



LORD CHIEF JUSTICE
OF ENGLAND AND WALES



SENIOR PRESIDENT
OF TRIBUNALS

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Judicial Diversity Statistics 2019

Key Findings

32% of court judges and 46% of tribunal judges were women	The proportion of court judges who were women increased from 24% in 2014 to 32% in 2019. The proportion of tribunal judges who were women increased by 3 percentage points over the same time period. As at 1 April 2019, around half (51%) of non-legal members of tribunals were women.
7% of court judges, 11% of tribunal judges and 17% of non-legal members of tribunals were BAME	Between 2014 and 2019, the proportion of Black, Asian and minority ethnic (BAME) court judges, tribunal judges and non-legal members of tribunals has increased by 2 percentage points in each group.
33% of court judges and 63% of tribunal judges were from non-barrister backgrounds	Between 2015 and 2019, non-barrister (solicitor, CILEx or other) representation in court judges has decreased by 3 percentage points, and by 5 percentage points for tribunal judges. Almost all of those who declared their background as non-barristers were formerly solicitors.
There was considerable regional variation in gender and ethnic diversity in courts	The percentage of court judges that were women was highest in the South East (41%), and lowest in the South West (24%). London and the Midlands had the highest representation of BAME court judges (10% and 9% respectively). The lowest representation of BAME was in Wales (3%). This partly reflects the ethnic diversity of the general population in these regions.
More than half of magistrates were women (56%)	In all regions over half of magistrates were women. Overall, around 12% of magistrates had declared themselves as BAME. There were very few magistrates aged under 40 (5%) compared with more than half (52%) of magistrates who were aged over 60.

New Experimental Statistics: this bulletin contains references within the ‘Leavers and joiners’ sections to a new set of accompanying tables, which present diversity information for promotions within the judiciary, new entrants and those leaving the judiciary.

This bulletin provides an overview of the diversity of appointed judges in the courts and tribunals, non-legal members of tribunals, and magistrates, as at 1 April 2019. 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, including the new experimental statistics, can be found in the accompanying *Guide to Judicial Diversity Statistics*.

Coverage: Courts - England and Wales, Tribunals - All Tribunals administered by HMCTS and Welsh Tribunals not administered by HMCTS. This includes Employment Tribunal Scotland, in addition to Tribunals in England and Wales. Tribunals that are the responsibility of the devolved Welsh Government are not included. Magistrates - England and Wales.

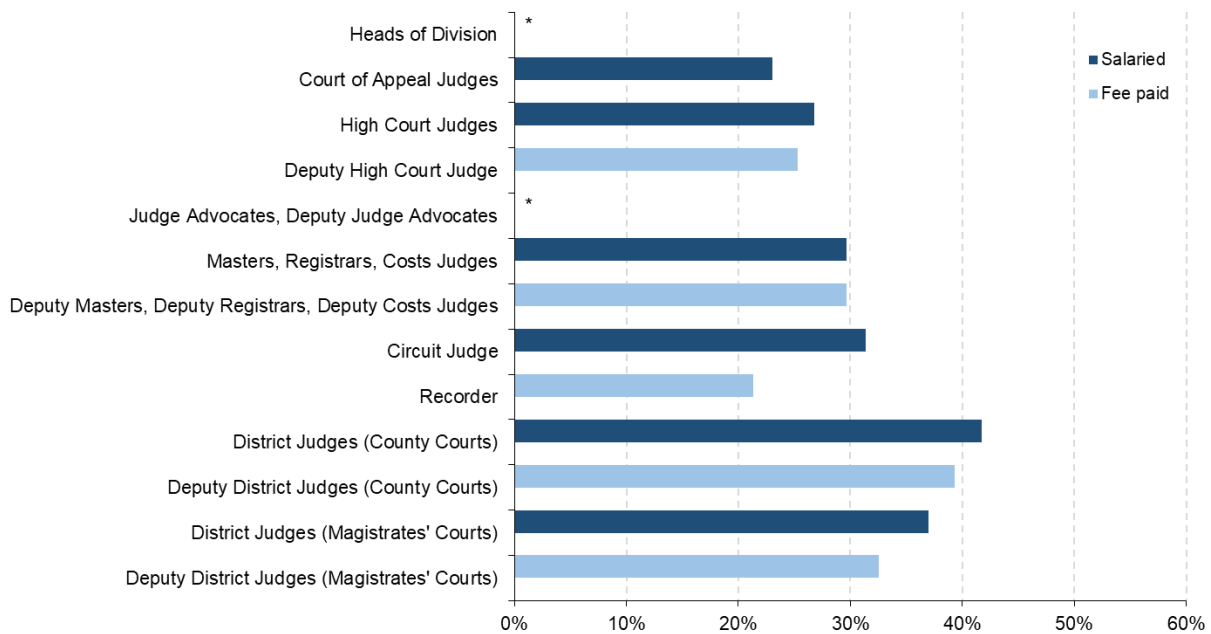
1. Diversity in the Courts and Tribunals – Gender

32% of court judges and 46% of tribunal judges were women

The proportion of court judges who were women increased from 24% in 2014 to 32% in 2019. Women judges in tribunals increased by 3 percentage points over the same time period. As at 1 April 2019, around half (51%) of non-legal members of tribunals were women.

As at 1 April 2019, there were 3,210 judges (on a headcount basis) with a primary appointment as a court judge, of these judges 32% were women. The representation of women across the different judicial roles in courts tended to vary with seniority, with lower representation of women in more senior roles. Some caution is advised when interpreting trends relating to seniority given the relatively low numbers within senior positions. The highest level of representation of women in the courts judiciary was in District Judges (County Courts) at 42%. Figure 1 shows the representation of women, as a percentage, in each court judicial role (in descending order of seniority).

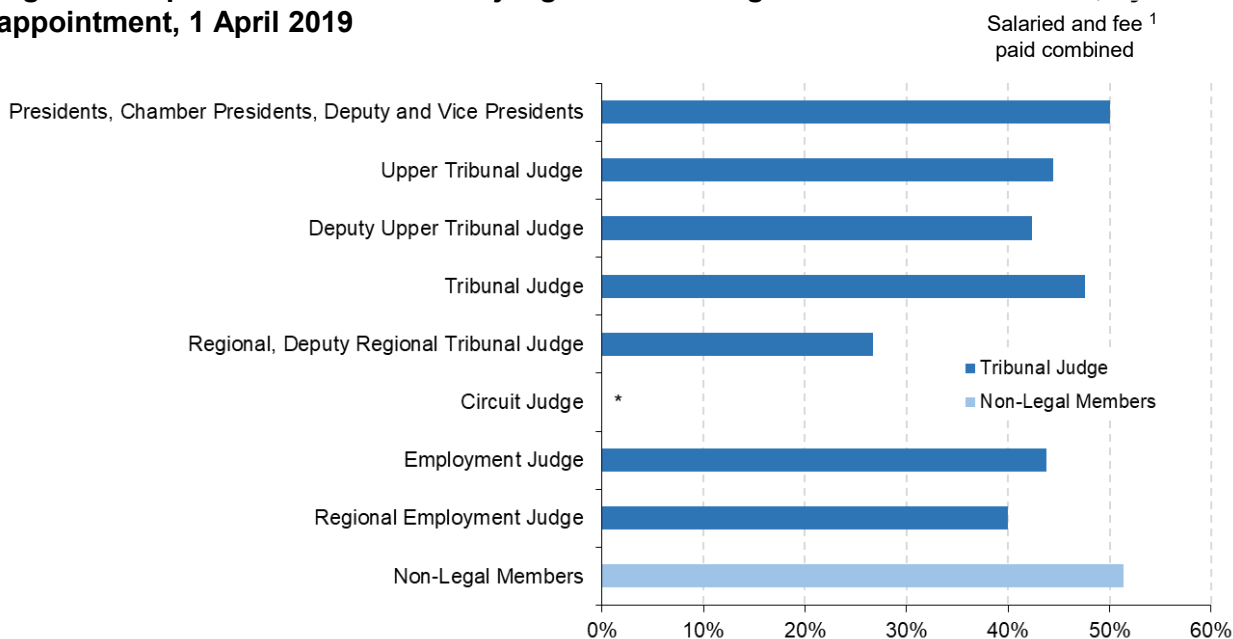
Figure 1: Representation of women among court judges, by appointment, 1 April 2019



* Percentage suppressed due to small numbers. Where small numbers are present, percentages are highly volatile and potentially misleading.

Source: Table 1.1

Figure 2: Representation of women judges and non-legal members of tribunals, by appointment, 1 April 2019



* Percentage suppressed due to small numbers.

Source: Table 2.3

As at 1 April 2019, there were 1,854 tribunal judges (on a headcount basis by primary role). 46% of tribunal judges were women, with variation in the representation of women across appointments. Women accounted for half of the most senior roles in tribunals (Presidents, Chamber Presidents, Deputy and Vice Presidents).

