response form should be considered in conjunction with the call for evidence document, which is available at: <https://www.gov.uk/government/organisations/review-body-on-senior-salaries>

The SSRB welcomes any comments you wish to make in response to all of the questions or just in relation those issues that are of particular interest or relevance to you.

Response to the questions below should be input into this document electronically and completed document then emailed to: [judicialsalaries@beis.gov.uk](mailto:judicialsalaries@beis.gov.uk). All responses should be received by 28th February 2018.

**Part 1: About You**

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| **Name:** | Click here to enter text. |
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| **Email address:** | Click here to enter text. |

Respondents are not required to provide an email address. If you do wish to provide this information, it will allow the SSRB or its secretariat to contact you if they wish to obtain further information about any points raised in your response.

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| **Are you responding:** | Choose an item. | |
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| **If you are responding as an individual, are you:** | | |
| Choose an item. | | |
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| **If you are current or former judicial office holder whose office falls under the scope of the review, please provide your job title:** | | Click here to enter text. |
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| **If not, please provide any information you wish to about your occupation or reason for your interest in judicial salaries:** | | Click here to enter text. |

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| **If you are responding on behalf of an organisation, please provide its title:** | Click here to enter text. |
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| **Please provide a brief description of your organisation. This should include, if applicable, information about whom the organisation represents, the size of its membership and how the views of members were obtained.** | |
| Click here to enter text. | |

**Confidentiality**

Information provided in response to this call for evidence, including personal information, could be subject to a request under access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004). The Office of Manpower Economics, which provides secretariat support to the SSRB, must deal with any such request in accordance with relevant statutory framework. If you consider that any of the information that you have provided is confidential, it would be helpful if you could explain why. This will mean that, if the Office of Manpower Economics receives a request for disclosure of the information, it can take full account of your explanation. However, we cannot give an assurance that confidentiality can be maintained in all circumstances.

Please check this following box if any information provided in your response should be treated as confidential:

If so, please provide further details of what information is confidential and why below.

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**Part 2: Call for Evidence Questions**

**Remuneration and other benefits**

To assist its consideration of salary levels for each judicial group, the SSRB welcomes responses to the following questions. **In each case, respondents are invited to comment on the current position and whether and how it has changed since 2011. Where calculations are included, please provide workings.** *For example, respondents may provide* *examples of what external roles are comparable to holding judicial office, the relative levels of remuneration in such roles and how the comparison has changed over time.*

**Question 1**: To what extent is total remuneration currently correctly set, including in relation to appropriate recruitment pools in the legal profession and elsewhere, in order to recruit, retain and motivate high-calibre judicial office holders? What evidence is there about how differentials have changed over time and how this has affected recruitment, retention and motivation?

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**Question 2**: How does the pension offered to the judiciary, including the design of the Judicial Pension Scheme 2015 (or the Northern Ireland Judicial Pension Scheme 2015) and taking into account policy on taxation of pension benefits, act as an incentive or disincentive to recruiting, retaining and motivating high-calibre judicial office holders? If you consider the current arrangements to act as a disincentive, are there changes or improvements you could suggest?

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**Question 3**: What other aspects of financial or non-financial reward act as an incentive or disincentive to recruiting, retaining and motivating high-calibre judicial office holders?

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**Recruitment, Retention and Motivation**

The SSRB invites additional evidence on recruitment of high-calibre candidates to the judiciary and the retention and motivation of judicial office holders. If commenting on whether it has been possible to maintain a sufficient number of office holders for a particular judicial role, it would be helpful if respondents could make it clear how they define sufficiency. This could, for example, be in terms of workload or effects on the wider courts and tribunals system and wider society. It is not necessary to repeat evidence already provided in relation to other questions. Again, comments are invited on the current position and whether and how it has changed since 2011. *For example, respondents may provide information on where posts in individual courts or tribunals have been left unfilled and to outline the reasons for, and impacts of, this.*

**Question 4:** What data and evidence can you provide on the recruitment of sufficient numbers of candidates to judicial posts and the factors that influence that, including eligibility for posts?

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**Question 5:** What data and evidence can you provide on the availability and willingness of sufficiently high-calibre candidates to join the judiciary and the factors that influence that?

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**Question 6:** What are the trends in resignation or early retirement of members of the judiciary and what factors are driving those trends?

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**Question 7:** What are the trends in motivation or morale among members of the judiciary and what factors are driving those trends?

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**Question 8:** Are there instances where inappropriate grading of posts has created recruitment, retention or motivation problems and what impact has this had?

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**Leadership**

The Terms of Reference for the Major Review require the SSRB to ‘*consider how best to reward and incentivise judicial leadership*’. In this sense, the SSRB is focused less on intellectual leadership and more on responsibility for the leadership and management of a jurisdiction, chamber or court/tribunal centre. Leadership encompasses all the management and leadership that judicial office holders may be required to carry out, including responsibilities for other judicial office holders, for listing and allocation of cases, practice rules/directions and liaison with the court services and others on policy matters.

The SSRB therefore invites comments on the issue of leadership, as well as other skills the system does, or potentially should, reward. *For example, respondents may highlight instances where roles with similar leadership responsibility are treated inconsistently and highlight the impacts of this at both the level of the individual and the level of a court or tribunal.*

**Question 9:** To what extent does the current system incentivise and reward judicial leadership, both across the system and for particular groups of judges? Is this done fairly and consistently, and why?

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**Question 10:** Are there cases of where the leadership component of certain judicial posts is insufficiently recognised in the pay and grading system, or of inconsistencies or anomalies in this regard?

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**Question 11:** Should financial recognition for leadership only run for the period that a judge occupies a leadership position? If it should extend beyond that date, why?

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**Question 12:** In addition to court management and leadership, what job characteristics does the current system reward, and are there areas of substantive skills that are insufficiently remunerated?

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**Policy context**

The judiciary has been subject to a number of reforms and developments since 2005. The SSRB is interested in any views on the impact of these changes that have not been already provided in response to questions above. Respondents do not need to repeat information provided in section 3, but are invited to expand on the impacts of those changes, or to highlight others.

**Question 13:** What policy changes or reforms to the justice system since 2011, in which jurisdictions, have affected the nature and content of judicial roles and what impacts has this had? What impact will future planned changes have?

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**Question 14:** Specifically, how have, or will, such policy changes and reforms affected recruitment, retention and motivation of high-calibre members of the judiciary, and why?

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**Strategic context**

To provide context to its recommendations on the pay and grading structure, the SSRB is interested in views on the importance and impact of a suitably staffed and qualified judiciary; and, conversely, any economic and societal costs that would result from not being able to appoint enough sufficiently qualified and experienced candidates. *For example, respondents may cite examples of where a high-quality or well-staffed judiciary has helped to secure or achieve wider economic or social benefits, or where the absence of such conditions has had an adverse economic or social impact. Reference to relevant research findings would also be helpful.*

**Question 15**: How important is a suitably staffed and skilled judiciary and what are the impacts of failing to recruit a sufficient number of suitably qualified individuals to judicial roles? Please comment on the economic impacts, the impacts on wider society or both.

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**Other comments**

Any further evidence of relevance to the Major Review not covered by the questions above may be provided in response to question 16.

**Question 16:** Do you have other matters that fall under the scope of this call for evidence that you wish to raise?

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