

# 2016 UK JUDICIAL ATTITUDE SURVEY

Report of findings covering salaried judges in  
**England & Wales Courts and UK Tribunals**

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7 February 2017



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## Executive summary

### 2016 UK Judicial Attitude Survey for England & Wales courts and UK tribunals

- The 2016 UK Judicial Attitude Survey (JAS) is the second attitude survey conducted with all serving salaried judges in the UK, covering England & Wales, Scotland and Northern Ireland.
- This report covers the 2016 JAS results for salaried judges in the England and Wales courts and UK tribunals, which together make up 86% of all salaried judges in the UK. Judges in England and Wales comprise 64% and UK tribunal judges comprise 22% of all UK salaried judges.
- There was a near universal response rate to the survey amongst salaried judges in England and Wales courts and UK tribunals, with 99% of judges taking part in the survey.

### Being a member of the judiciary

- Virtually all judges feel they provide an important service to society (97%) and have a strong personal attachment to being a member of the judiciary (90%). There has been little change in these high levels since 2014.
- Virtually all judges (99%) also are committed to doing their job as well as they possibly can.
- These findings reflect a deep commitment to their job by virtually all salaried judges despite strong levels of disenchantment with their job expressed elsewhere in the survey.
- Judges feel most valued by their judicial colleagues at court (84%), court staff (77%), the legal profession (62%) and parties in cases before them (62%).
- Almost half (43%) of judges feel valued by the public, but very few feel valued by the UK Government (2%) or media (3%). There were some substantial differences in the extent to which judges in different judicial posts felt valued by different groups.

### Working conditions

- A majority of judges (76%) feel they have experienced a deterioration in their working conditions since 2014, but fewer judges feel they have experienced as strong a deterioration over the last two years as they experienced in the period 2009-14.
- The England & Wales courts judiciary feels working conditions have deteriorated more in the last two years than do judges in UK tribunals, with 40% of the courts judiciary but only 20% of the tribunals judiciary saying working conditions are significantly worse since 2014. Circuit Judges have the highest proportion of judges (46%) who feel that their working conditions have become significantly worse since 2014.
- No specific working conditions were rated as either Good or Excellent by a majority of judges. A majority of judges (64%) rated the morale of court staff as Poor; 43% said the maintenance of their building was Poor; 42% said the amount of administrative support was Poor; and 31% said the physical quality of the building as a whole was Poor. Judges' views on these working conditions have not improved since the last survey in 2014, but there were some substantial differences in view by judicial post.
- A majority of judges (51%) have concerns for their personal safety while in court, 37% have concerns for their safety outside court and 15% have concerns related to social media. There were differences by post in judges' safety concerns in and outside court and on social media.

### Salary and pensions

- An overwhelming majority (78%) of salaried judges say they have had a loss of net earnings over the last 2 years; 62% say the change in pensions has affected them personally; 74% feel that their pay and pension entitlement combined does not adequately reflect they work they have done and will do before retirement.

- The salary and pension issues have clearly had a detrimental effect on judicial morale: 63% said the judicial salary issue is affecting their morale, 82% said the judicial salary issue is affecting morale of judges they work with, 61% said the change in pensions has affected their morale and 88% said the change in pensions has affected morale of judges they work with.
- There has been little change in judges' views about their pay since the 2014 JAS.
- A majority of judges (51%) feel that the amount of out of hours work required to do their job is affecting them; this has increased substantially from 2014 when it was 29%.
- Judges are evenly divided over whether they would leave the judiciary if it was a viable option, but the proportion of judges in 2016 that said they would leave if it was a viable option (42%) has almost doubled from 2014 (23%).

### IT Resources and new Digital Programme

- The JAS 2016 included a series of questions on the availability and quality of IT and other electronic working resources. These form part of the HMCTS Reform Programme for courts and tribunals, including digital working, on-line case management and paperless hearings.
- The quality of IT resources and support were rated as Poor by substantial proportions of judges: 54% said the standard of IT equipment used in courts was Poor, 46% said IT support was Poor, 41% said internet access was Poor and 39% said the standard of IT equipment for their personal use was Poor. However, there were some substantial differences by post.
- Just under half of all salaried judges (42%) said they were now regularly required to use electronic files and bundles (DCS), but this was comprised primarily Circuit and District Judges. Of the regular users of DCS: 42% said the usability of DCS was Adequate, 58% said they had received training on how to use DCS, and 53% rated the quality of the training as Poor.
- A majority of judges (55%) said they were on e-Judiciary, but this varied by judicial post. Half (50%) of those judges who are currently on e-Judiciary rated it as Good or Excellent.
- A majority of judges (52%) said Wi-Fi was available at their court or tribunal, but this varied by judicial post. Of those judges with Wi-Fi in court, 45% rated it as Adequate.

### Opportunities, support, training and personal development

- A majority of judges said opportunities were not sufficient in the 3 areas most important to them: 91% of judges said time to discuss work with colleagues was important but only 20% said the opportunities for this were Good or Excellent; 72% of judges said support for dealing with stressful work conditions was important but 59% said this support was either Non-existent or Poor; 61% of judges said opportunities for career progression were important but 61% said this support was either Non-existent or Poor.
- 74% of judges are satisfied with the quality of the judicial training; 61% are satisfied with the range of training available; but only a minority of judges are satisfied with the time available to undertake judicial training (45%) and the opportunities for personal development (32%). There were also differences in view on these issues by judicial post.
- Three-quarters of judges are satisfied with the challenge of their job (77%) and the variety of their work (73%), and there has been no change in this from 2014.
- Since 2014 there is a lower level of satisfaction in the sense of achievement judges have in their job, with close to a majority of judges (45%) expressing dissatisfaction with it compared with 38% in 2014. But there are substantial differences on this issue by judicial post.

### Change in the judiciary

- Almost all judges (90%) feel their job has changed since they were first appointed in ways that affect them, and there is little change in this since 2014.

- A majority of judges are most concerned by the following changes (in order of concern): staff reductions, judicial morale, increase in litigants in person, fiscal constraints, stressful working conditions, ability to attract the best people to the judiciary and loss of judicial independence.

### Future planning

- A large proportion of the salaried judiciary say they might consider leaving the judiciary early over the next 5 years: 36% are considering it and 23% are currently undecided. This has increased since 2014.
- A higher percentage of courts judges (37%) than tribunal judges (32%) are intending to leave the judiciary early in the next 5 years, but the real differences emerge by individual judicial post. The highest proportions of judges intending to leave early in the next 5 years are High Court (47%), Court of Appeal (41%) and Circuit (40%) Judges.
- 31% of female judges are currently considering leaving the judiciary early in the next 5 years (144 female judges); 39% of all BAME judges are considering leaving the judiciary in the next 5 years (30 of the 77 BAME judges who took part in the survey).
- There are two main factors judges say would prompt them to leave the judiciary early: further limits on pay awards (68%) and reductions in pension benefits (68%). A majority would also be prompted to leave early by an increase in workload (57%), further demands for out of hours work (54%), stressful conditions at work (54%) and reduction in administrative support (51%).
- Most judges said three key factors would help to keep them in the judiciary until they reach retirement age: higher remuneration (80%), settled position on pensions (57%) and better administrative support (56%).

### Recruitment

- Just over half of all judges (57%) said they would encourage suitable people to apply to the judiciary, but a substantial proportion (43%) said they would either not encourage suitable people to apply (17%) or were not sure if they would do so (26%). There are clear differences by judicial post, with High Court Judges least likely to encourage suitable people to apply.
- The main reasons judges would encourage suitable people to apply to join the judiciary are: the chance to contribute to justice being done (79%), the challenge of the work (75%), intellectual satisfaction (70%) and public service (70%).
- A majority of judges say they would discourage suitable applicants from applying to join the judiciary for five reasons: likelihood of further pension reductions (73%) reduction in income (65%), constant policy changes (57%), lack of administrative support (52%) and the feeling of being an employee or civil servant (51%).

### Leadership

- Over a third of judges (39%) would be interested in taking on leadership responsibilities, but 14% of these judges feel no leadership opportunities are available in their jurisdiction. There were also some differences on this issue by judicial post, with judges in more senior posts more likely to say they were willing to take on leadership responsibilities.
- There were some differences in view by gender, with more male judges (50%) interested in taking on leadership responsibilities compared with female judges (42%). However, this reflects the greater proportion of male judges than female judges at senior levels.
- A majority of judges (54%) said they did not know enough about how leadership roles are allocated to say whether it is fair. Senior judges tended to have confidence that leadership roles are allocated fairly, while judges in other ranks were most likely to say they did not know enough about how roles were allocated to say whether the process was fair or not.

# Judicial Attitude Survey (JAS) 2016

## England and Wales Courts and UK Tribunals

### 1.1 The survey

The Judicial Attitude Survey (JAS) 2016 is the second attitude survey conducted with all serving salaried judges in the UK. The first survey of its kind was the Judicial Attitude Survey (JAS) 2014<sup>1</sup>. The aim of the JAS is to assess the attitudes of salaried judges in key employment and management areas including the experience of being a judge, morale, working conditions, remuneration, training and personal development, retention and leadership. The target group for the JAS is all serving salaried judges in England and Wales, Scotland, Northern Ireland and the UK non-devolved tribunals, including both full-time salaried and part-time salaried judges.

This report provides the findings for salaried judges in the England and Wales courts judiciary and UK non-devolved tribunals judiciary<sup>2</sup>. Judges in the England and Wales courts and UK tribunals together make up 86% of all salaried judges in the UK<sup>3</sup>. The report includes combined results for all salaried judges in these two jurisdictions who took part in the survey, and it also highlights those areas where there are differences between judges in different judicial posts.

The JAS 2016 was an online survey conducted by the Judicial Institute of University College London (UCL JI) via the web-based survey tool Opinio. The survey was designed, administered and analysed by Professor Cheryl Thomas, Co-Director of the UCL JI. A Working Group comprised of representatives from various judicial associations assisted Professor Thomas in the design of the 2016 questionnaire.

The survey was voluntary and all participants remained completely anonymous. The survey ran from 21 June through 22 July 2016. All salaried judges in the England and Wales courts judiciary and UK non-devolved tribunals were invited to take part in the survey through the Judicial Intranet and through personal communications from the Lord Chief Justice and the Senior President of Tribunals inviting judges to contribute to the survey.

The survey included 50 questions covering the following general subject areas<sup>4</sup>:

- working conditions
- salary and pensions
- resources and the new digital programme
- training and personal development
- change in the judiciary
- future planning
- being a member of the judiciary
- recruitment
- leadership

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<sup>1</sup> *2014 Judicial Attitude Survey*, C. Thomas (2015) UCL Judicial Institute

<sup>2</sup> Findings for salaried judges in Scotland and those in Northern Ireland have been reported separately.

<sup>3</sup> The courts judiciary of England and Wales comprises almost two thirds (64%) of all salaried judges in the UK, and the UK tribunals judiciary comprises almost one quarter (22%) of all UK salaried judges. Scottish judges comprise 10% and Northern Ireland judges comprise 4% of all salaried judges in the UK.

<sup>4</sup> There were also several background questions for the respondents and two questions about the survey.



Almost all the questions from the 2014 JAS were repeated in identical form in the 2016 JAS, but a few questions from the 2014 JAS were phrased differently to increase clarity following a review of the 2014 JAS and several new questions were added to the 2016 JAS covering reforms taking place within the judiciary since 2014.

A copy of the survey is reproduced in the Appendix.

## 1.2 Response Rates

Almost every single salaried judge in England and Wales (99%) and UK non-devolved Tribunals (98%) took part in the 2016 Judicial Attitude Survey (JAS). This near universal completion of the survey meant that the 2016 JAS response rates exceeded the already high rates in the previous 2014 JAS (90% for Courts judiciary and 85% for Tribunals).

These response rates mean the 2016 JAS findings have a very high level of reliability, reflecting the views of virtually all salaried judges in England and Wales and UK tribunals. The fact that this is now the second time this survey has been run with the salaried judiciary and both surveys have extremely high response rates means that assessments can also be made about the extent to which judicial attitudes may have changed or intensified since the last survey. Where relevant these are addressed in this report.

**Table 1: Response rates by jurisdiction and post to the UK JAS 2016 and 2014**

	<b>Total no. of judges in post 2016</b>	<b>2016 JAS number of responses</b>	<b>2016 JAS response rate</b>	<b>2014 JAS response rates</b>
<b>England and Wales</b>				
Lord & Lady Justices	44	38	86%	77%
High Court Judges	106	105	99%	100%
Circuit Judges	560	556	99%	91%
District judges <sup>5</sup>	438	438	100%	85%
Other <sup>6</sup>	38	37	97%	
	<b>1186</b>	<b>1174</b>	<b>99%</b>	<b>90%</b>
<b>UK Tribunals</b>				
Upper Tribunal	58	58	100%	80%
Employment Judge	132	127	96%	95%
First Tier Tribunals	226	221	98%	80%
	<b>416</b>	<b>406</b>	<b>98%</b>	<b>85%</b>
<b>Courts &amp; Tribunals combined</b>	<b>1602</b>	<b>1580</b>	<b>99%</b>	<b>89%</b>

<sup>5</sup> The number of District Judges responding to the survey (474) exceeded the number officially listed as in post. Further investigation determined that this was most likely due to the fact that the number of judges officially listed in the Judicial Office HR database does not reflect the fact that some judges hold dual posts. The Judicial Office HR database assigns judges to only one judicial post, that being the post where HR believes a judge spends most of his/her time. The Judicial Attitude Survey asked judges to self-identify their judicial post.

<sup>6</sup> This includes Judge Advocates General, Masters, Registrars and Costs Judges. Due to the small number of judges, findings have not been reported separately for each of these groups in order to ensure participants' anonymity.