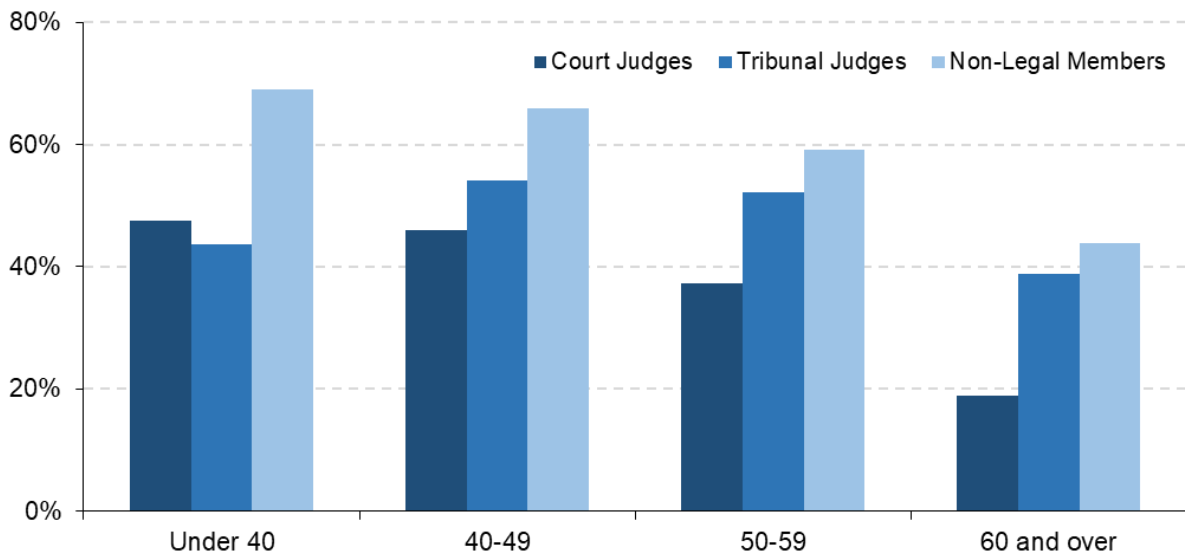
In addition to tribunal judges, there were 3,121 non-legal members of tribunals (also referred to as non-legal members), and around half (51%) of these non-legal members were women. The representation of women varied by the type of non-legal member, with 45% of medical members and 76% of disability members being women.

Figure 3 shows that, in each age group over 40, tribunal judges and non-legal members of tribunals generally had higher representation of women than court judges. In those aged under 40, court judges had a higher representation of women (47%) than tribunal judges (44%), but this was still much lower than the level seen in non-legal members (69%). In general, younger age groups had higher levels of representation of women, with tribunal judges aged under 40 being the exception at 44% women, which was lower than for those aged 40-49 and 50-59.

Caution is advised in making direct year on year comparisons of the information presented in Figure 3. The percentages presented may not be directly comparable to other years due to variation in the age distribution each year. A time series by gender and age group is not presented in this bulletin for this reason.

¹ Unlike court judge appointments which have distinct fee paid and salaried appointments, most tribunal judge appointments can be both fee paid or salaried and therefore only totals are presented.

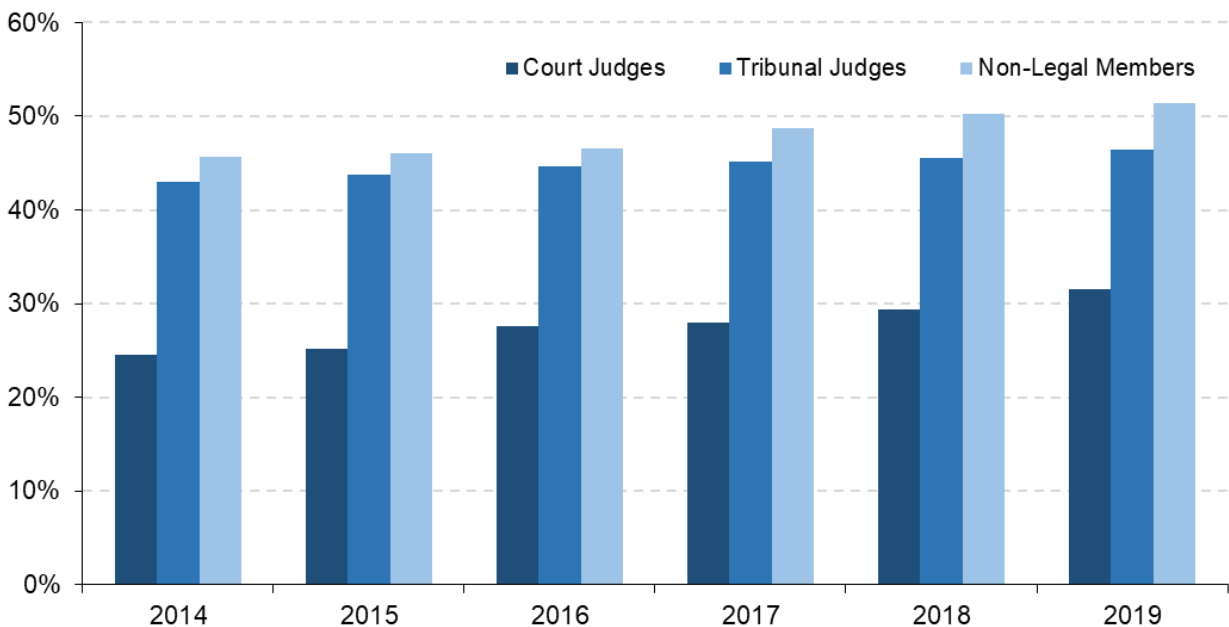
Figure 3: Representation of women among court judges, tribunal judges and non-legal members of tribunals, by age band, 1 April 2019



Source: Tables 1.2 and 2.4

Figure 4 shows the time series available for the representation of women among court and tribunal judges and non-legal members of tribunals. The proportion of court judges who were women increased by 2 percentage points between 2018 and 2019. Over the same period, the proportion of tribunal judges and non-legal members of tribunals who were women increased by 1 percentage point each.

Figure 4: Representation of women among court and tribunal judges and non-legal members of tribunals, 1 April 2014 to 1 April 2019



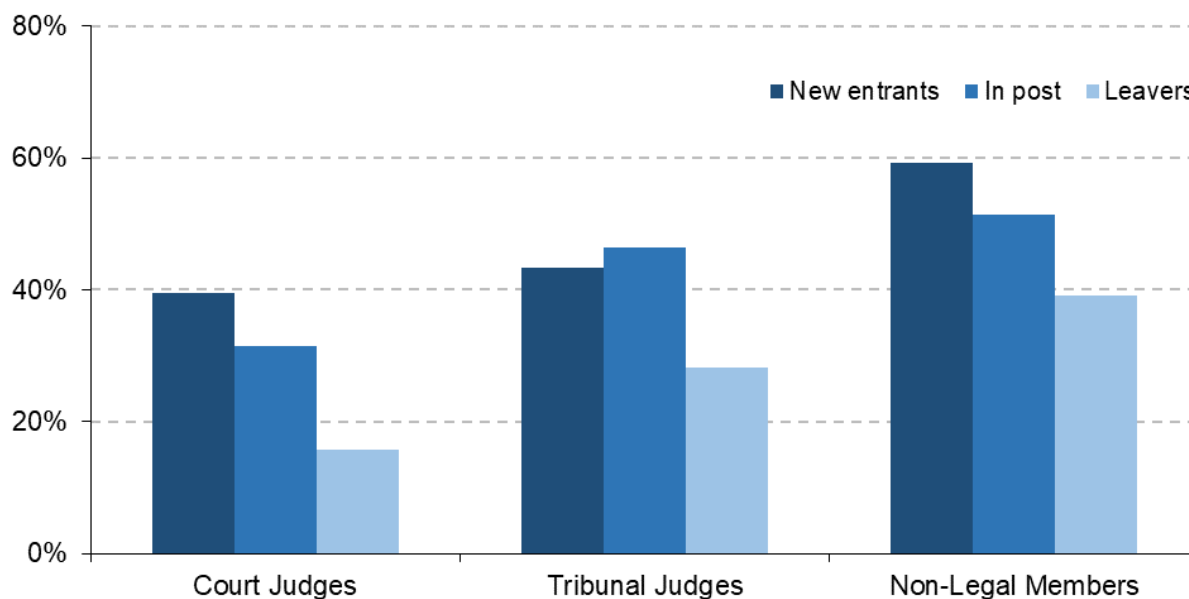
Source: Tables 1.3 and 2.5

There has been an increase in the representation of women among court judges from 24% in 2014 to 32% in 2019. There was a 3 percentage point increase in the proportion of women in tribunal judges from 43% to 46% over the same period. The representation of women in non-

legal members of tribunals has increased by 6 percentage points since 2014, with women representing around half (51%) of all non-legal members of tribunals as at 1 April 2019.

Diversity of those leaving and joining Courts and Tribunals – Gender (experimental statistics)

Figure 5: Representation of women among court and tribunal judges and non-legal members of tribunals leaving and joining the judiciary, 1 April 2018 to 31 March 2019, and those in post as at 1 April 2019 (experimental statistics)



Source: Tables 1.1, 2.1, 6.1, 6.3, 7.1 and 7.3

Turnover in the judiciary is relatively low, with approximately 5% of court judges, 6% of tribunal judges and 6% of non-legal members of tribunals leaving the judiciary in 2018/19². During the same period, 14% of court judges, 14% of tribunal judges and 6% of non-legal members of tribunals began their first appointment³. Figure 5 shows the proportion of women leaving and joining the judiciary in 2018/19, alongside the proportion of women in post as at 1 April 2019.

