

A New Challenge?

GENERIC FIRST TIER JUDICIAL APPOINTMENTS

By Clare Harrington



I consider myself privileged in my working life to date, having spent 18 years as a barrister in chambers practising employment law. During that time, I am glad to say that I was kept extremely busy with interesting and varied work instructed largely by respondent clients ranging from large companies to NHS trusts, educational institutions and police forces.

From 2011, I juggled my practice with sitting as a fee paid employment judge in the London South region. I greatly enjoyed sitting and pursued other similar opportunities when they arose, including the secondment to the FTIAC and becoming a Legally Qualified Chair on police misconduct panels. I appreciated the variety of my work and felt I was more effective as an advocate having had the opportunity to adjudicate upon cases myself and understand the concerns of panels when considering certain matters.

Generic selection exercise

When the exercise was launched for generic first tier tribunal judges, I was interested by a salaried judicial role with greater flexibility both in terms of jurisdiction offered and part-time working – my understanding was that this was the first occasion where it might be possible to be appointed on a 50% full time equivalent basis.

Whilst I had previously been interested in entering a salaried competition, I had hesitated owing to concerns over the lack of flexibility such a role afforded. Having a number of caring obligations and being used to self employment I have, in recent years, organised my preparation and written work in a flexible way, including working from home and working alternative extended hours in order to accommodate my caring commitments. I am resolute in wanting to forward my career but I am keen to attend occasional speech days or a special assembly in which my children are participating and would like a modest amount of flexibility to be able to do this.

Appointment and training

I was fortunate to make it through the multiple stages of the selection exercise (including paper sift and selection day with the colourful mock scenarios complete with actors, timed written exercises and a detailed competency based interview) and was offered the role of District Tribunal Judge in the Social Entitlement chamber.

I am now six months into my new role and am glad to report a relatively soft landing. I have been appointed on a 50% full time equivalent basis sitting in SSCS. Beyond this, I continue to sit as a fee paid Employment Judge and as a legally qualified chair – normally committing a further five days per month to these roles. I relish both my salaried role and also the mix of work these multiple appointments bring.

At the residential induction training, there was clearly a strong desire to empower the newly appointed judges with the skills and knowledge necessary to start in their new roles. The training judges were invaluable in steering us through the introductory materials and to signpost areas of further complexity requiring our attention. The facilitators were approachable and enabling, allowing us to find our feet as judges and to leave the course knowing some of the answers and where to look, or who to ask, when we didn't.

The other invaluable component of such courses is meeting your fellow recruits. I was very glad to have the

opportunity to chat with my cohort and to share our experiences to date and our thoughts on what was to come. Few in my small group had previous judicial experience but all had clearly transferable skills from their legal careers to date. I think for all of us, obtaining our new roles not only represented a great achievement but also a significant change to our working lives. For me, no longer self employed, no longer flexible in where and when I work and the learning and challenge of a new jurisdiction and regime.

Having gone through this process of change, I do not underestimate the extent of the transition for new recruits particularly those without previous sitting experience. In the short term, one goes from being a highly experienced professional to the 'learner' judge and, for most of us, this probably engenders a feeling of vulnerability and some self doubt. The challenge is how to aid and facilitate the transition when newly appointed judges are coming from a variety of working backgrounds and experience.

I have been greatly assisted by my Regional Judge, my allocated mentor judge and my immediate colleagues.

My mentor judge has produced additional materials for my use, provided information on a number of both practical and legal matters and, most valuably, has given me her time whenever I have raised a query or concern. I am extremely grateful for her ongoing guidance.

I have also had one to one mentoring from an experienced colleague in respect of the vital interlocutory work carried out in our jurisdiction. Again, I am grateful for her clear and patient approach in taking me through this work.

Six months on...

In summary, my report and experience is a positive one. I am enjoying my new salaried role, the challenge of becoming more effective in that role and being able to concentrate on sitting in multiple jurisdictions without my practice commitments. As judges we are trained and reminded of the importance of putting our parties at ease to ensure, where possible, their full participation and I would encourage us as colleagues to similarly work at putting each other at ease. Our work is challenging and difficult but to have approachable colleagues with a willingness to listen, assist and support remains invaluable.

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