## 2. Being a Member of the Judiciary and Commitment to the Job

### 2.1 Providing an Important Service to Society

Virtually all judges (97%) in all judicial posts feel they provide an important service to society. There has been no change in this view since 2014.

**Table 2: Providing an important service to society**

<i>As a judge I feel I provide an important service to society</i>	2016 JAS	2014 JAS
Agree	97%	97%
Not sure	2%	1%
Disagree	1%	2%

### 2.2 Personal Attachment to the Judiciary

Virtually all judges (89%) in all judicial posts feel a strong personal attachment to being a member of the judiciary. This has increased (+4%) since 2014.

**Table 3: Personal attachment to the judiciary**

<i>I feel a strong personal attachment to being a member of the judiciary</i>	2016 JAS	2014 JAS
Agree	90%	86%
Not sure	7%	8%
Disagree	3%	6%

### 2.3 Commitment to the Job

A new question on the 2016 JAS examined judges' commitment to doing their job. This new question was designed to provide some indication of judges' commitment to persevering with their work despite the known level of disenchantment with various aspects of their job expressed in the 2014 JAS.

Almost every single judge in the survey (98.5%) felt they had an important job to do and expressed a commitment to doing this job as well as they possible can. This reflects a deep underlying strength of the judiciary across all posts. This finding, along with the other strong views held by judges about their work as a judge (see above), reflects a deep commitment to their job by virtually all salaried judges despite widespread levels of disenchantment at working conditions and changes to their job (found in other parts of the survey and reported below).

**Table 4: Commitment to the job**

<i>I feel I have an important job that I am committed to doing as well as I possibly can</i>	2016 JAS		
Strongly Agree	80.7%	Agree total	98.5%
Agree	17.8%		
Not sure	0.7%	Not sure total	0.7%
Disagree	0.3%		
Strongly Disagree	0.5%	Disagree total	0.8%

## 2.4 Feeling Valued

There has been an overall drop since 2014 in the extent to which judges feel valued by all groups, but the general pattern in terms of who judges feel most or least valued by has not changed since 2014.

**Table 5: Extent to which judges feel valued by different groups**

<i>As a judge I feel valued by</i>	2016 JAS	2014 JAS	% change since 2014
Judicial colleagues at my court	84%	90%	-6%
Court Staff	77%	84%	-7%
Legal Profession	62%	73%	-11%
Parties in cases before me	62%	75%	-13%
Public	43%	49%	-6%
Senior Leadership in the judiciary	27%	33%	-6%
Media	3%	4%	-1%
Government	2%	3%	-1%

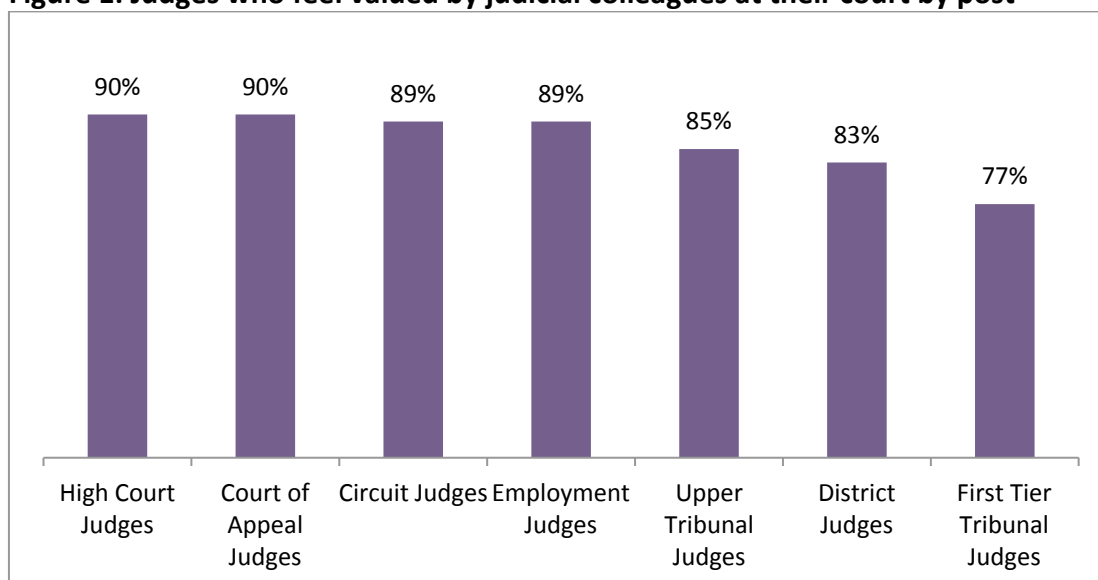
### Feeling valued

The consistent fall in all categories suggests that judges feel generally less valued across the board than they did in 2014. However, given the large variation in numbers of judges in different judicial posts (with Circuit Judges and District Judges making up most of the judicial posts), it is helpful to break these findings down by judicial post to see if the combined figures reflect the view of all judicial posts or if there are substantial variations by post.

### Judicial colleagues at my court

In feeling valued by judicial colleagues as their court, the average across all the judiciary was 84% (down 6% from 2014). There is not a substantial variation between judicial posts, but judges in five of the seven judicial posts are above the average in feeling valued by judicial colleagues at their court: High Court Judges (90%), Court of Appeal Judges (90%), Circuit Judges (89%), Employment Judges (89%) and Upper Tribunal Judges (85%).

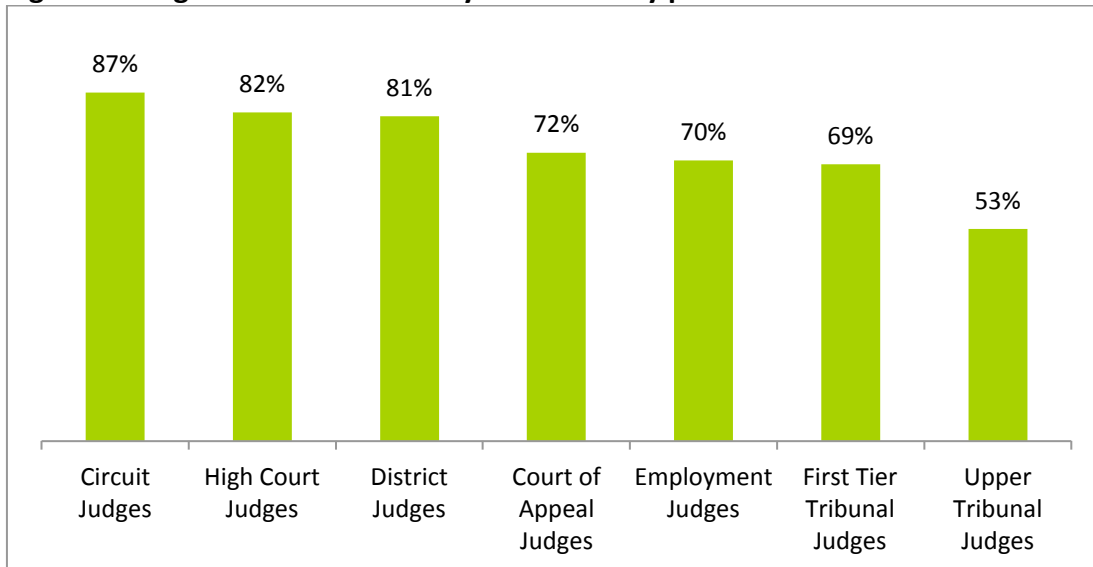
**Figure 1: Judges who feel valued by judicial colleagues at their court by post**



### Court staff

In terms of feeling valued by court/tribunal staff, the average for all judges combined was 77% (down 7% from 2014). Circuit Judges (87%), High Court Judges (82%) and District Judges (81%) are all above the average in feeling valued by court staff. Overall tribunal judges feel less valued by staff than judges in the courts judiciary, with Upper Tribunal Judges (53%) well below the average.

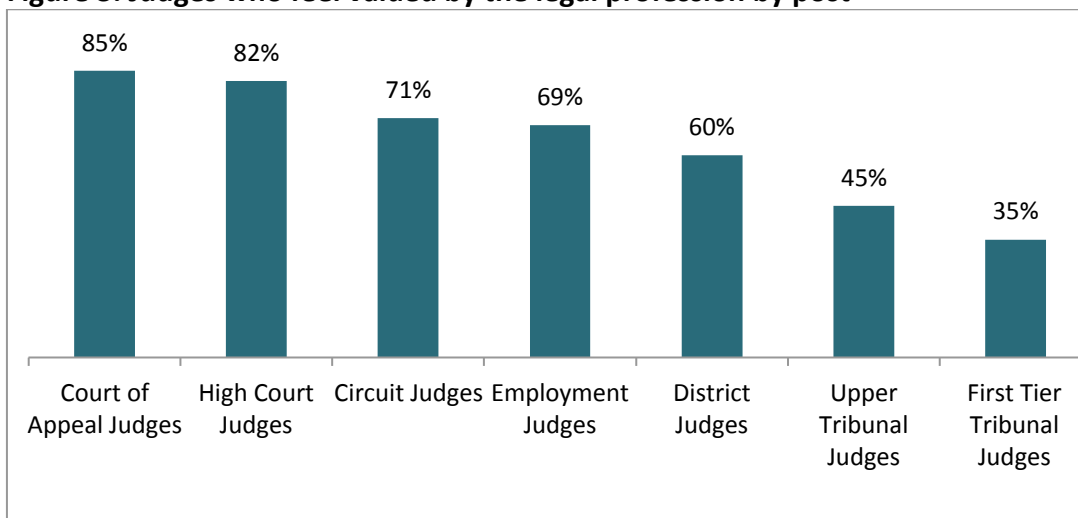
**Figure 2: Judges who feel valued by court staff by post**



### Legal profession

The average for all judges combined was 62% (down 11% from 2014), but there is a very substantial variation by judicial post in the extent to which judges feel valued by the legal profession. Four of the seven judicial posts are above the average in feeling valued by the legal profession. Almost all Court of Appeal (85%) and High Court Judges (82%) feel valued by the legal profession, as do 71% of Circuit judges and 69% of Employment Judges. Only a minority of Upper Tribunal Judges (45%) and First Tier Tribunal Judges (35%) feel valued by the legal profession.

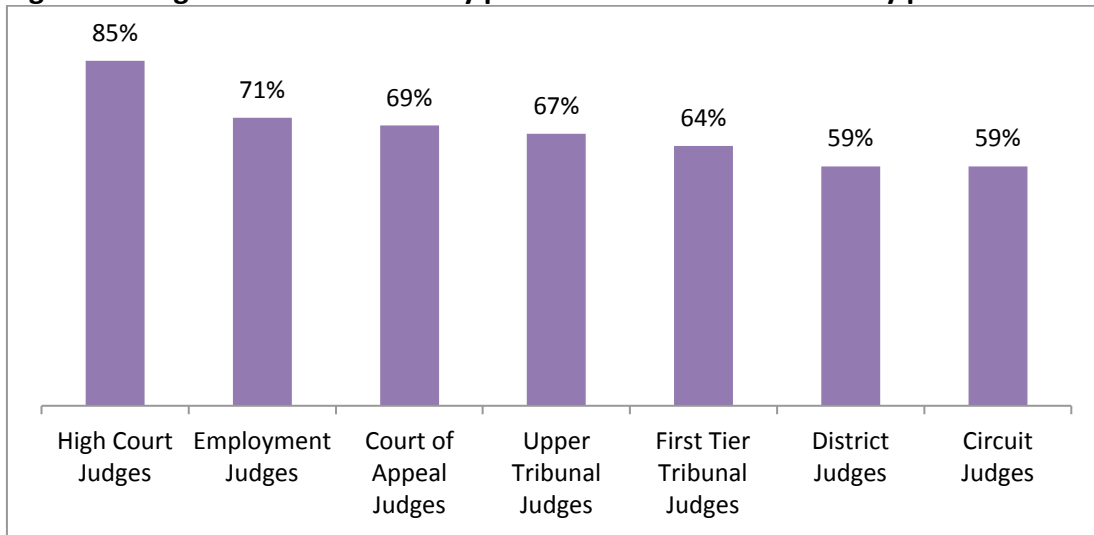
**Figure 3: Judges who feel valued by the legal profession by post**



### Parties in cases

Amongst judges who say they feel valued by parties that appear in cases before them, the average for all judges combined was 62% (down 13% from 2014). This has had the largest decrease since 2014. However, there are some substantial differences by post, with all judicial posts except District and Circuit Judges being above the average in feeling valued by the parties who appear in cases before them. It may be helpful to consider this finding in relation to the finding in section 7.3 of this report that one of the issues that most concerned judges (especially District judges) in the 2016 JAS was the increase in litigants in person.