For both court judges and non-legal members of tribunals, the proportion of women entering the judiciary in 2018/19 (39% and 59% respectively) was higher than for those in post as at 1 April 2019. However, 43% of those entering the judiciary as a tribunal judge were women - 3 percentage points lower than the representation rate of 46% amongst current office holders as at 1 April 2019. Both those in post and entering the judiciary as a tribunal judge had a much higher proportion of women than in those leaving their appointment as a tribunal judge (28%). The proportion of those leaving the judiciary that were women was also much lower than the proportion of women in post on 1 April 2019 for court judges and non-legal members of tribunals.

² The percentage of judicial office holders leaving the judiciary in 2018/19 is calculated as a percentage of those in post as at 1 April 2018.

³ The percentage of judicial office holders joining the judiciary in 2018/19 is calculated as a percentage of those in post as at 1 April 2019.

2. Diversity in the Courts and Tribunals – Ethnicity

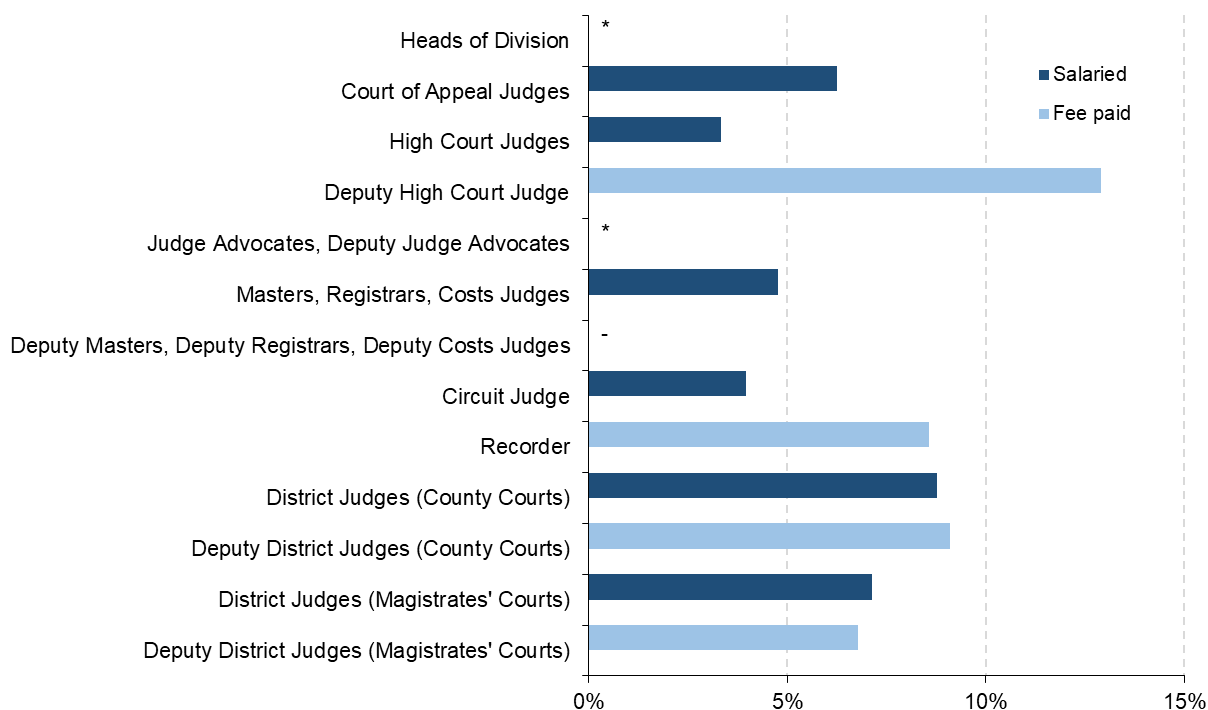
7% of court judges, 11% of tribunal judges and 17% of non-legal members of tribunals were Black, Asian and minority ethnic (BAME)

Between 2014 and 2019, the proportion of BAME court judges, tribunal judges and non-legal members of tribunals has increased by 2 percentage points in each group.

Ethnicity is self-declared on a non-mandatory basis. As at 1 April 2019, 86% of court judges, 93% of tribunal judges and 90% of non-legal members of tribunals declared their ethnicity⁴.

As at 1 April 2019, 7% of court judges were BAME. Asian or Asian British accounted for 4% of all court judges and Mixed Ethnicity for 2%. The remaining groups, Black or Black British and Other Ethnic Group, accounted for around 1% each. Due to the small numbers involved when considering court judges by appointment, the commentary focuses on non-white ethnic groups in aggregated form as BAME only. Further breakdowns would be less meaningful due to low numbers, and may in some cases pose a disclosure risk.

Figure 6: BAME representation among court judges, by appointment, 1 April 2019



- Denotes zero.

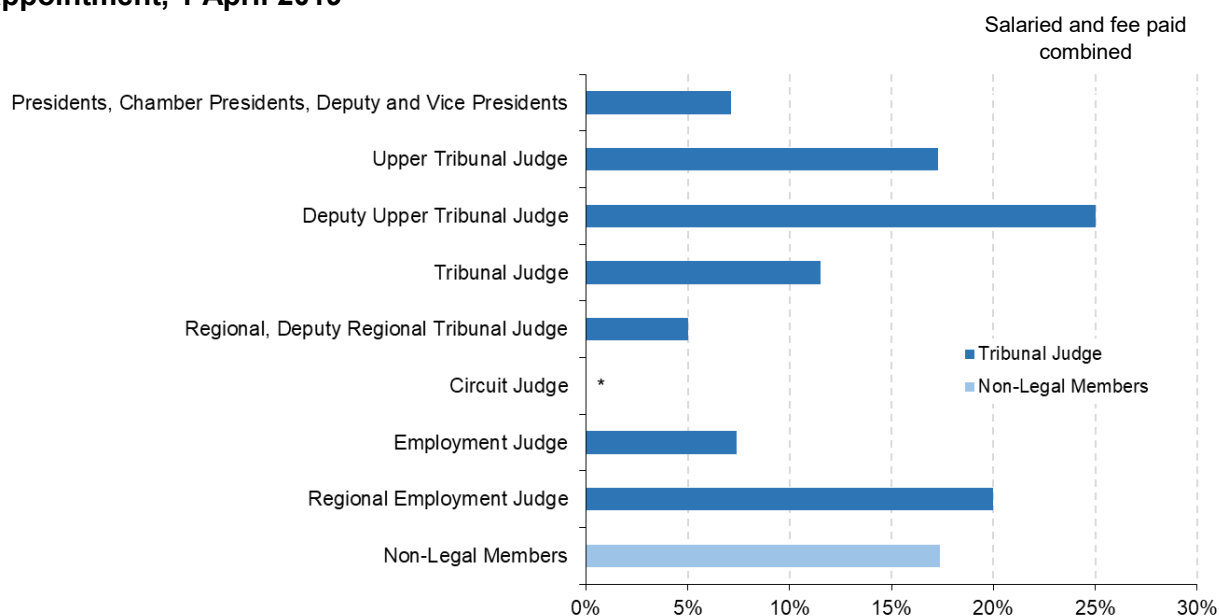
* Percentage suppressed due to small numbers.

Source: Table 1.1

⁴ Declaration rates vary when looking at lower level breakdowns, such as by role. In cases of low declaration combined with smaller numbers in groups uncertainty may be greater (this is of particular note with regards to BAME representation among Deputy High Court Judges, Masters, Registrars and Cost Judges and their deputies).

BAME representation for District and Deputy District Judges in Magistrates' Courts was 7%, for District and Deputy District Judges in County Courts and Recorders, the representation was higher at 9%. Circuit Judges had lower BAME representation (4%) than court judges overall (7%), and Deputy High Court Judges had the highest BAME representation, at 13%. Three High Court Judges and two Court of Appeal Judges were BAME as at 1 April 2019. Ethnicity information is not discussed in detail for all roles due to the low numbers involved in some appointments.

Figure 7: BAME representation of judges and non-legal members of tribunals, by appointment, 1 April 2019



* Percentage suppressed due to small numbers.

Source: Table 2.3

As at 1 April 2019, 11% of tribunal judges were BAME. Asian or Asian British accounted for 6% of all tribunal judges, while Black or Black British, Mixed Ethnicity, and Other Ethnic Group accounted for 2% each.

There was variation in BAME representation among tribunal judges by appointment type, but there were small numbers in most tribunal appointments so comparisons are not discussed. Tribunal Judge was the largest group with 1,430 Judges, 12% of which were BAME. When looking at tribunal jurisdiction, the Immigration and Asylum Chamber in the first tier and upper tier tribunals had the highest BAME representation, 24% and 23% respectively. This is more than double the overall figure of 11%.

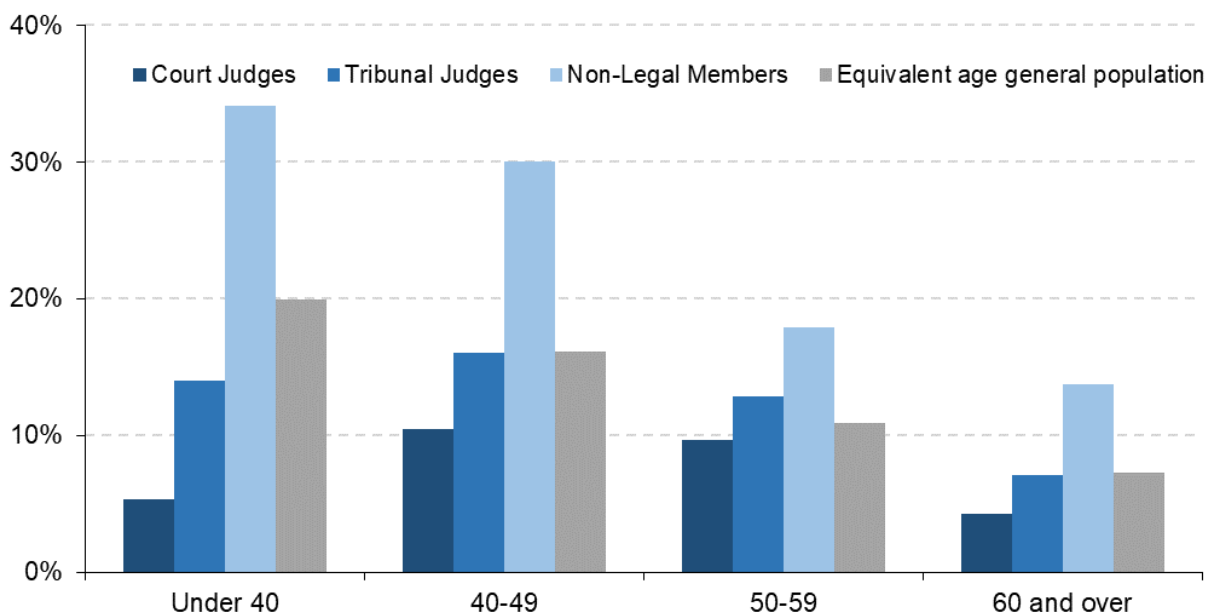
BAME representation among non-legal members of tribunals was 17%. Medical members had the greatest impact on overall BAME representation, accounting for 41% of all non-legal members. As at 1 April 2019, 27% of medical members were BAME, accounting for around two thirds of all BAME non-legal members. Asian or Asian British accounted for 12% of all non-legal members, while Black or Black British and Other Ethnic Group accounted for around 2% each, and Mixed Ethnicity 1%.

When comparing the BAME representation among judges to that of the general population, it is important to consider the relationship between age and ethnicity. Although BAME representation within those aged 25 to 69 in England and Wales in the 2017 mid-year

population estimates⁵ was 15% overall, there is substantial variation at different age groups, with ethnic diversity decreasing considerably with age (Figure 8). For example, for those aged 25 to 39, BAME representation was 20%, compared with 7% for those aged 60 to 69.

The age distribution of judges is very different to that of the working age population. This is a direct result of the requirement for considerable professional legal experience. Few judges were aged under 40 (4% of court and 6% of tribunal judges), but over 40% were aged 60 and over in both court and tribunal judges. Due to the skew towards an older judiciary, age must be taken into account to meaningfully compare the ethnicity representation within the judiciary and that of the general population. When adjusting the BAME representation in the general population by the age distribution of judges, we get a general population comparator figure of around 11% BAME - higher than the proportion of court judges who were BAME (7%), but the same proportion as tribunal judges (11%).

Figure 8: BAME representation among court and tribunal judges and non-legal members of tribunals by age band, 1 April 2019, compared to the general population of England and Wales (2017 mid-year population estimates⁵)



Source: Tables 1.2 and 2.4

When comparing the BAME representation of the judiciary to the general population by age group, 4% of court judges aged 60 and over were BAME, lower than the general population figure of 7%. BAME representation was similar for court judges aged 50-59 (10%) compared to the general population for this age group (11%). Among those aged 40-49, BAME representation was lower among court judges than in the general population (10% compared to 16%).

BAME representation within court judges aged under 40 was much lower than the general population figure of 20%, but this age group accounts for only 4% of court judges and there are further limitations to this comparison. BAME representation within the general population for those aged 25-39 is a less suitable comparison compared to other age groups, as very few

⁵ www.ons.gov.uk

judges were in this age group and an even smaller proportion were at the younger end of this group. Given the low numbers of judges within this age bracket, there was far greater volatility in BAME representation and caution is advised when drawing conclusions about BAME representation in court and tribunal judges aged under 40 for these reasons.

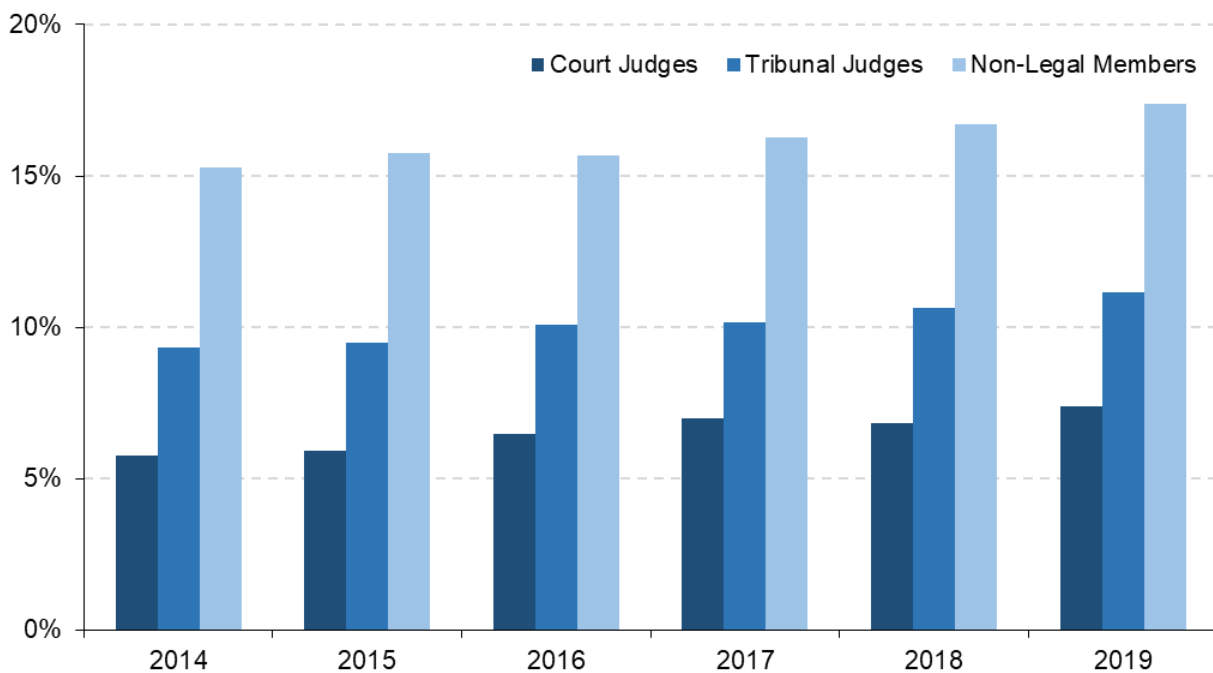
Tribunal judges had higher or similar BAME representation to the general population at all age groups other than those under 40. Those aged under 40 account for only 6% of tribunal judges, and comparisons to the general population at this age group are subject to the same cautions as court judges.

Non-legal members of tribunals in all age groups had much higher BAME representation than both judges and the working age general population at each age band.

General population figures are not directly comparable given the requirement for legal qualifications and substantial legal experience to be eligible to apply for a judicial appointment. The 2017 mid-year population estimates are presented to illustrate the relationship ethnicity has with age and how the diversity of the judiciary compares to the general population. Comparisons are not made to the ethnicity of members of the legal professions as robust information is not available.

Caution is advised when comparing ethnic breakdowns by age group across years. Percentages may not be directly comparable over time due to variation in the age distribution in each year. A time series is not presented for ethnicity by age group for this reason.

Figure 9: BAME representation among court and tribunal judges and non-legal members of tribunals, 1 April 2014 to 1 April 2019

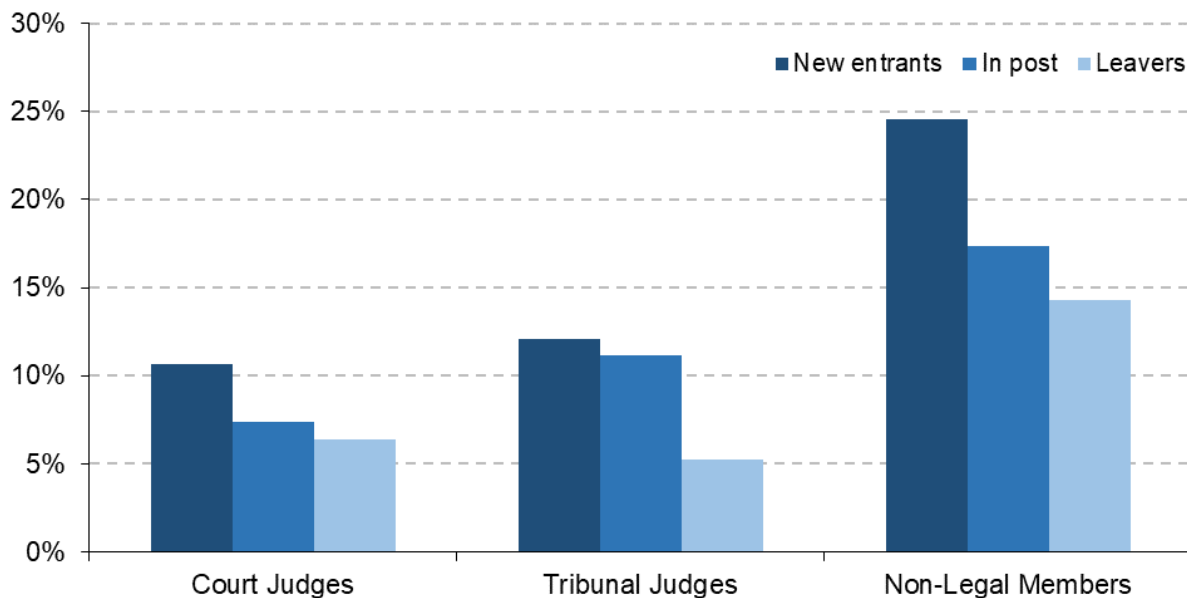


Source: Tables 1.3 and 2.5

Figure 9 shows BAME representation among court and tribunal judges and non-legal members of tribunals as at 1 April for each year between 2014 and 2019, the period for which figures are available on a comparable basis. Over the period, small increases have been seen in BAME representation among court judges, tribunal judges and non-legal members of tribunals. BAME representation increased by 2 percentage points in each group, to 7% among court judges, 11% for tribunal judges, and 17% for non-legal members of tribunals.