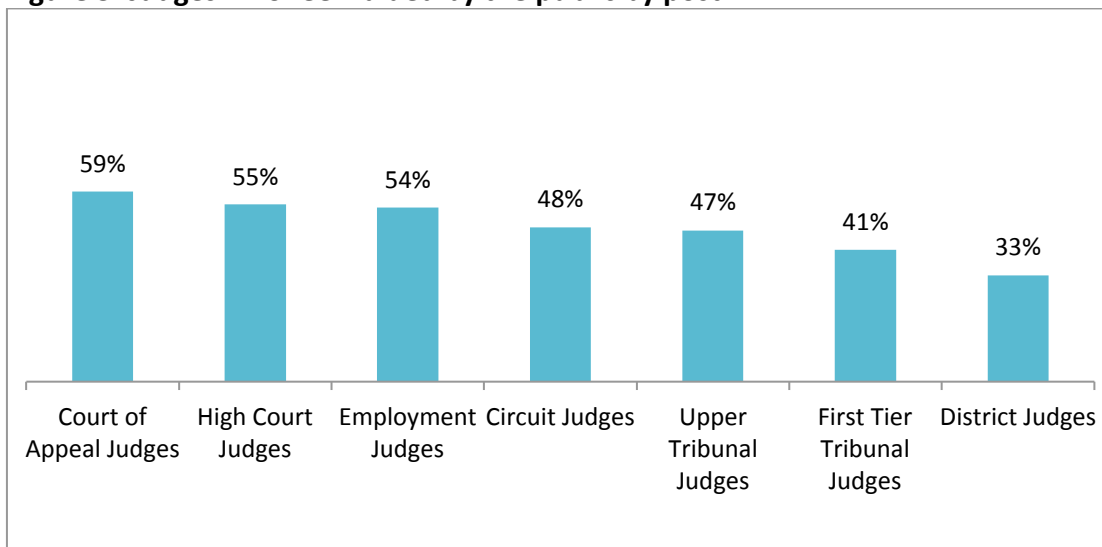
**Figure 4: Judges who feel valued by parties in cases before them by post**



### Public

Amongst judges who say they feel valued by the public, the average for all judges combined was 43% (down 6% from 2014). There were some substantial differences by judicial post, with a majority of Court of Appeal, High Court and Employment Judges saying they feel valued by the public. District Judges had the lowest proportion of judges (33%) who said they felt valued by the public.

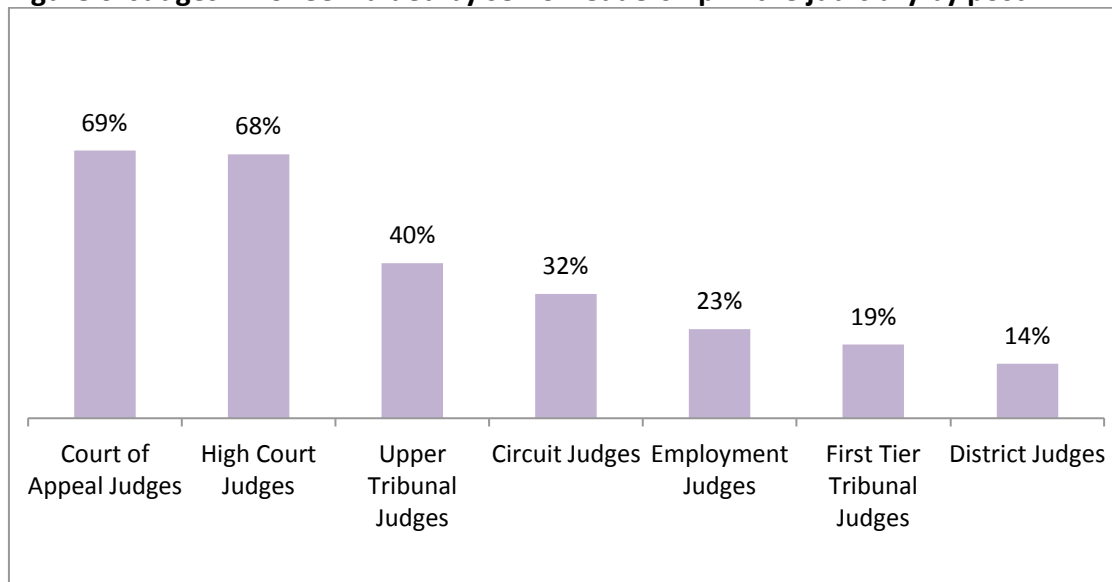
**Figure 5: Judges who feel valued by the public by post**



### Senior Leadership in the judiciary

For judges who said they felt valued by the senior leadership in the judiciary, the average across all the judiciary was 27% (down 6% from 2014). This is the issue that shows the greatest variation by judicial post. The average does not reflect the views of Court of Appeal Judges and High Court Judges, with over two-thirds of judges in these posts saying they felt valued by the senior leadership in the judiciary. Only a minority of judges in other judicial posts said they felt valued by the senior leadership, and this was particularly low amongst First Tier Tribunal Judges (19%) and District judges (14%).

**Figure 6: Judges who feel valued by senior leadership in the judiciary by post**



### Media

Only very small numbers of judges feel valued by the media (3% or 46 of the 1559 judges who responded to this question in the survey).

### Government

Only very small numbers of judges feel valued by the government (2% or 38 of the 1559 judges who responded to this question in the survey). Judges in more senior judicial posts (which include those more likely to have working contact with government officials) were more likely to feel valued by the government than judges in other judicial posts.

### 3. Working Conditions

In the 2016 Judicial Attitude Survey, salaried judges were asked a series of questions about their working conditions. It should be noted that many of the working conditions examined in the survey are not within the judiciary's control to alter, but instead fall within the responsibility of the Ministry of Justice and/or Her Majesty's Courts and Tribunals Service (HMCTS).

#### 3.1 Current working conditions compared with previous years

In the 2014 JAS judges were asked to rate working conditions in the judiciary then (2014) compared with 5 years ago. Given this, in the 2016 JAS judges were asked to rate working conditions in the judiciary now (2016) compared with 2 years ago (the last time they were asked about this issue).

The results indicate that working conditions for judges have not improved at all since 2014. But while judges are still experiencing a deterioration in working conditions, fewer judges feel they have experienced as strong a deterioration in their working conditions over the last 2 years (2014-16) as they experienced in the period 2009-2014.

**Table 6: Change in working conditions in the judiciary**

	2016 JAS working conditions now versus 2 years ago	2014 JAS working conditions now versus 5 years ago
Significantly worse	33%	48%
Worse	43%	38%
About the same	22%	12%
Better	2%	2%
Significantly better	0%	0%

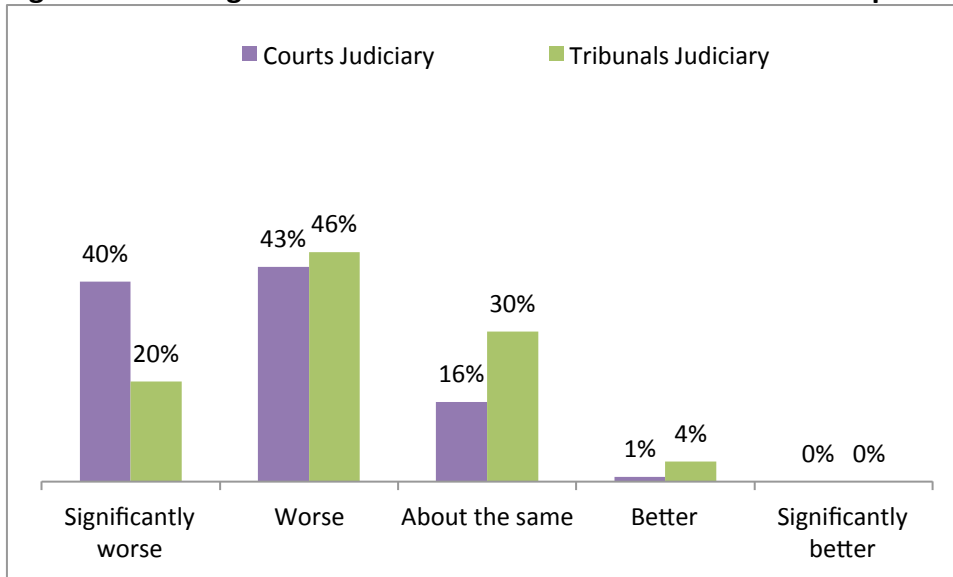
**Table 7: Working conditions in the judiciary: change since 2014**

	2016 JAS working conditions now versus 2 years ago	2014 JAS working conditions now versus 5 years ago	% change from 2014
Worse (total)	76%	86%	- 10%
About the same	22%	12%	+10%
Better (total)	2%	2%	0%

#### By Courts and Tribunals

The courts judiciary feels working conditions have deteriorated more in the last two years than judges in tribunals do, with 40% of the courts judiciary but only 20% of the tribunals judiciary saying working conditions in 2016 were significantly worse compared with 2014.

**Figure 7: Working conditions since 2014 courts and tribunals compared**

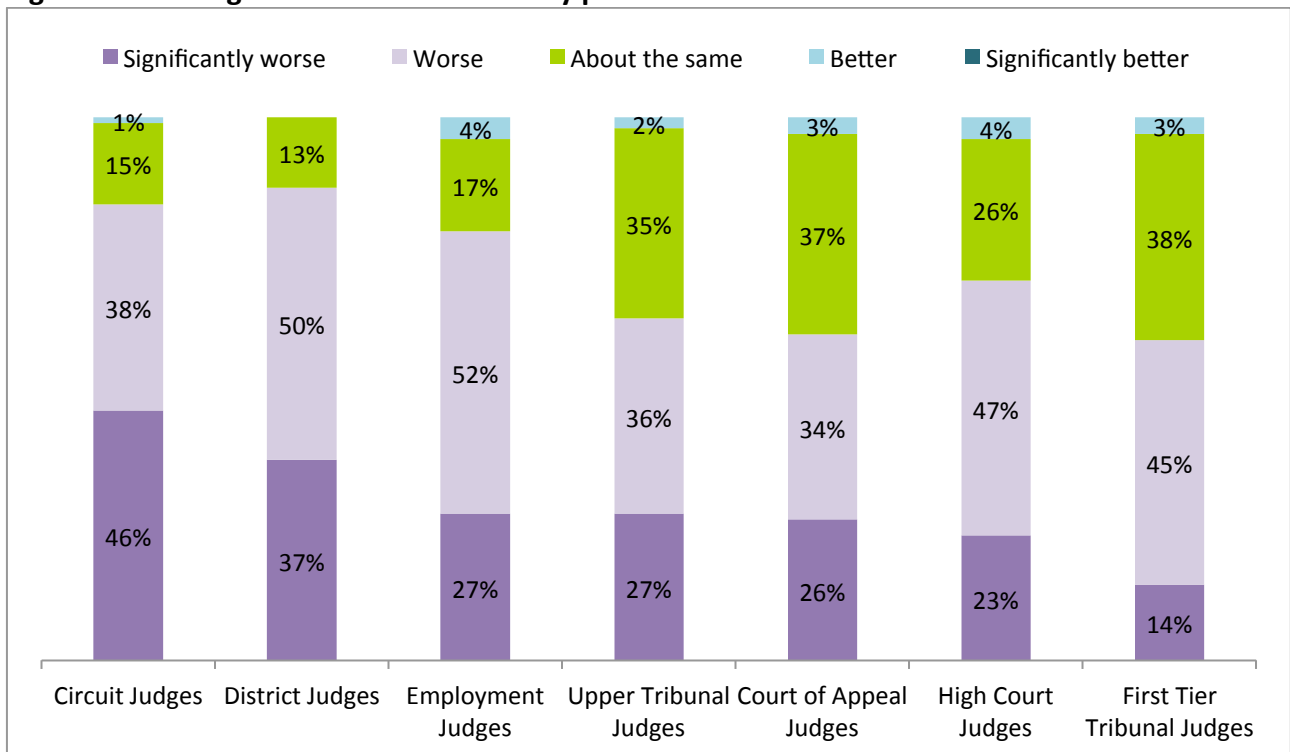


**By Judicial Post**

When broken down by individual judicial post:

- A majority of judges in each judicial post feel working conditions have deteriorated since 2014, with the largest majority amongst District Judges (87%) and the smallest amongst First Tier Tribunal Judges (59%).
- Circuit Judges have the highest proportion of judges (46%) who feel that their working conditions have become significantly worse since 2014.

**Figure 8: Working conditions since 2014 by post**



The survey explored several aspects of their working conditions with judges in more detail. This included case workload, non-case work and a range of other specific aspects of their working life.



### 3.2 Workload

One possible source of concern for judges could be their workload, but a majority of judges said that both their caseload and other judicial workload over the last 12 months have been manageable, and there is little change in this from 2014. There were also no differences by gender found in relation to judges' responses to these questions on workload.

**Table 8: Case workload over the last 12 months**

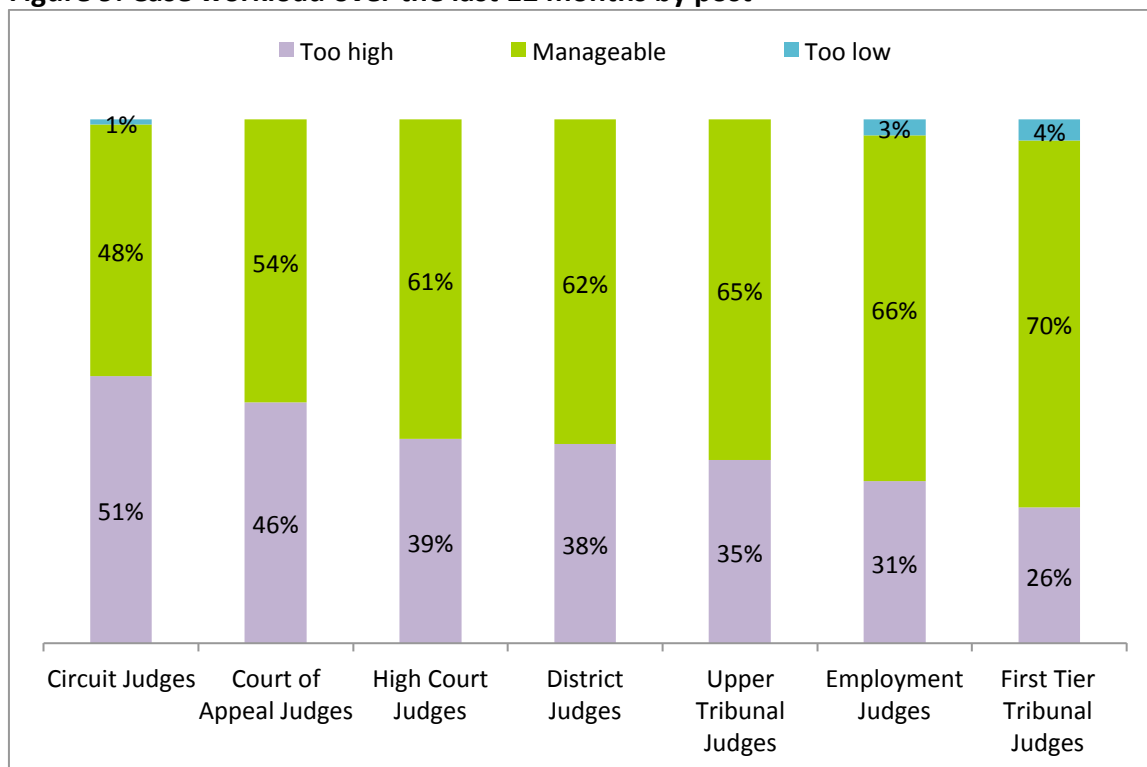
	2016 JAS	2014 JAS	% change from 2014
Too high	38%	41%	- 3%
Manageable	58%	57%	+1%
Too low	4%	2%	+2%

#### By Post

There were some differences in the extent to which judges in different judicial posts felt their case workload over the last 12 months was or was not manageable.