Diversity of those leaving and joining Courts and Tribunals – Ethnicity (experimental statistics)

Figure 10: BAME representation among court and tribunal judges and non-legal members leaving and joining the judiciary, 1 April 2018 to 31 March 2019, and those in post as at 1 April 2019 (experimental statistics)



Source: Tables 1.1, 2.1, 6.1, 6.3, 7.1 and 7.3

Turnover in the judiciary is relatively low in comparison to the overall number of judges. As a result, changes in the demographics within the judiciary can be slow. For court judges, tribunal judges and non-legal members of tribunals in 2018/19, the proportion of BAME judges and non-legal members of tribunals entering the judiciary was higher than of those in post as at 1 April 2019. Conversely, a lower proportion of BAME judges were seen leaving the judiciary in 2018/19, compared to those in post. It was this relatively low proportion of BAME judges leaving the judiciary and higher proportion of BAME judges entering the judiciary, which led to the increase in the BAME representation in the judiciary between 1 April 2018 and 1 April 2019.

3. Diversity in the Courts and Tribunals – Professional background

33% of court judges and 63% of tribunal judges were from non-barrister backgrounds.

Between 2015 and 2019, non-barrister representation in court judges has decreased by 3 percentage points, and by 5 percentage points for tribunal judges.

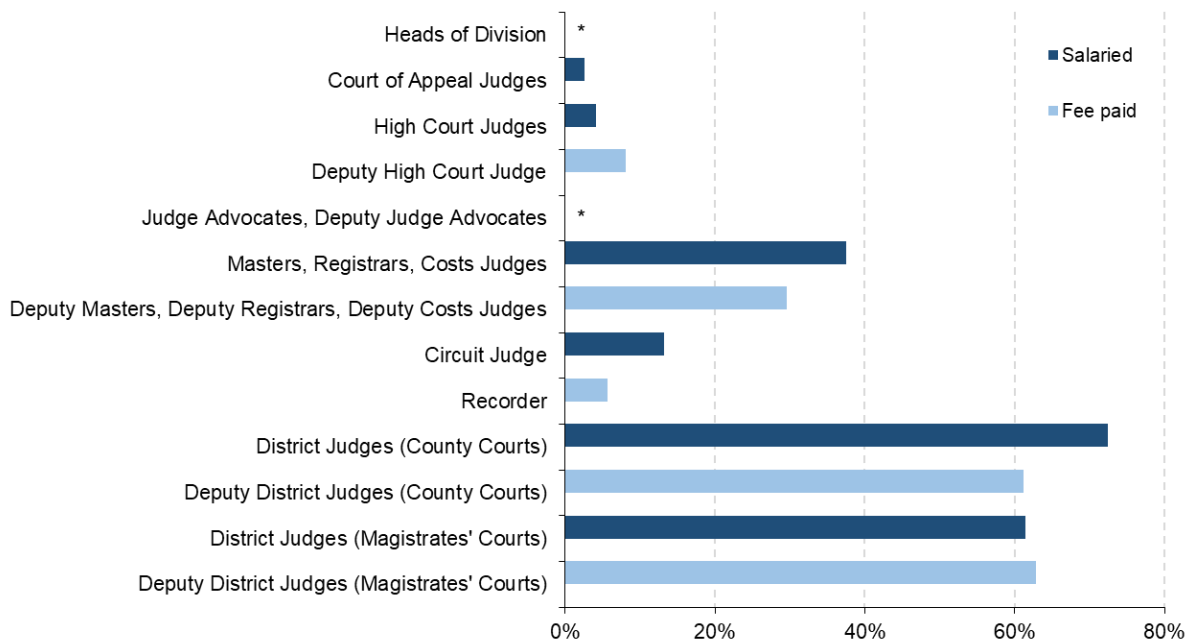
Almost all declaring their background as non-barristers were formerly solicitors.

This section focuses on the professional legal background of judicial office holders. As there is no statutory requirement for legal experience for non-legal members of tribunals – who require other specific experience and qualifications relevant to their appointment (e.g. medical members that are doctors) they are excluded from this section.

Around 33% of court judges and 63% of tribunal judges had a non-barrister professional background. The majority of judges from a non-barrister background were former solicitors with only five court judges and 34 tribunal judges coming from a legal executive or any other legal background.

A limitation is that these figures only reflect the most recent legal role at the time of appointment, and therefore will not capture the full professional legal background of the judiciary⁶.

Figure 11: The percentage of court judges whose profession is non-barrister, by appointment, 1 April 2019



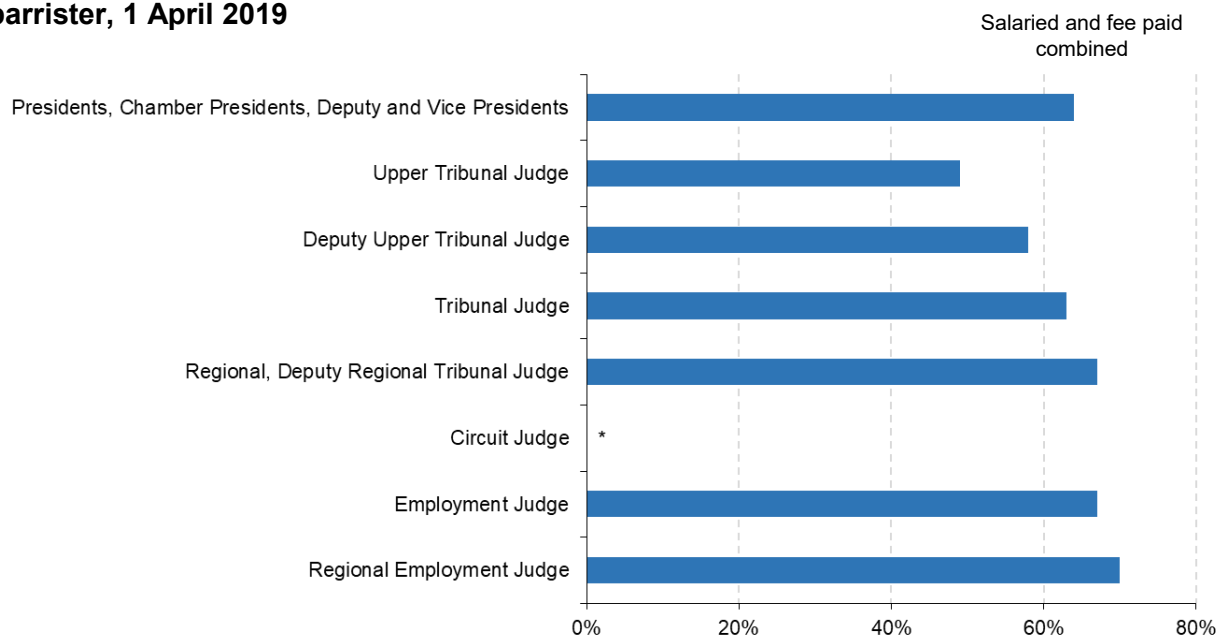
* Percentage suppressed due to low numbers

Source: Table 1.1

⁶ From 6 June 2019, the Judicial Appointments Commission statistics release now includes all professional legal roles declared by those applying and recommended for judicial appointment, rather than only their current legal role at application (see www.judicialappointments.gov.uk/jac-official-statistics).

Representation of those from a non-barrister background in court judges was highest among the District Bench, with 72% of District Judges in County Courts coming from a non-barrister background. Conversely, only 13% of Circuit Judges and 6% of Recorders were not barristers prior to appointment. Given the relatively low numbers involved for more senior positions, some caution should be taken when interpreting results for positions above Circuit Judge.