- Just over half of all Circuit Judges (51%) and just under half of all Court of Appeal Judges (46%) felt their case workload was too high, while only a small proportion of judges working in tribunals felt their case workload was too high.

**Figure 9: Case workload over the last 12 months by post**



**Table 9: Judicial workload not including caseload over the last 12 months**

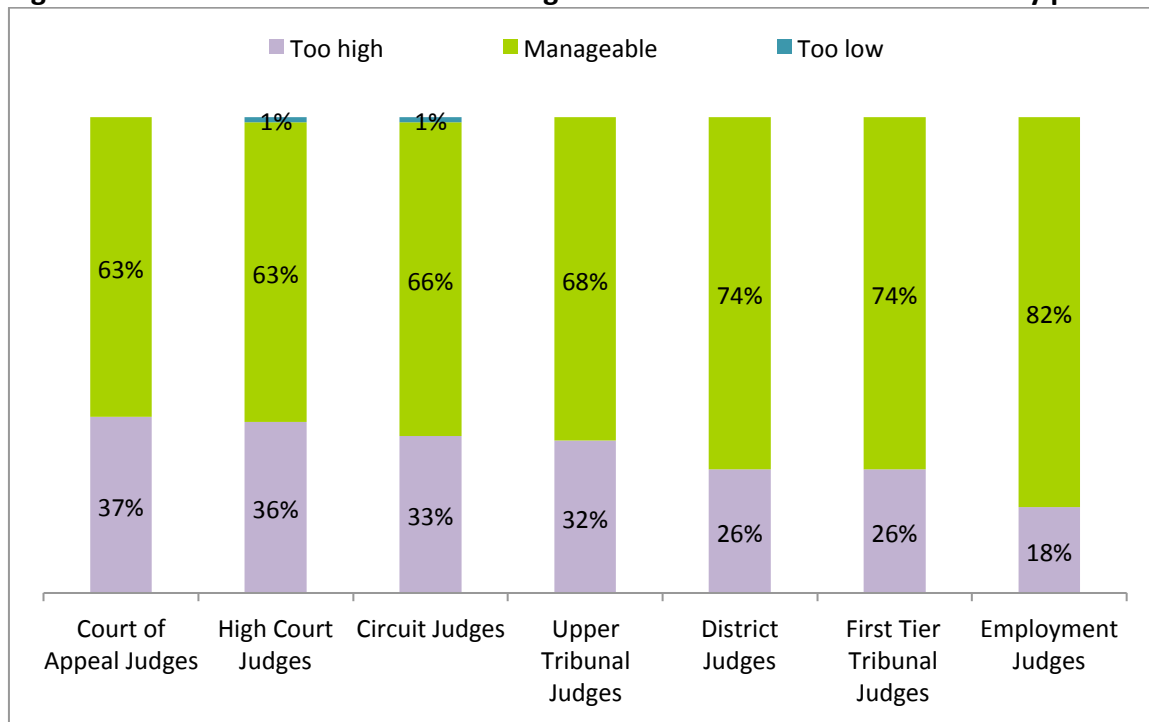
	2016 JAS	2014 JAS	% change from 2014
Too high	24%	28%	- 4%
Manageable	58%	59%	-1%
Too low	1%	1%	0%
I do not have any judicial work outside of my caseload	17%	12%	+5%

**By Post**

There were some differences in the extent to which judges in different judicial posts felt their judicial workload outside of their normal caseload over the last 12 months was or was not manageable.

- A third of Court of Appeal (37%), High Court (36%), Circuit (33%) and Upper Tribunal Judges (32%) felt their additional judicial workload outside of their case work was too high.
- While three quarters or more District Judges (74%), First Tier Tribunal Judges (74%) and Employment Judges (82%) felt this part of their judicial workload was manageable.

**Figure 10: Judicial workload not including caseload over the last 12 months by post**



**3.3 Quality of Specific Working Conditions**

**The one working condition rated Poor by a clear majority of judges was the morale of court and tribunal staff:**

- Almost two thirds (64%) of judges said the morale of court and tribunal staff was Poor.

No specific working conditions were rated as either Good or Excellent by a majority of judges:

- The physical quality of their personal workspace was rated the highest by judges, with 47% saying it was Good or Excellent.

- But 43% of judges said the maintenance of their building was Poor, 42% said the amount of administrative support was Poor and 32% said the physical quality of the building as a whole was Poor.

**Table 10: Quality of specific working conditions of judges**

	Poor	Adequate	Good	Excellent
Amount of administrative support	42%	39%	16%	3%
Morale of court or tribunal staff	64%	26%	10%	0%
Maintenance of the building	43%	36%	18%	3%
Physical quality of the building	31%	38%	25%	6%
Space to meet and interact with other judges	25%	35%	32%	8%
Quality of administrative support	23%	38%	31%	8%
Security at your court or tribunal	21%	42%	31%	6%
Physical quality of your personal work space	15%	38%	36%	11%

### 3.4 Change in specific working conditions since 2014

Judges' views on a range of specific working conditions have not improved since the last survey in 2014, with their assessment of most working conditions unchanged over the last 2 years.

- The single largest change is that judges feel **the physical quality of the buildings they work in has deteriorated since 2014**, with 10% more judges saying the quality is Poor compared with 2014.

**Table 11: Change in specific judicial working conditions since 2014**

	Rated "Poor" in 2016 JAS	Rated "Poor" in 2014 JAS	% change from 2014
Amount of administrative support	42%	40%	+2%
Morale of court or tribunal staff	64%	65%	-1%
Maintenance of the building	43%	----	----
Physical quality of the building	31%	21%	+10%
Space to meet and interact with other judges	25%	18%	+7%
Quality of administrative support	23%	22%	+1%
Security at your court or tribunal	21%	27%	-6%
Physical quality of your personal work space	15%	-----	-----

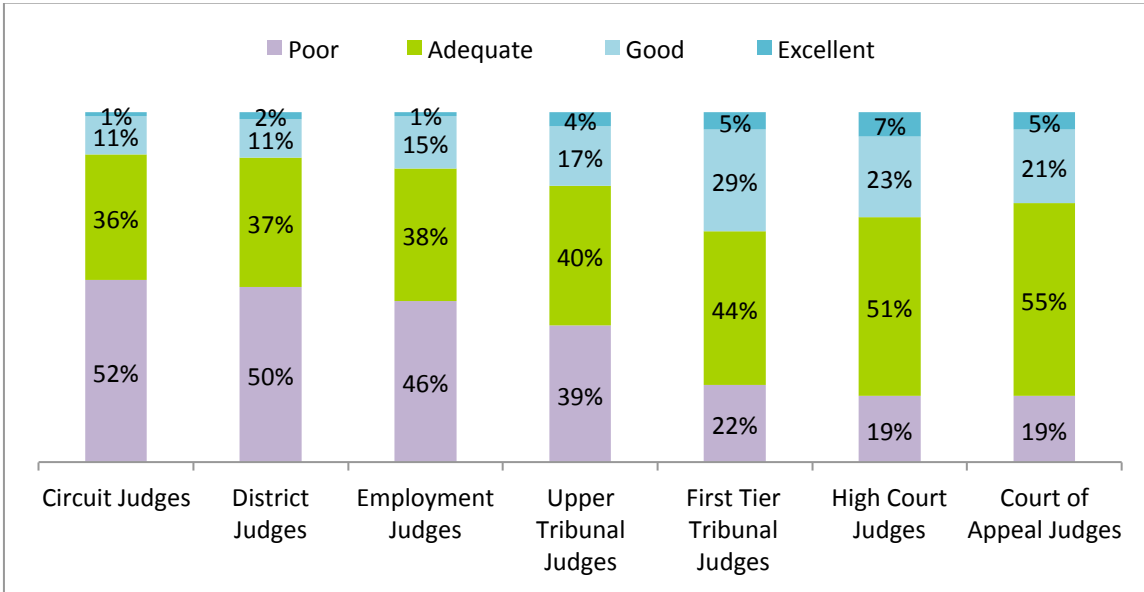
### By Post

There are however differences in judges' views of their specific working conditions by post, and these are explored in more detail below.

### Amount of Administrative Support

- Circuit Judges and District Judge rated the amount of administrative support lowest, with a majority saying it is Poor.
- A majority of High Court Judges (51%) and Court of Appeal Judges (55%) rated it as Adequate.
- Just over a third of First Tier Tribunal Judges said the amount of administrative support they have is Good (29%) or Excellent (5%).

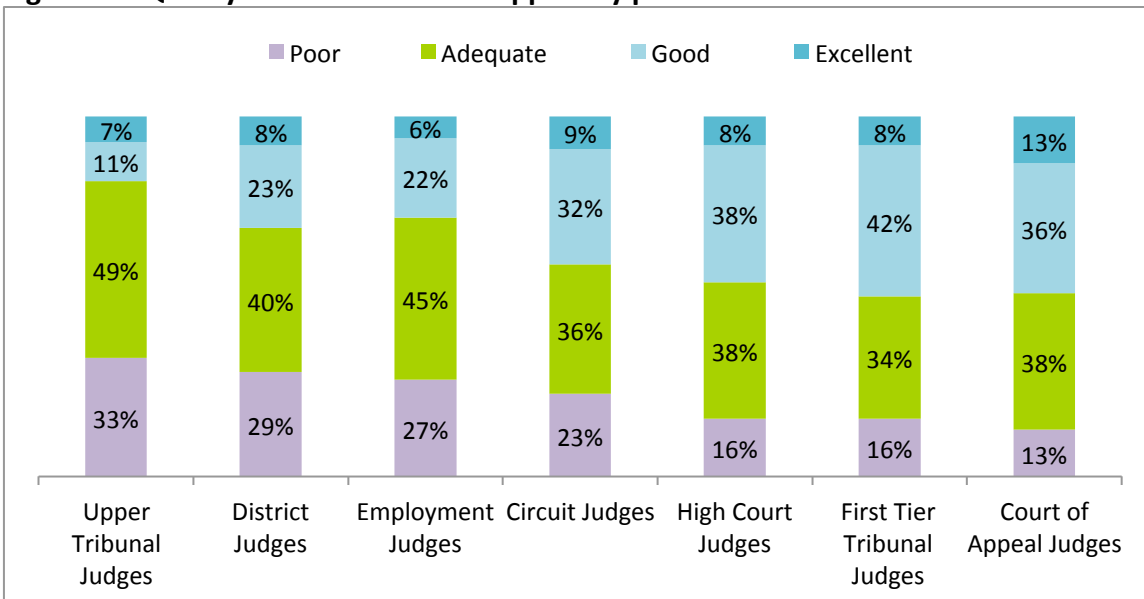
**Figure 11: Amount of administrative support by post**



### Quality of Administrative Support

The quality of administrative support was rated highest by First Tier Tribunal Judges where 50% rating it Good (42%) or Excellent (8%), and Court of Appeal Judges where 49% rated it Good (36%) or Excellent (13%). Upper Tribunal Judges rated the quality of administrative support they receive lowest, with a third (33%) saying it was Poor, followed by District Judges where 29% said it was Poor.

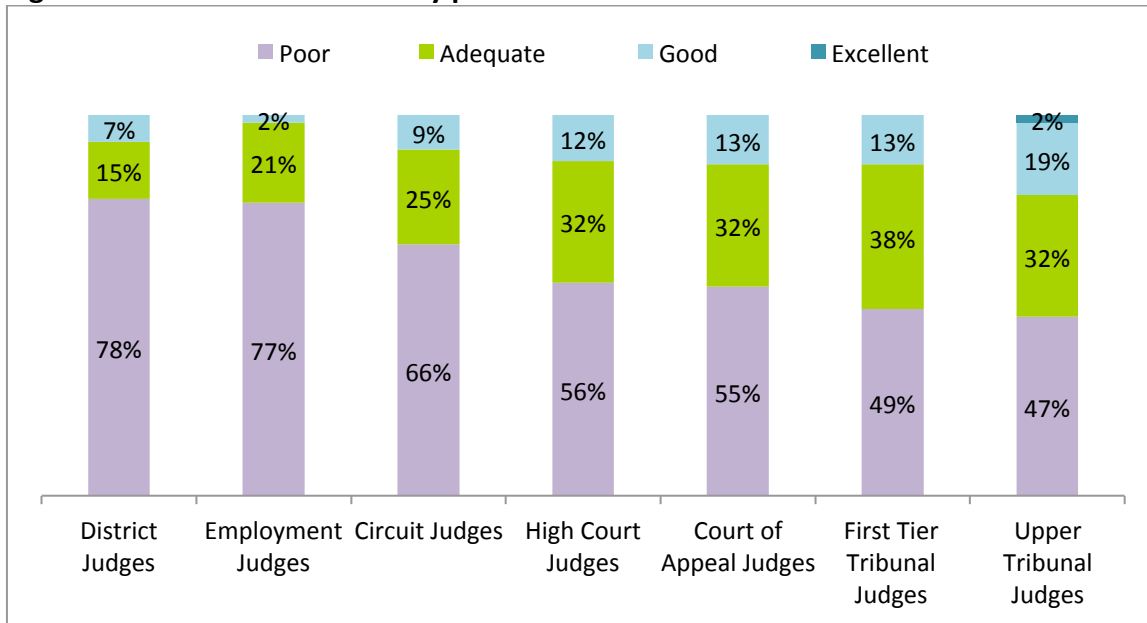
**Figure 12: Quality of administrative support by post**



### Morale of Court Staff

An overwhelming majority of District Judges (78%), Employment Judges (77%) and Circuit Judges (66%) rated the morale of staff in their courts as Poor. Just over or just under half of judges in all other judicial posts rated the morale of staff in their courts as Poor. Out of 1574 judges who answered this question only 3 judges rated the morale of court staff as Excellent.

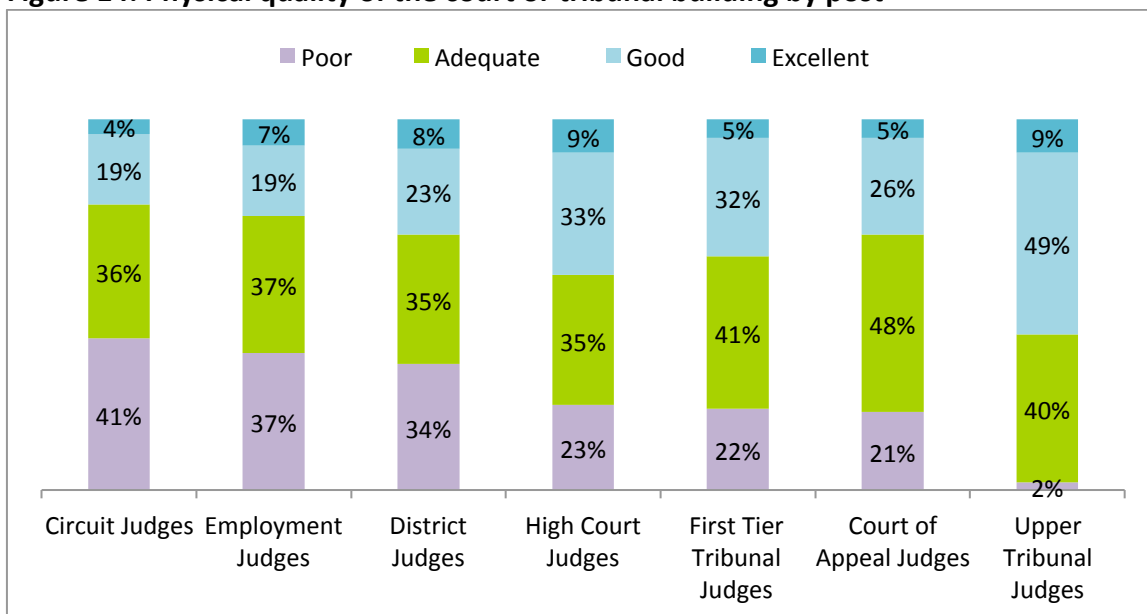
**Figure 13: Morale of cost staff by post**



### Physical quality of the building

Circuit, Employment and District Judges rated the physical quality of the building they work in lowest, with over a third of these judges rating it as Poor. Upper Tribunal Judges rated the physical quality of their work building the highest, with more than half of these judges (56%) rating it as Good (49%) or Excellent (9%).

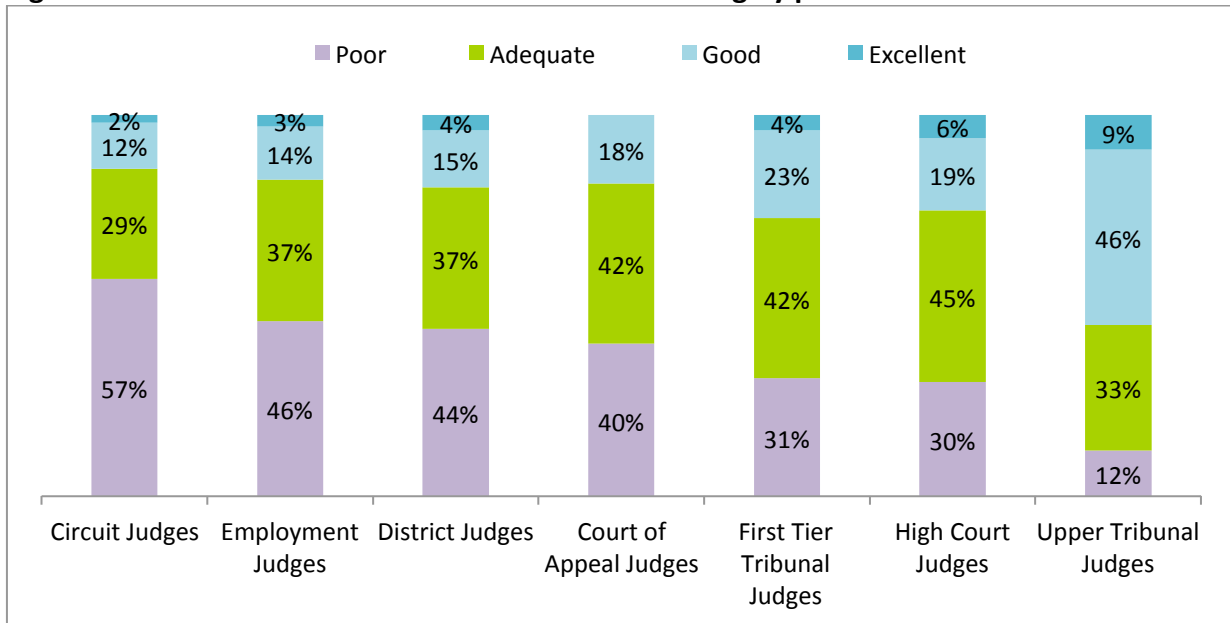
**Figure 14: Physical quality of the court or tribunal building by post**



### Maintenance of the building

Circuit and Employment Judges rated the maintenance of the building they work in lowest, with more than half of all Circuit Judges (57%) and close to half of all Employment Judges (46%) saying it was Poor. In contrast more than half (55%) of all Upper Tribunal Judges said the maintenance of their court building was Good (46%) or Excellent (9%).

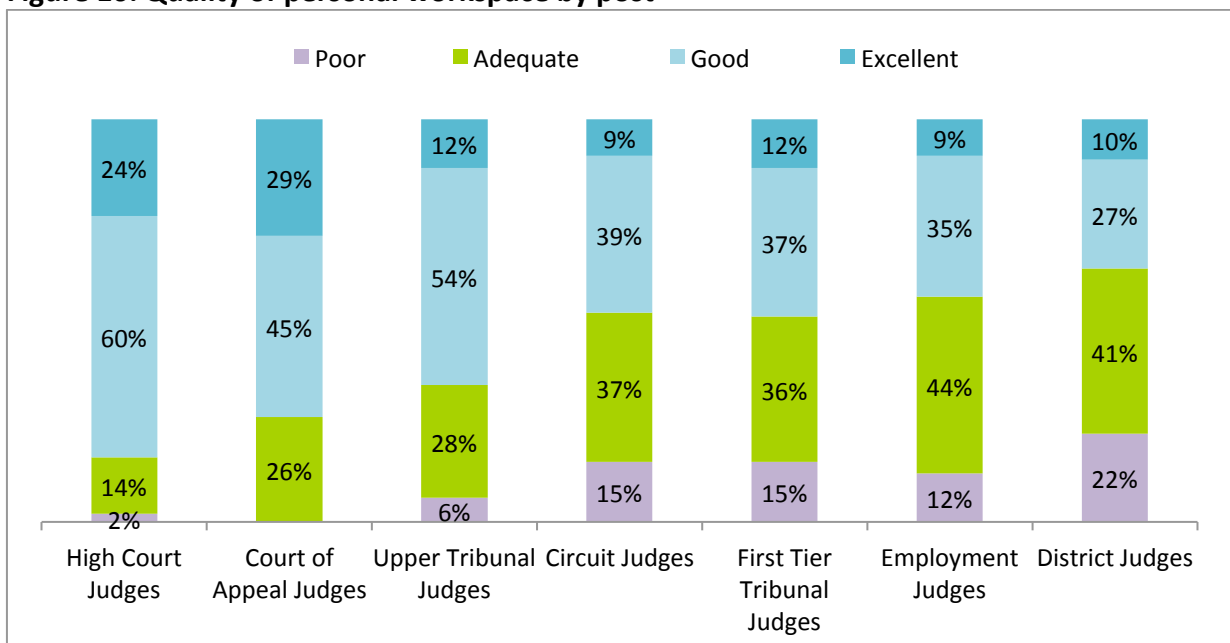
**Figure 15: Maintenance of the court or tribunal building by post**



### Quality of personal workspace

There were clear differences by judicial post in how judges rated the quality of their personal workspace. The overwhelming majority of High Court Judges (84%) and Court of Appeal Judges (74%) and two-thirds of Upper Tribunal Judges (66%) rated the quality of their personal workspace as either Good or Excellent. But almost a quarter of District Judges (22%) rated their personal workspace as Poor.

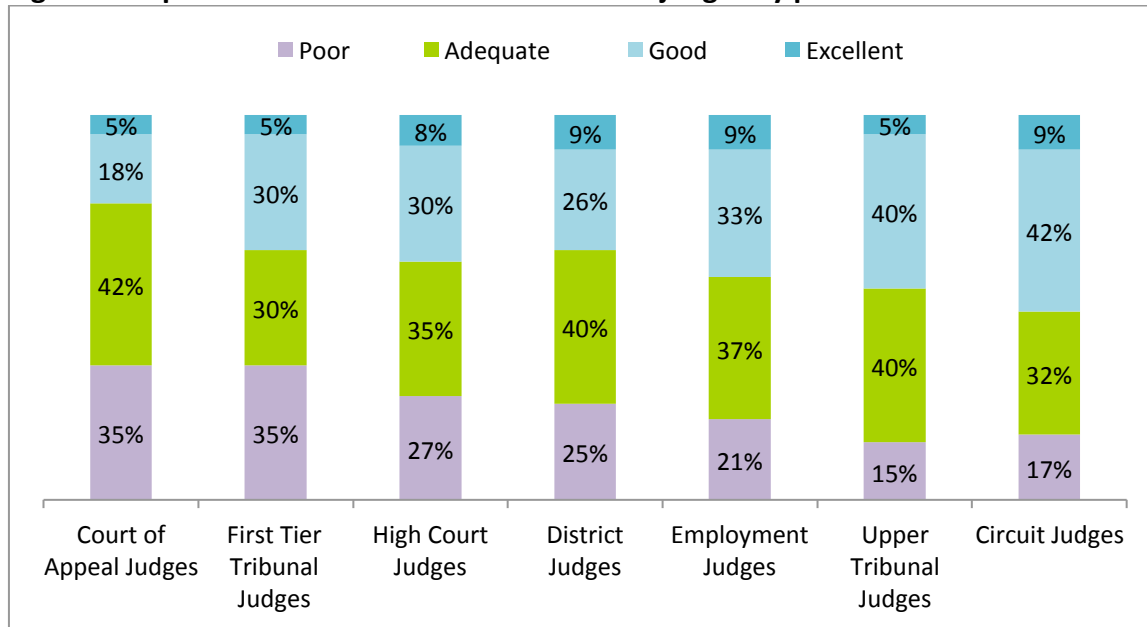
**Figure 16: Quality of personal workspace by post**



### Space to meet and interact with other judges

There were clear differences by judicial post in how judges rated the available space to meet and interact with other judges at their court or tribunal. Over a third (35%) of Court of Appeal Judges and First Tier Tribunal Judges rated this as Poor, while just over half (51%) of Circuit Judges said this was Good or Excellent at their courts.

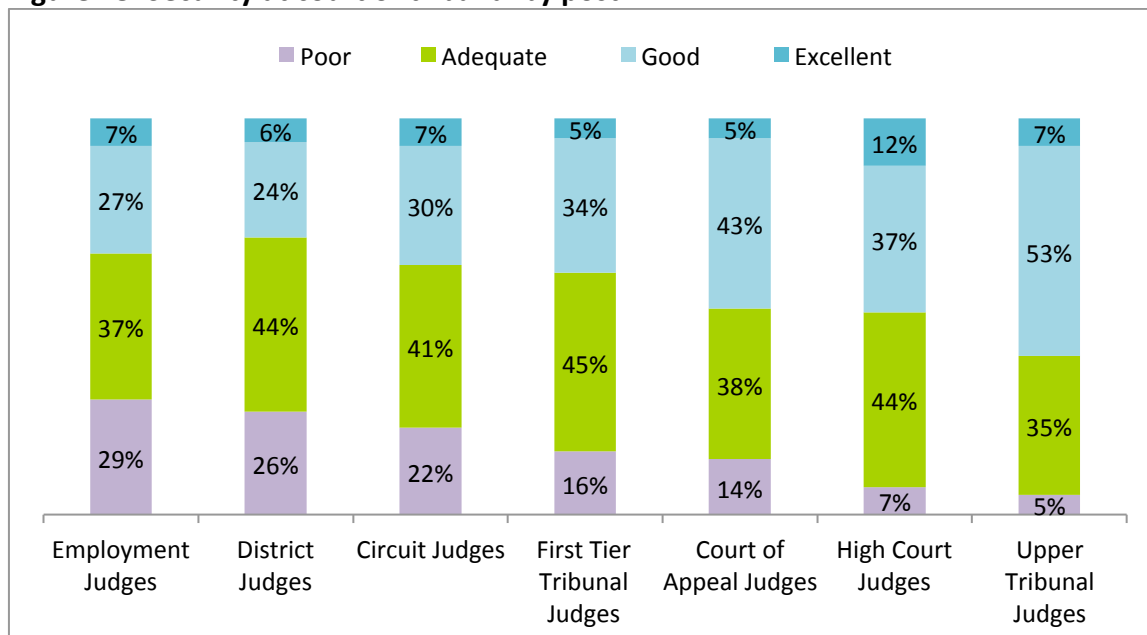
**Figure 17: Space to meet and interact with other judges by post**



### Security at court or tribunal

There were clear differences by judicial post in how judges rated security at their court or tribunal. In most cases the single large proportion of judges in each post described security as Adequate, but approximately a quarter of Employment Judges (29%), District Judges (26%) and Circuit Judges (22%) described security as Poor. In contrast, a majority of Upper Tribunal Judges (60%) and close to a majority of High Court Judges (49%) and Court of Appeal Judges (48%) rated security as Good or Excellent.