Figure 12: Percentage of tribunal judges whose professional background was non-barrister, 1 April 2019



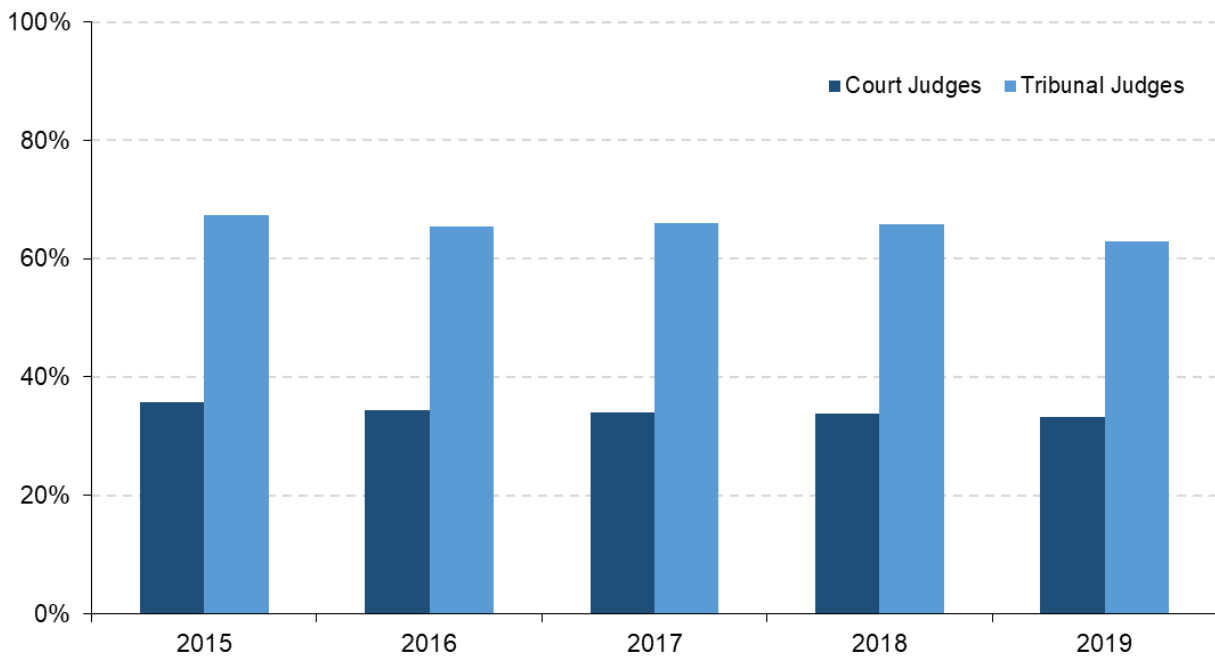
* Percentage suppressed due to low numbers

Source: Table 2.3

Figure 12 presents professional legal background representation among tribunal judges (this excludes non-legal members, for whom there is no requirement for legal experience).

Within many of the tribunal appointments, there were very small numbers of judges, so caution is advised when interpreting these results. The appointments with the largest number of judges were Tribunal Judge (1,430) and Employment Judge (288) – which were made up of 63% and 67% non-barristers respectively.

Figure 13: Non-barrister representation in court and tribunal judges, 1 April 2015 to 1 April 2019

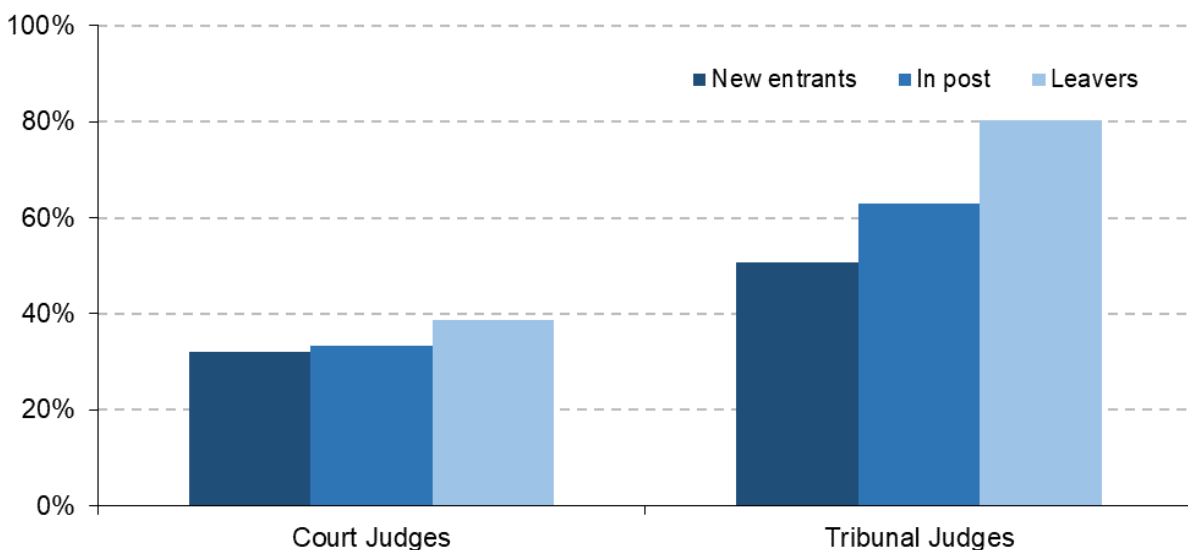


Source: Tables 1.3 and 2.5

Figure 13 shows that the proportion of court judges from a non-barrister background has decreased by 3 percentage points between 2015 and 2019; for tribunal judges, it decreased by 5 percentage points over the same period.

Diversity of those leaving and joining Courts and Tribunals – Professional Background (experimental statistics)

Figure 14: Non-barrister representation among court and tribunal judges leaving and joining the judiciary, 1 April 2018 to 31 March 2019, and those in post as at 1 April 2019 (experimental statistics)



Source: Tables 1.1, 2.1, 6.1, 6.3, 7.1 and 7.3

Figure 14 shows that in 2018/19, there was a greater proportion of non-barristers leaving the courts' judiciary (39%) than those joining (32%). The level of non-barrister representation of those in post at 1 April 2019 (33%) was similar to those joining the courts judiciary. Tribunal judges showed much greater differences in those joining and leaving the judiciary, but followed a similar pattern. In 2018/19, 80% of those leaving the tribunals' judiciary were non-barrister, but only 51% of those joining and 63% of those in post on 1 April 2019 were from a non-barrister background. This high rate of leavers coupled with a lower rate of gain of non-barristers has led to the decrease in the proportion of non-barristers in courts and tribunals in 2018/19.

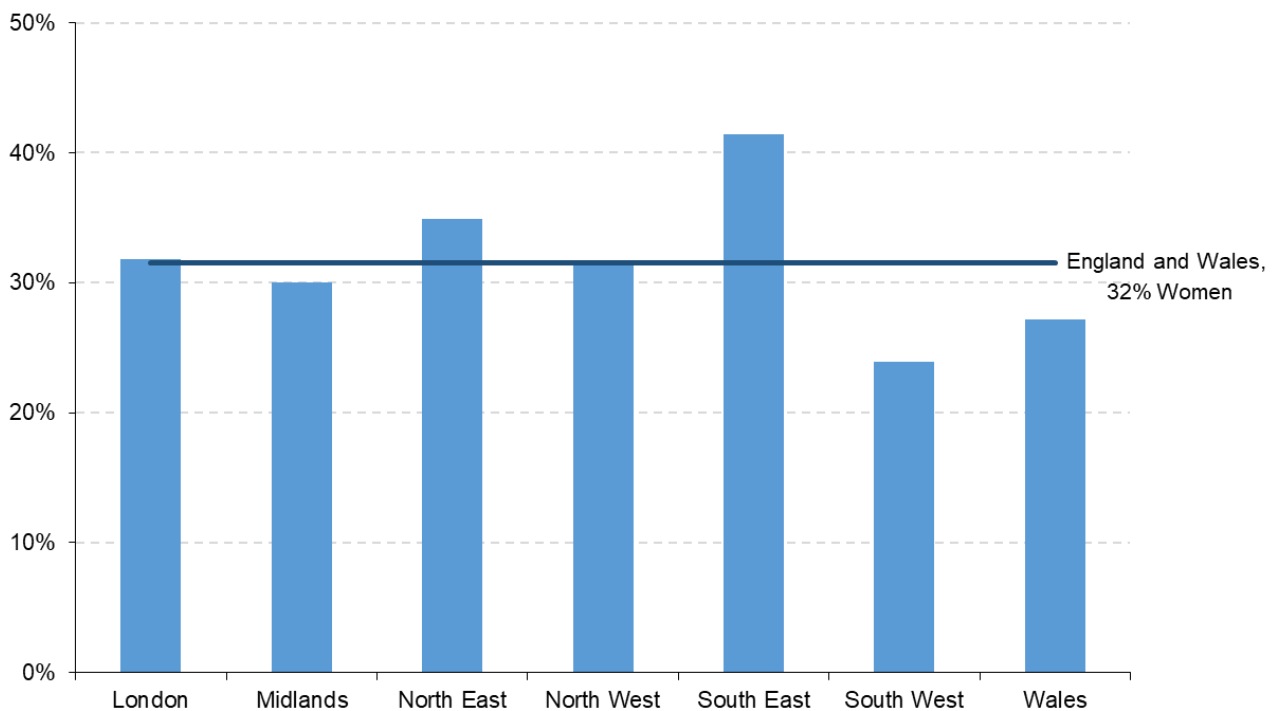
4. Diversity in the Courts – Judges by region

As at 1 April 2019, there was considerable regional variation in gender and ethnic diversity in courts

The percentage of women court judges was highest in the South East (41%) and lowest in the South West (24%).