**Figure 18: Security at court or tribunal by post**





### 3.5 Security concerns

In addition to the previous question on the quality of security provided at court, a new question was asked in the 2016 JAS about the extent to which judges are concerned about their personal safety arising from being a judge.

- **A majority of judges (51%) have concerns about their safety while in court.**
- Over a third (37%) have concerns about their safety when they are out of court.
- 15% have concerns about how they are dealt with on social media.
- A third (35%) do not have any concerns about their personal safety.

**Table 12: Judicial concerns about personal security**

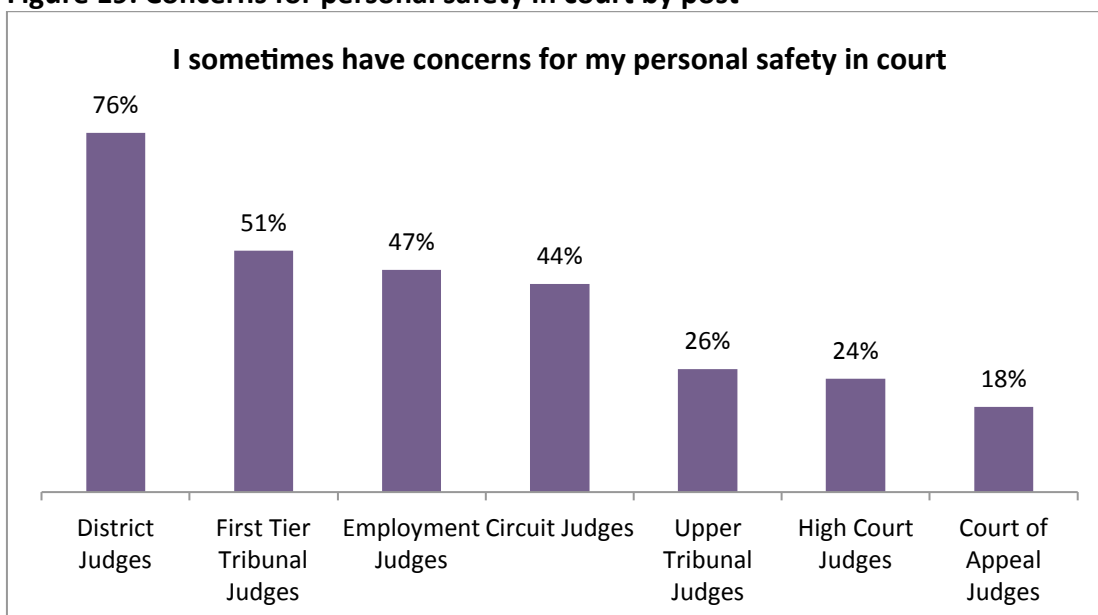
<i>Are you ever concerned about your personal security as a result of your judicial role?</i>	2016 JAS
Yes, sometimes in court	51%
Yes, sometimes outside of court	37%
Yes, sometimes on social media	15%
No	35%

#### By Post

There were very substantial differences not just in the extent to which different judicial post holders have concerns about their personal safety but also **where** different judicial post holders have security concerns.

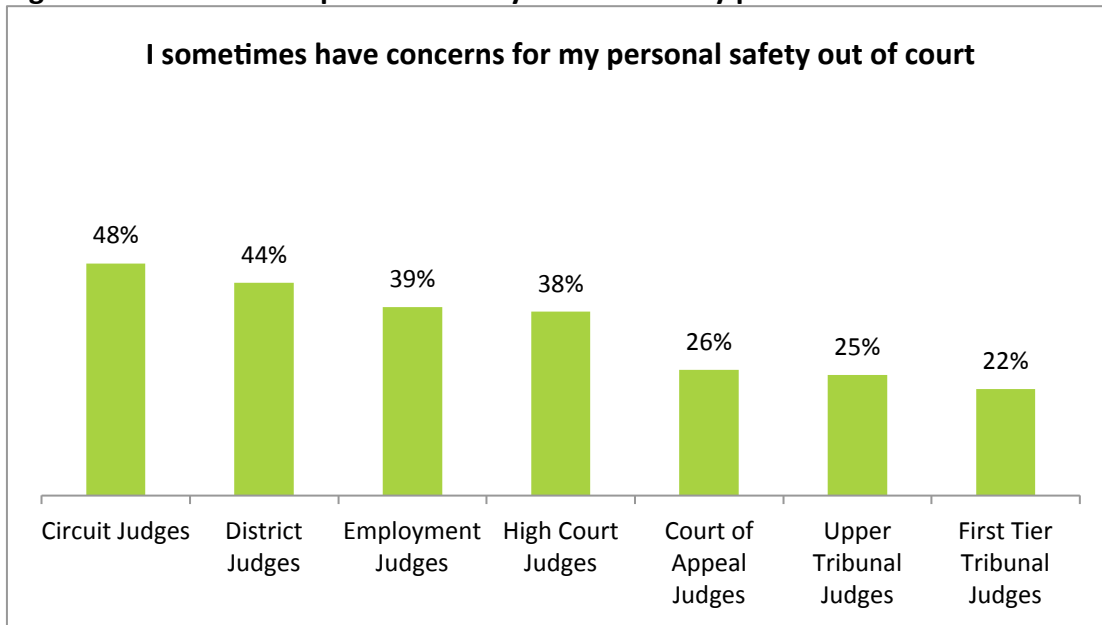
- Most Court of Appeal (64%) and Upper Tribunal Judges (54%) said they did not have concerns about their personal safety in relation to their job.
- But over two-thirds (76%) of District Judges, over half (51%) of First Tier Tribunal Judges and almost half of all Employment Judges (47%) and Circuit Judges (44%) sometimes have concerns about their personal safety **in court**.

**Figure 19: Concerns for personal safety in court by post**



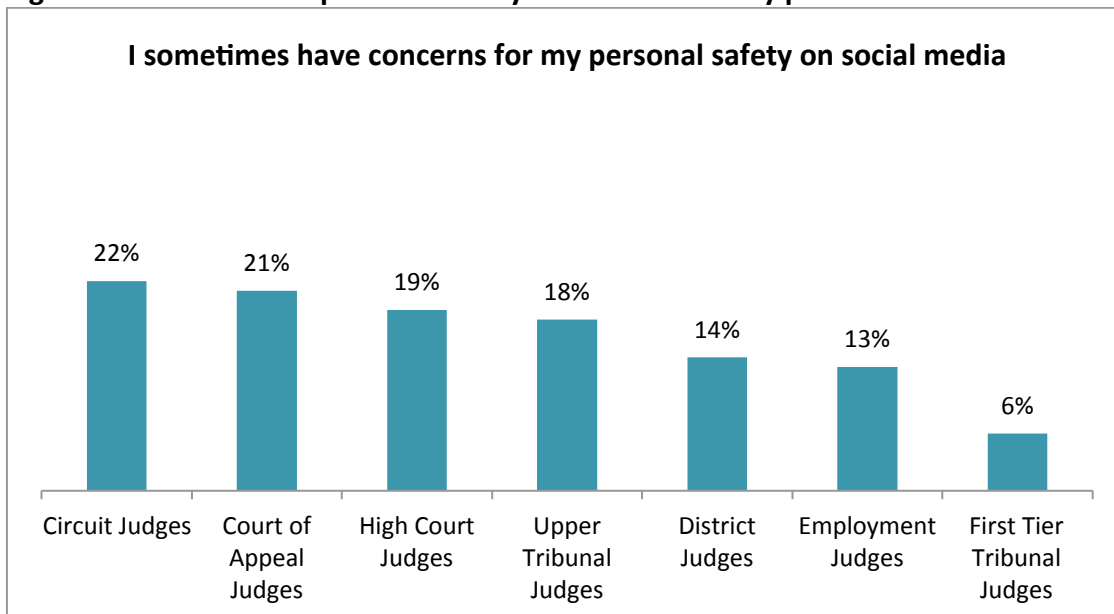
**Out of court** those with most concerns are Circuit, District, Employment and High Court Judges.

**Figure 20: Concerns for personal safety out of court by post**



**On social media** Circuit, Court of Appeal and High Court Judges have the most concerns.

**Figure 21: Concerns for personal safety on social media by post**



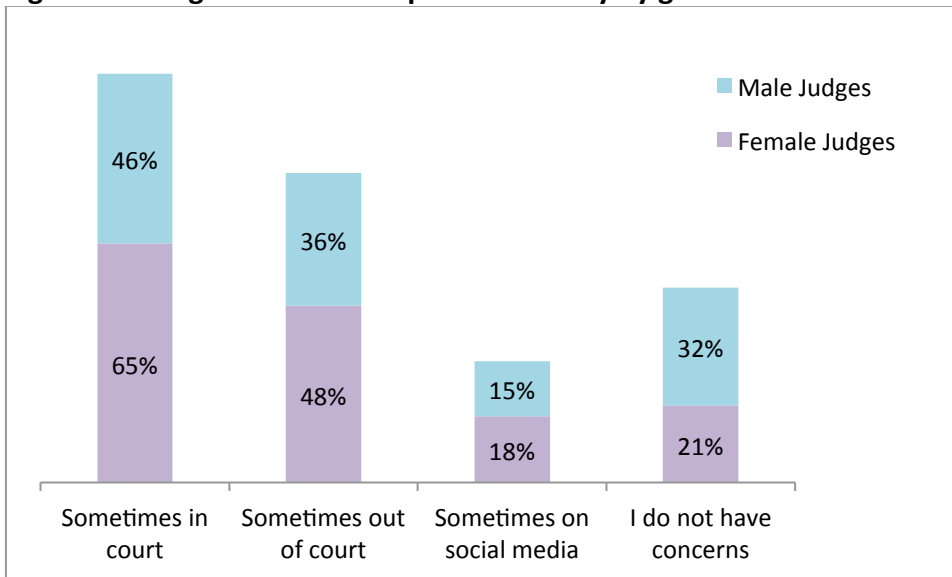
**By Gender**

There were also some differences between male and female judges in the extent to which and location where they sometimes felt concerned for their personal safety in relation to their work as a judge.

- Two-thirds (65%) of female judges have concerns for their personal safety in court, almost 20% more than male judges (46%).
- Almost half (48%) of all female judges said they sometimes have concerns for their personal safety out of court, while only a third (36%) of male judges had similar concerns.

- There was not much difference between the proportion of female (18%) and male (15%) judges who had security concerns in relation to social media.
- Male judges were more likely to say they did not have any concerns about their personal safety in relation to their work as a judge (32% of male judges compared with 21% of female judges).

**Figure 22: Judges' concern for personal safety by gender**



## 4. IT Resources and the New Digital Programme

The 2016 JAS included a series of previous and new questions exploring the availability and quality of IT and other electronic working resources. These form part of the HMCTS Reform Programme for courts and tribunals that includes digital working, on-line case management and paperless hearings. The intention with these questions was to create some important baseline data on judicial IT systems at this early stage of the new digital court programme, which will allow progress to be assessed over time as the programme is introduced and to identify those areas that are currently working best and those where judges may be experiencing difficulties.

The digital court programme is currently being rolled out at different stages in each of the different types of courts and tribunals. Therefore these findings are presented in relation to those specific judicial posts and judges who had access to different elements of the digital court programme at the time of the survey (July 2016).

### 4.1 Quality of IT resources and IT support for judges

**Table 13: Quality of IT resources and support**

	Poor	Adequate	Good	Excellent
Standard of IT equipment provided to judges to use (laptop, desktop computer)	39%	34%	21%	6%
Standard of IT equipment used in court or tribunals (video link, payback)	54%	35%	20%	1%
Internet access	41%	38%	17%	3%
IT support	46%	39%	13%	2%

Overall most judges rated the current quality of IT resources and support available to judges as either poor or adequate:

- A majority (54%) of judges rated the standard of IT equipment used in courts or tribunals as poor
- Almost half (46%) of all judges combined rated IT support as poor, and 41% rated internet access at court as Poor.

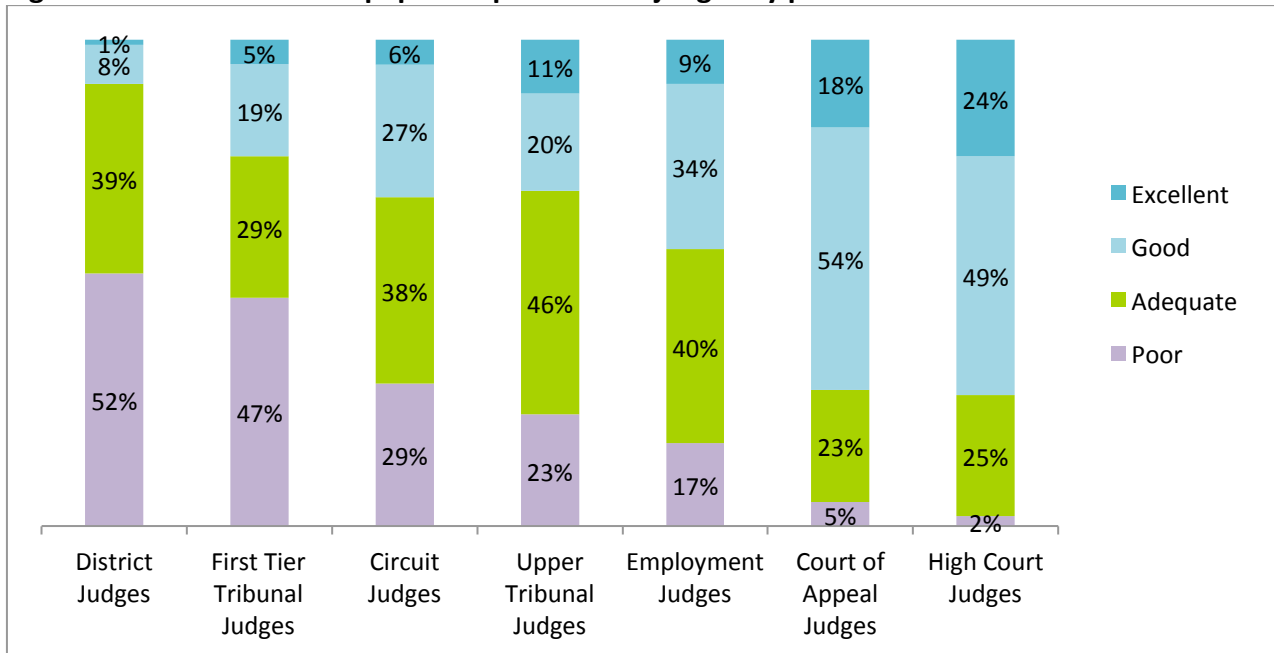
However, in many instances there were substantial differences in view on IT resources and support by judicial post.

### Standard of IT equipment provided to judges

There are substantial differences by judicial post in how judges rated the standard of IT equipment they have been provided with for their judicial work. At the time of the survey a phased roll out of new laptops was taking place across the judiciary, and this may be reflected in the large variations in quality assessments made by judges in different posts.

- A majority of High Court Judges (73%) and Court of Appeal Judges (72%) said the standard of the IT equipment they have been provided with was either Good or Excellent.
- Most District Judges (52%) and First Tier Tribunal Judges (47%) rated the equipment as Poor.

**Figure 23: Standard of IT equipment provided to judges by post**

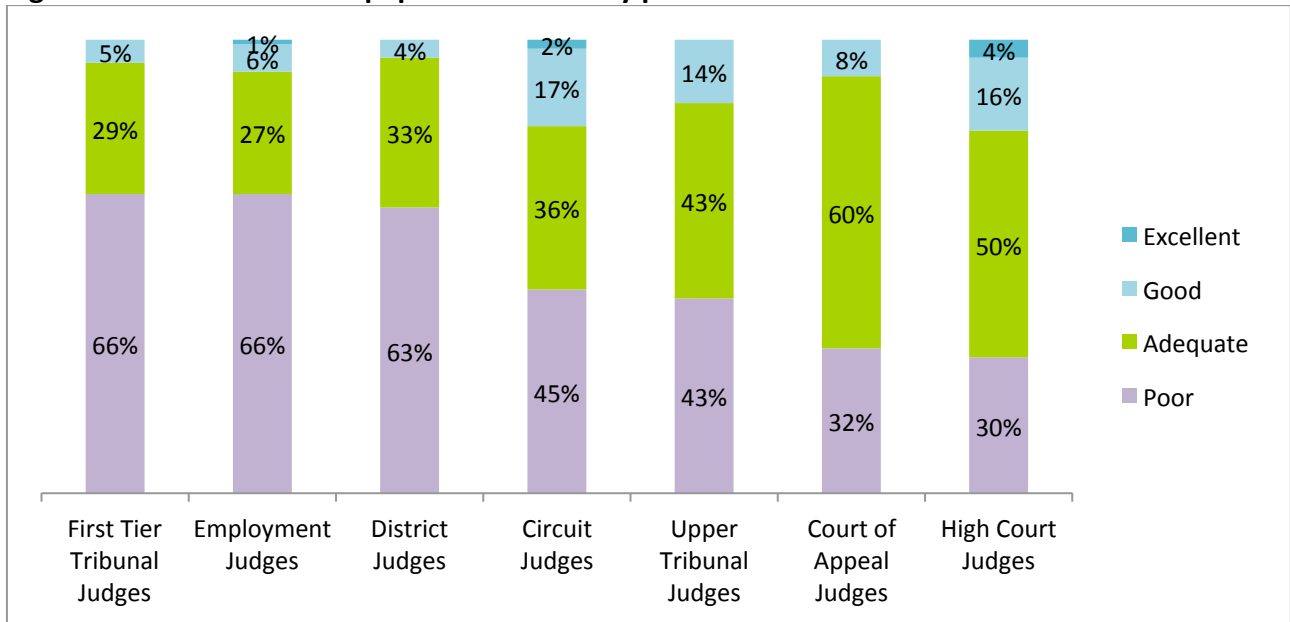


### Standard of IT equipment in court

Very few judges in any of the specific judicial posts rated the standard of IT equipment used in court as Good or Excellent. But there is a very substantial variation in the extent to which different post holders rated the quality of IT equipment in court as either Poor or Adequate.

- The lowest ratings for in-court IT equipment were given by First Tier Tribunal, Employment and District Judges, with two-thirds of judges in these posts rating in-court IT as Poor.
- In contrast, a majority of Court of Appeal Judges (60%) and half of High Court Judges (50%) said the in-court equipment was Adequate.

**Figure 24: Standard of IT equipment in court by post**



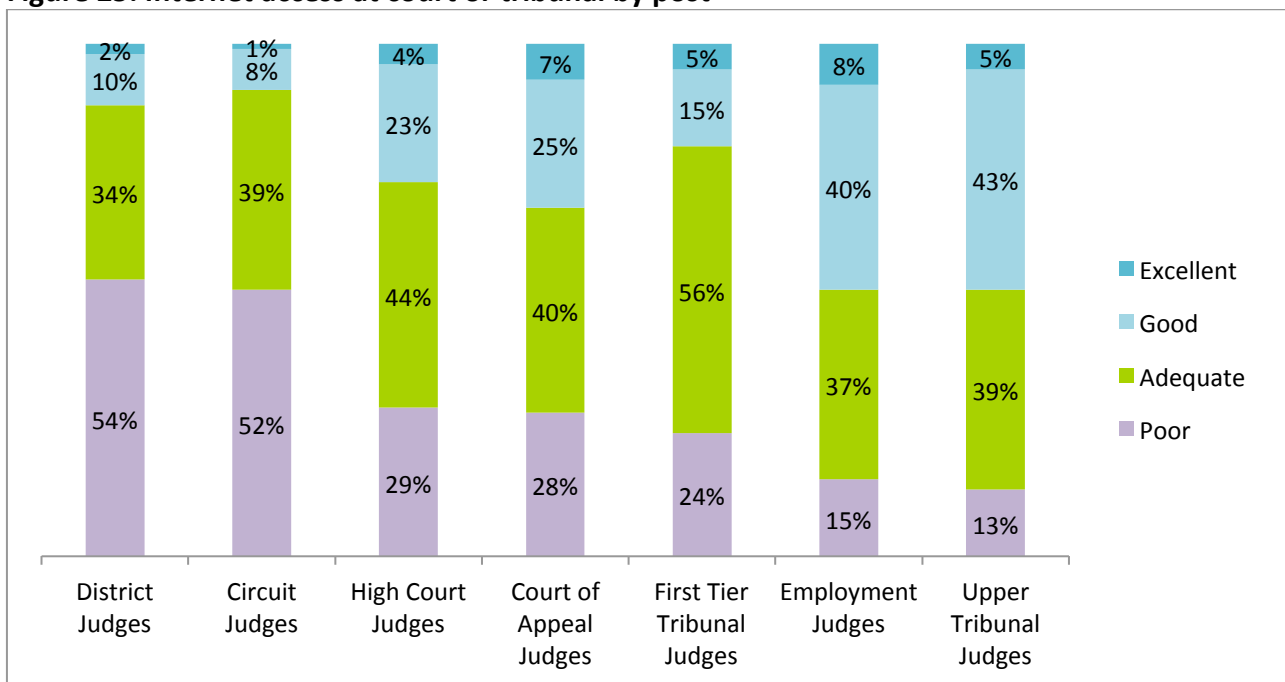
## Internet Access

During the survey period (late June to late July 2016) the judiciary was in the process of rolling out Wi-Fi in courts and tribunals in England and Wales as part of the HMCTS Reform programme for digital working.

There is a distinct three-way divide in judges' view of internet access in their courts and tribunals based on the specific court or tribunal.

- A majority of District Judges (54%) and Circuit Judges (52%) said that internet access in their courts was Poor.
- At the other end of the spectrum almost half of all Employment Judges (48%) and Upper Tribunal Judges (48%) rated internet access at their tribunals as Good or Excellent.
- Internet access was rated mostly Adequate by High Court Judges (44%), Court of Appeal Judges (40%) and First Tier Tribunal Judges (56%).

**Figure 25: Internet access at court or tribunal by post**



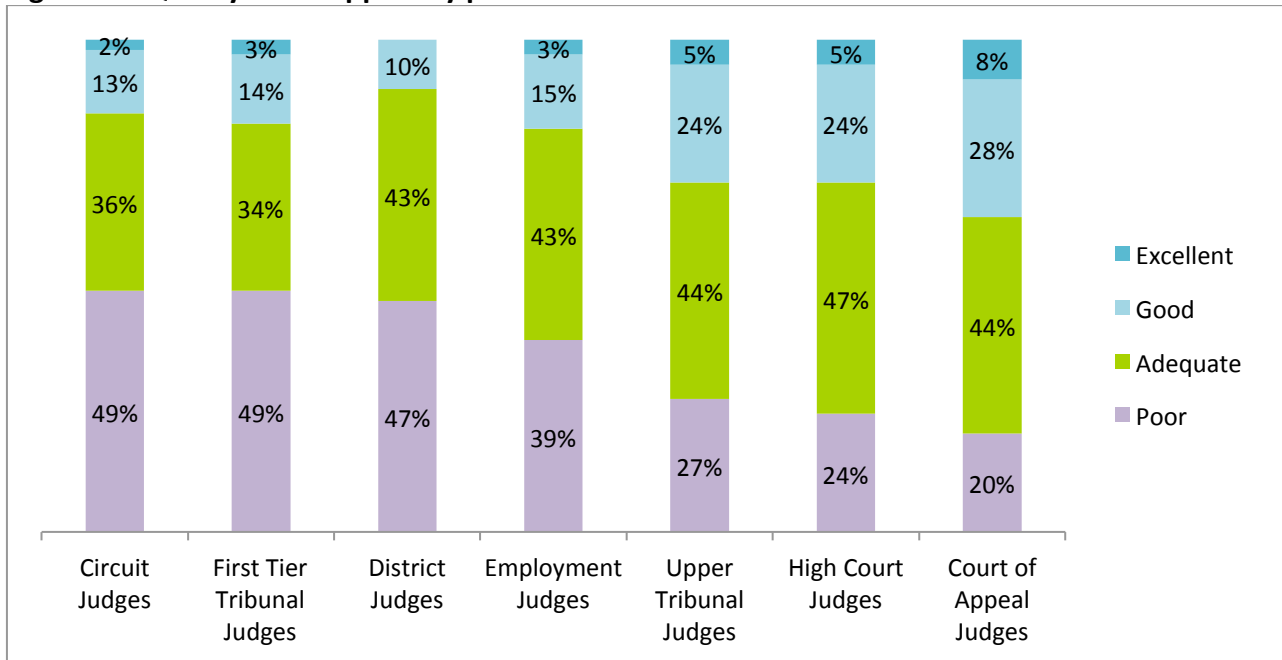


## IT Support

While most judges did not rate the quality of IT support they were provided with highly, there was a distinct difference between those judicial post holders that said it was Poor and those that said it was Adequate.

- Almost half of all Circuit Judges (49%), First Tier Tribunal Judges (49%) and District Judges (47%) gave it the lowest rating of Poor.
- Almost half of High Court Judges (47%), Court of Appeal Judges (44%), Upper Tribunal Judges (44%) and Employment Judges (43%) rated the IT support they receive as Adequate.