London and the Midlands had the highest representation of BAME court judges (10% and 9% respectively). The lowest representation of BAME was in Wales (3%).

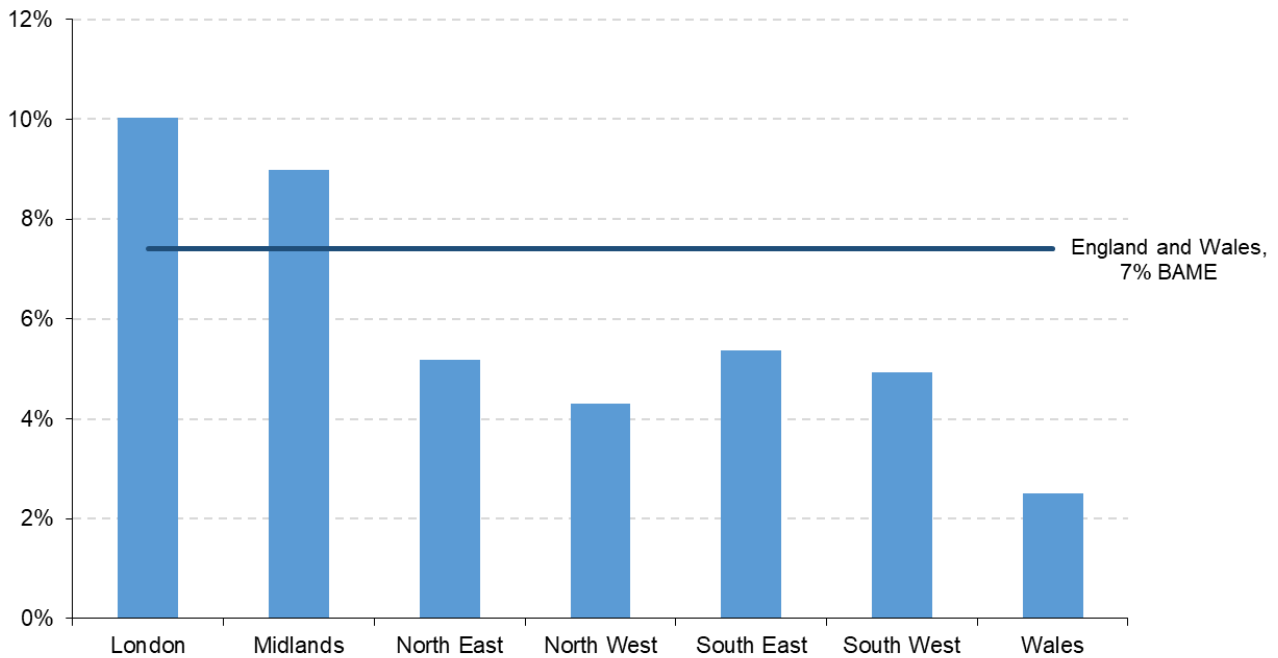
Figure 15: Representation of women among court judges, by region and for all court judges in England and Wales, 1 April 2019



Source: Table 1.4

Figure 15 shows that there was some variation in the representation of women among court judges by region. London accounted for the majority (39%) of court judges in England and Wales, and 32% of those court judges were women. The South East had the highest representation of women, with 41% of court judges being women. However, the South East only accounted for 7% of court judges in England and Wales. In contrast, the South West had the lowest percentage of women court judges (24%), but it also accounted for a small proportion of all court judges at 9%. Regions with smaller numbers of judges, such as Wales, which accounted for 5% of court judges, have less of an impact on the level of representation of women in England and Wales than larger regions such as London.

Figure 16: BAME representation among court judges, by region and for all court judges in England and Wales, 1 April 2019



Source: Table 1.4

Figure 16 shows that there was substantial variation in BAME representation among court judges by region. The percentage of court judges identifying themselves as BAME was highest in London and the Midlands (10% and 9% of judges respectively). London and the Midlands together account for 53% of court judges in England and Wales, and therefore have the largest impact on the overall level of BAME representation in England and Wales. In other regions, BAME representation was considerably lower – for example, in Wales it was 3%, but Wales only accounted for 5% of all court judges.

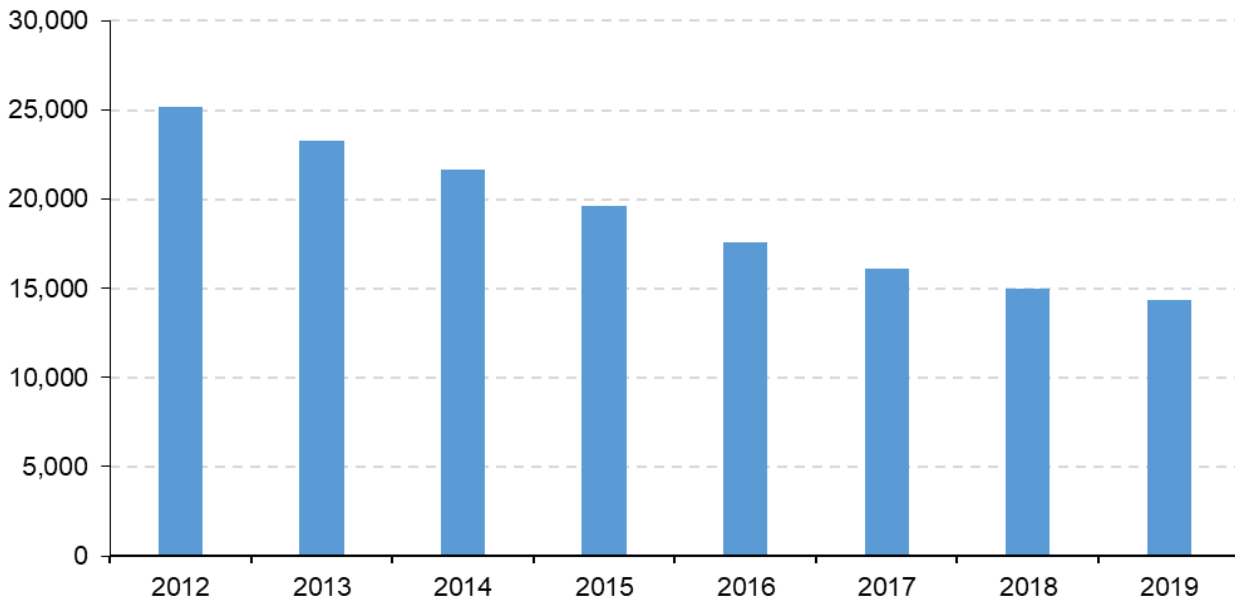
When observing the regional variation in the ethnic diversity of court judges, the substantial regional variation in the ethnic diversity of the general population must be considered. There is considerably more ethnic diversity in the general population of London and the Midlands, where 42% and 16% respectively were BAME, than in other regions such as Wales where 5% were BAME.

5. Diversity in Magistrates

As at 1 April 2019 more than half of magistrates were women (56%)

In all regions over half of magistrates were women. Overall around 12% of magistrates had declared themselves as BAME. There were very few magistrates aged under 40 (5%) compared with 52% of magistrates who were aged over 60.

Figure 17: Total headcount of magistrates in England and Wales, 1 April 2012 to 1 April 2019



Source: Table 3

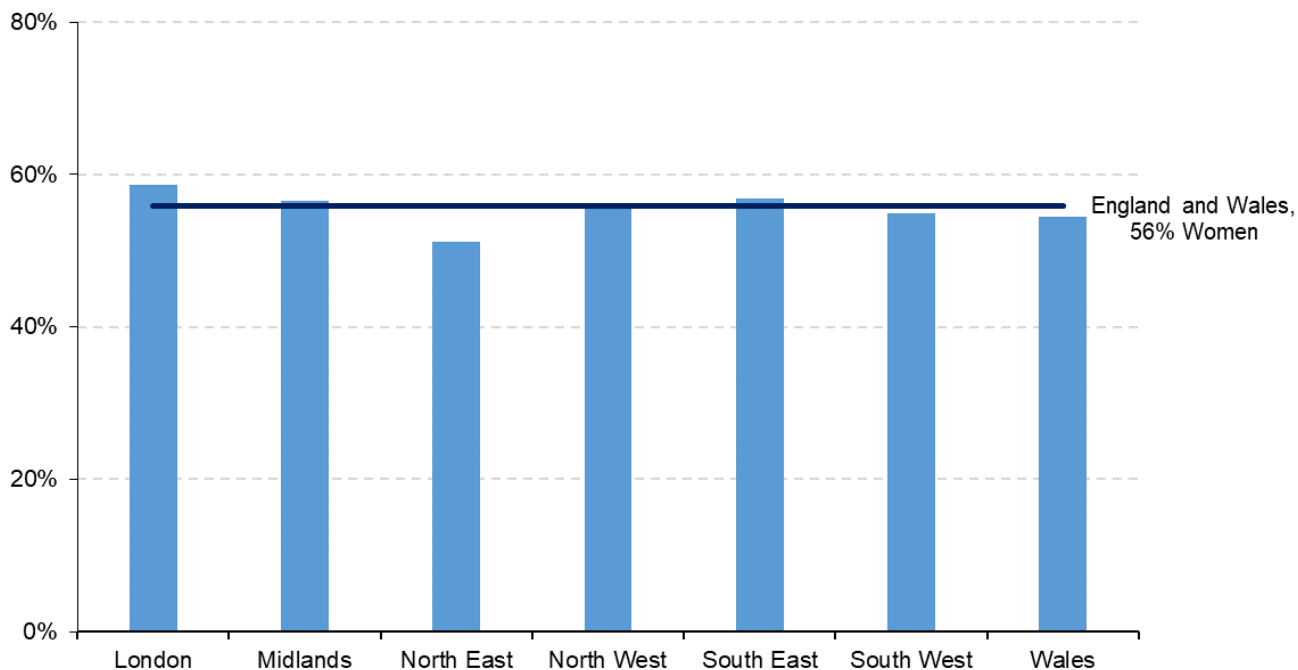
The number of magistrates has continued to fall, decreasing 43% from 25,170 at 1 April 2012 to 14,348 at 1 April 2019. This reduction in headcount was a consequence of falling workloads in the Magistrates' Courts after the abolition of committal proceedings in 2013⁷, and a downturn in recruitment alongside relatively consistent annual levels of resignations and retirements.

Over half of magistrates were women (56%). This proportion has gradually increased from 51% as at 1 April 2012, but some caution is advised in the interpretation of this apparent trend, due to the considerable reductions in magistrate numbers seen in the same period.

Figure 18 shows that there was little variation in the representation of women by region. The proportion of women was slightly higher in London at 59%, and was lowest in the North East at 51%. Other regions showed little deviation from the overall level of representation of women among magistrates in England and Wales.

⁷ Committal proceedings were abolished nationally on 28 May 2013. Triable-either-way cases no longer need to be heard before a magistrate to be committed to the Crown Court, but are now immediately sent rather for trial.

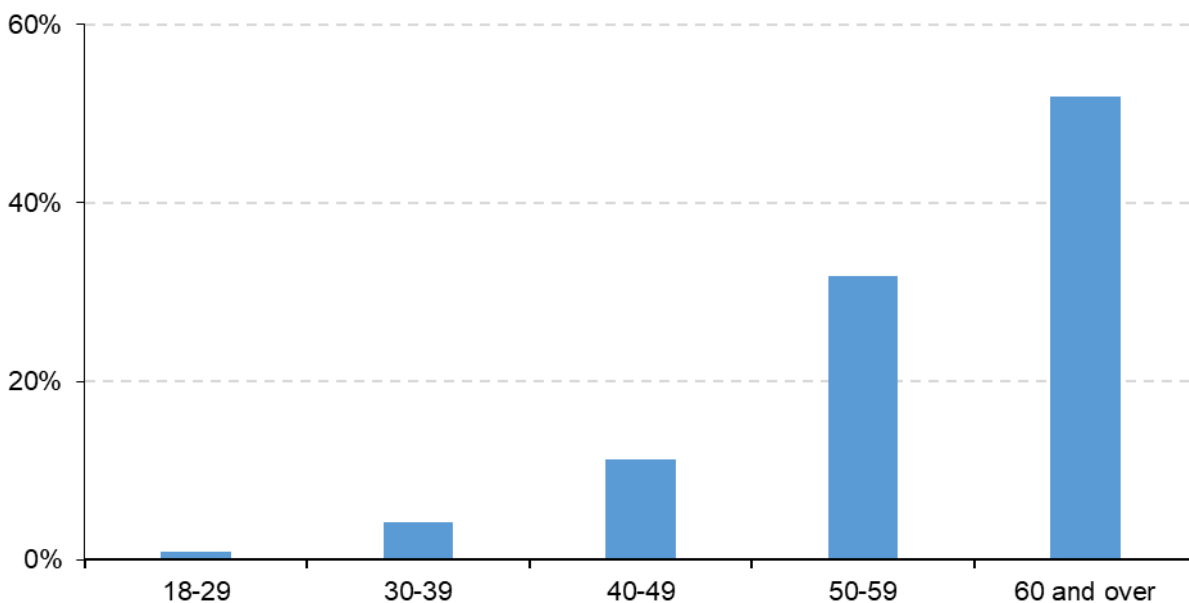
Figure 18: Representation of women among magistrates, by region and for all magistrates in England and Wales, 1 April 2019



Source: Table 3

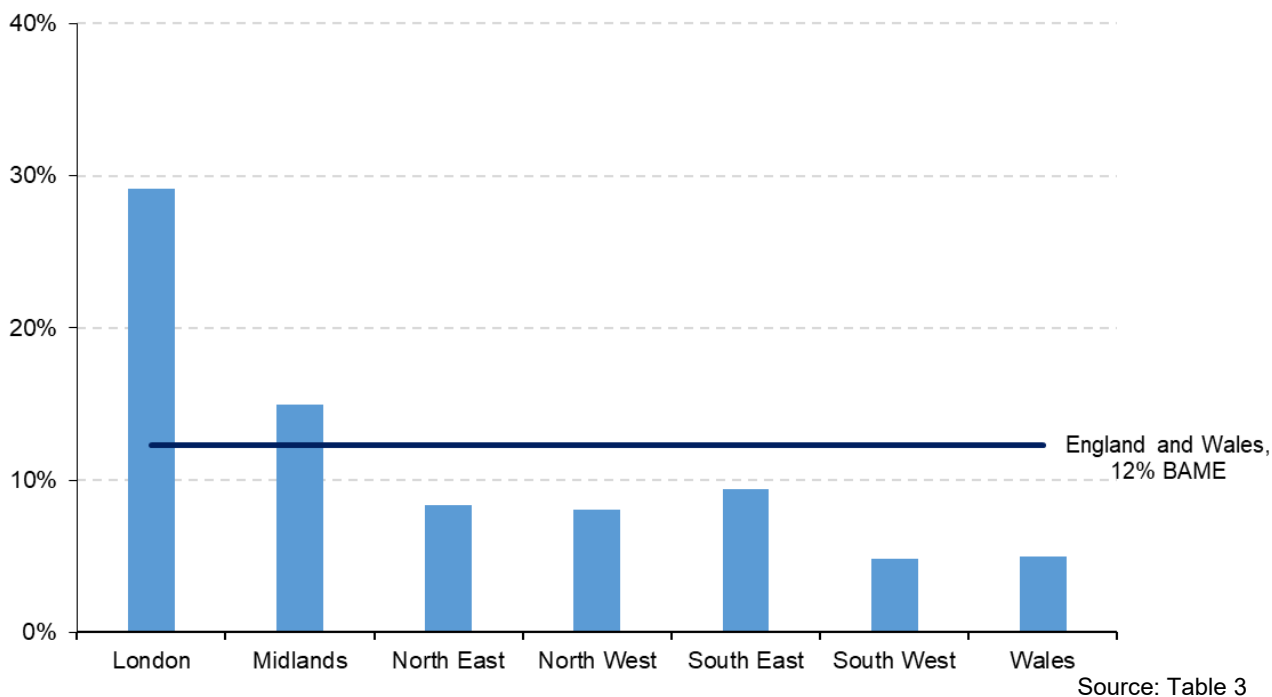
Figure 19 shows that, although magistrates can be appointed from the age of 18, there were very few magistrates aged under 30 (1%), while 84% of magistrates were aged 50 and over, and 52% aged 60 and over. The mean average age of magistrates as at 1 April 2019 was 58 years, around one year lower than at 1 April 2018.

Figure 19: The percentage of magistrates by age band, 1 April 2019



Source: Table 3

Figure 20: BAME representation amongst magistrates, by region and for all magistrates in England and Wales, 1 April 2019



As at 1 April 2019, ethnicity information was declared for 94% of magistrates, of which 12% declared themselves as BAME, up 4 percentage points since 1 April 2012, when 8% of magistrates declared themselves as BAME.

Figure 20 shows that there was considerable variation in BAME representation by region. The percentage of magistrates who identified themselves as BAME was highest in London (29%), nearly double the level seen in the Midlands (15%), which had the second highest level of representation. The South West and Wales had much lower representation, with both at 5% BAME. This regional pattern tends to reflect the regional ethnicity distribution of the general population where London is the most ethnically diverse region.

In London, 40% of the BAME magistrates in post as at 1 April 2019 were Asian or Asian British and 46% were Black or Black British. In the Midlands, the proportion of BAME magistrates was considerably higher for Asian or Asian British (63%) than Black or Black British (25%). These differences are generally reflective of the makeup of the general population.

Accompanying data tables

As well as this bulletin, a set of accompanying tables covering each section of this bulletin have been published. 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.

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General information about the official statistics system of the United Kingdom is available from:

<http://statisticsauthority.gov.uk/about-the-authority/uk-statistical-system>

Next update:

We are considering the potential of combining JAC statistics on recommendations for new appointments and Judicial Office statistics on the diversity of the current judiciary. These statistics could be presented alongside membership diversity information from the professional bodies (The Bar Council, The Law Society and CILEx) or their regulatory bodies (the Bar Standards Board, the Solicitors Regulation Authority and CILEx Regulation) as appropriate. This would show the representation of under-represented groups from the professional bodies through the JAC recruitment process and into the judiciary. We will also look to develop the eligible pool into a more meaningful comparator.

As part of the review of the publication to consider the inclusion of wider information, we will also review the existing content and methodologies. If you have any feedback, please write to us at judicial.statistics@justice.gov.uk

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