**Figure 26: Quality of IT support by post**



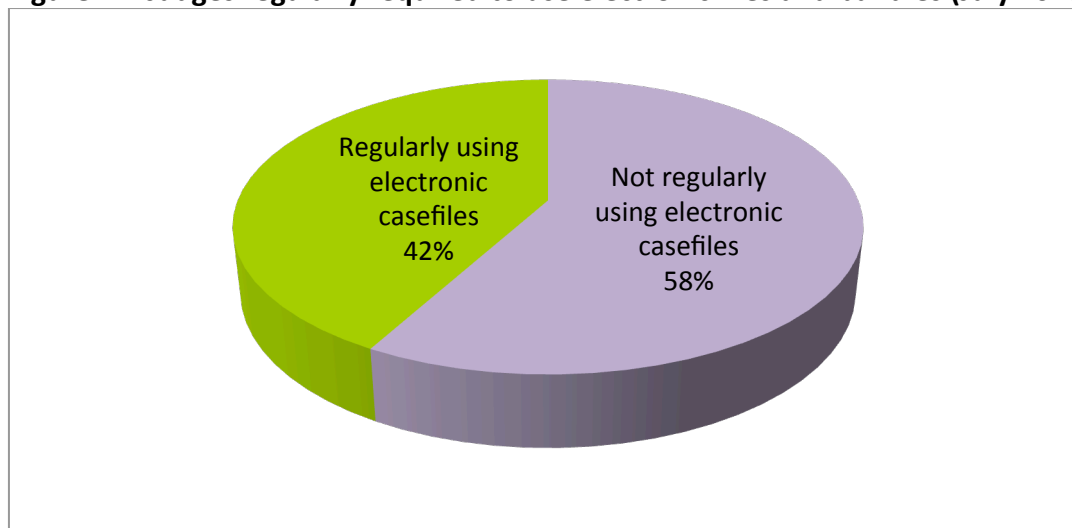
## Digital Programme

A number of questions were included in the 2016 JAS related to the introduction of the new digital programme in the courts and tribunals, which forms part of the HMCTS Reform programme. This is a phased programme being rolled out in different courts and tribunals at different stages, and the analysis explores the views and experiences of judges at this early stage of the programme.

### 4.2 Electronic case files: Digital Case System (DCS) and other forms of electronic working

The Digital Case System (DCS) is an online system designed to reduce the amount of paperwork in the courts by creating electronic case files and bundles; there are also other forms of electronic working used in some courts and tribunals. In July 2016 just under half of all salaried judges (42%) said they were now regularly required to use electronic files and bundles (e.g., DCS or other forms of electronic working).

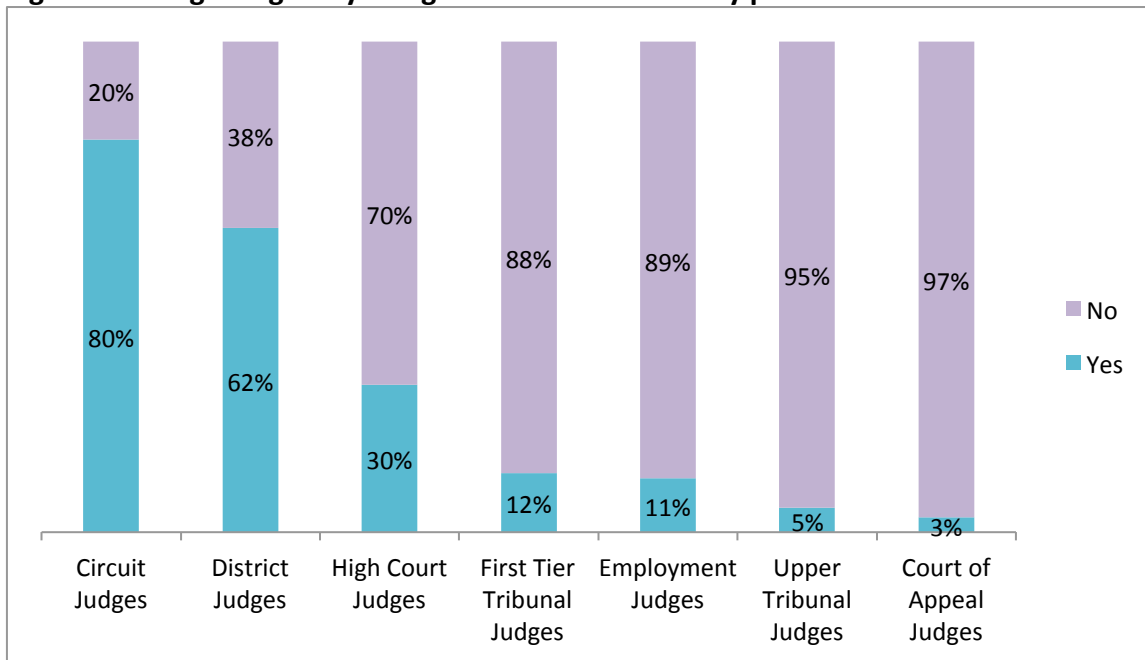
**Figure 27: Judges regularly required to use electronic files and bundles (July 2016)**



#### By Post

At the time of the survey DCS was only being used regularly primarily by Circuit Judges (80%) and to a lesser extent District Judges (62%). Almost a third (30%) of High Court Judges (mostly in the Queen's Bench Division) were using DCS, but there was very little use amongst any of the tribunal judges or the Court of Appeal. See Figure 28 below.

**Figure 28: Judges regularly using electronic case files by post**



Those judges using electronic case files were asked several further questions about the DCS (or other form of electronic files):

- Over a third (36%) said the **usability** of the DCS (or other electronic form) was Poor; almost half (42%) said it was Adequate, and just under a quarter (22%) said it was either Good or Excellent.
- Just over a half (58%) said they had **received training** on how to use the DCS (or other system).
- Of the judges who said they did receive training on the DCS (or other electronic system) just over half (53%) rated the **quality of the training** as Poor, just over a third (37%) said it was Adequate, and 10% said it was Good or Excellent

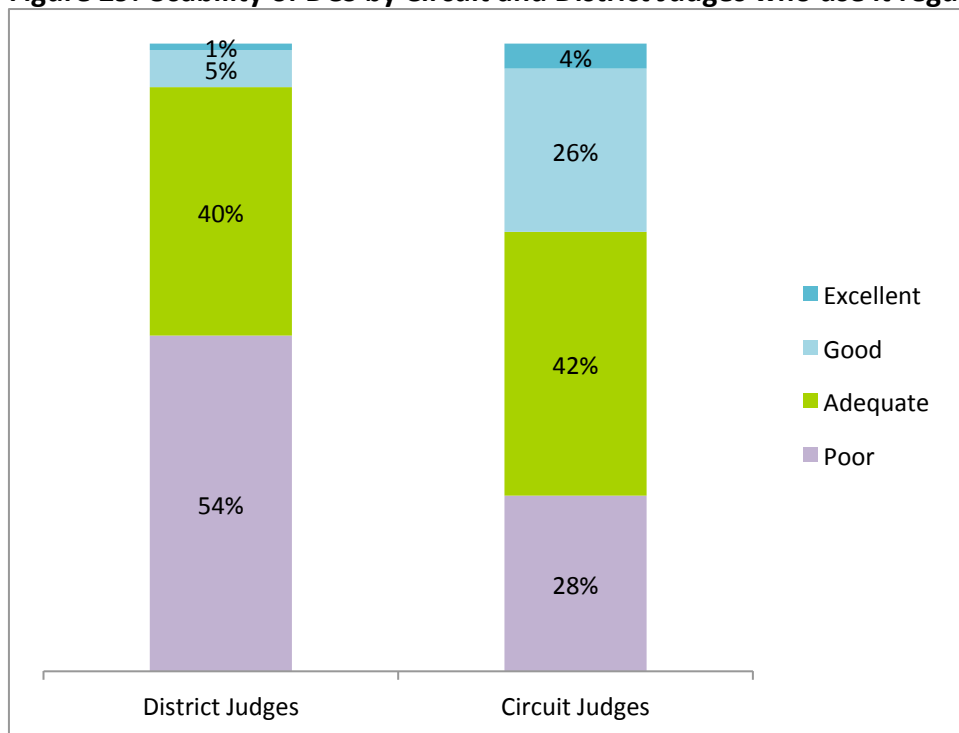
**Table 14: Usability of DCS or other form of electronic working**

<i>Rating of usability of DCS or other form of electronic case files (by those using it regularly)</i>	
Poor	36%
Adequate	42%
Good	19%
Excellent	3%

Looking further at the two judicial posts (Circuit Judges and District Judges) where a majority of judges said they regularly used DCS or some form of electronic case files, there are some differences in how judges in these two posts rated the usability of DCS:

- Circuit Judges rated the usability of DCS more highly than District Judges, with 72% of Circuit Judges saying it was Adequate, Good or Excellent but only 46% of District Judges saying it was Adequate, Good or Excellent.
- A majority (54%) of District Judges rated the usability of DCS as Poor.

**Figure 29: Usability of DCS by Circuit and District Judges who use it regularly**



**Table 15: Quality of training on DCS (Circuit & District Judges)**

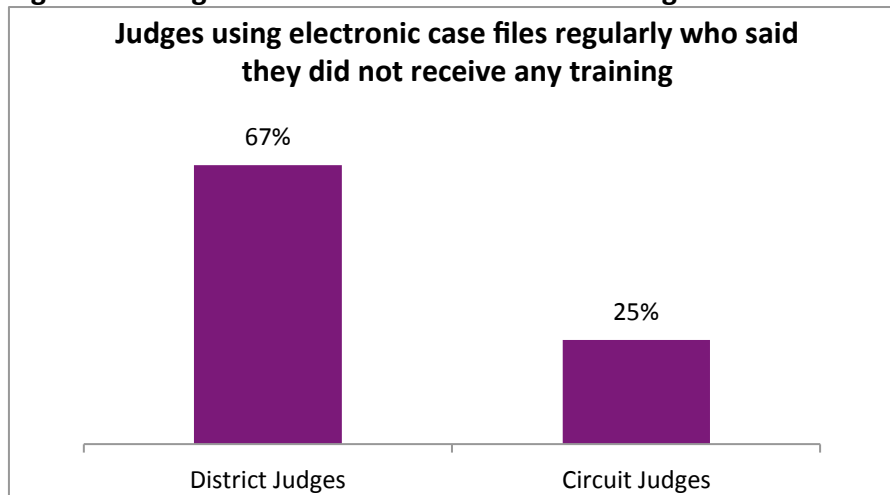
<i>Rating of the quality of training provided on DCS (by those using it regularly)</i>	
Poor	53%
Adequate	37%
Good	9%
Excellent	1%

Looking further at DCS training amongst judges in the two judicial posts (Circuit Judges and District Judges) where a majority of judges said they regularly used DCS or some form of electronic case files, there are some clear differences by post in the extent to which these judges said they received training in DCS:

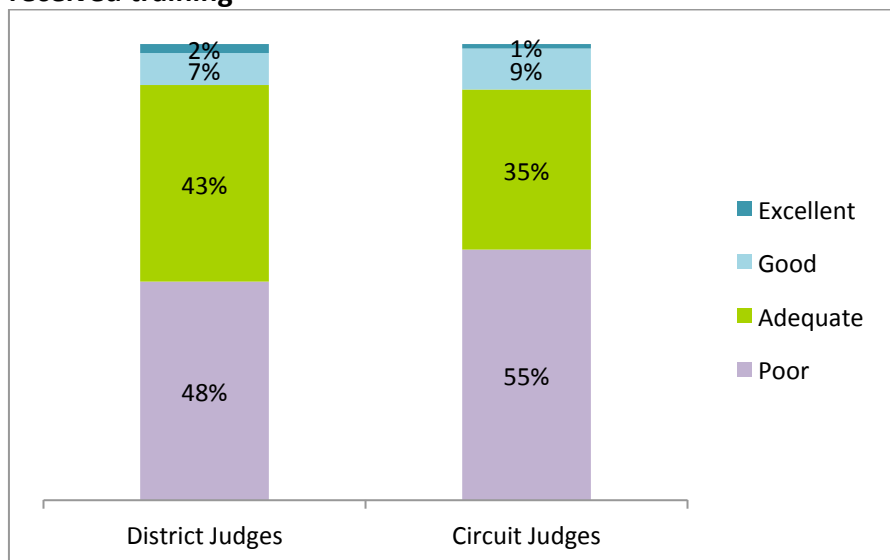
- Only a small minority (25%) of Circuit Judges who use DCS regularly said they had not received training in DCS, while two-thirds (67%) of District Judges who use DCS regularly said they had not receiving any training in DCS.

But there was little difference in how those Circuit and District Judges who did receive training in DCS rated that training.

**Figure 30: Judges who did not receive DCS training**



**Figure 31: Quality of DCS training by those who use it regularly and received training**



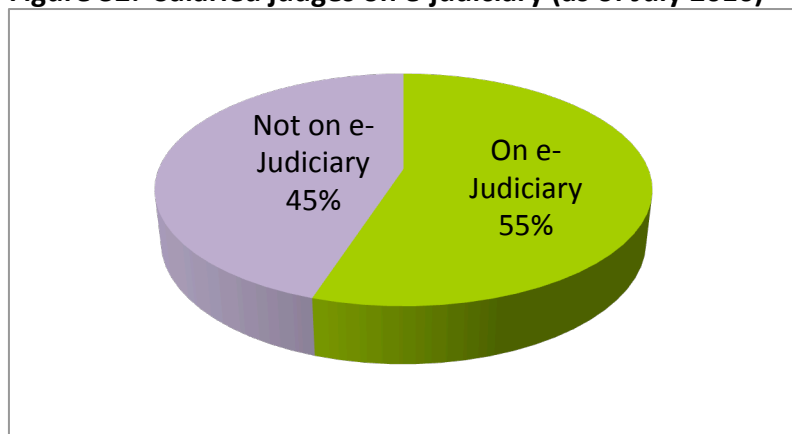
### 4.3 e-Judiciary

During the survey period (late June to late July 2016) the judiciary was in the process of introducing e-Judiciary, the web-based platform where judges can access the Judicial Intranet, email, calendar, documents and communications links. The survey analysis explores the views and experiences of judges with e-Judiciary at this stage of the roll out.

Looking first at all salaried judges combined, as of July 2016:

- Just over half of all salaried judges (55%) said they were on e-Judiciary.
- Of the 55% of judges who are currently on e-Judiciary, half (50%) rated it as Good or Excellent, over a third (38%) said it was Adequate, and only a small minority (12%) said it was Poor.

**Figure 32: Salaried judges on e-judiciary (as of July 2016)**



**Table 16: Quality of e-Judiciary**

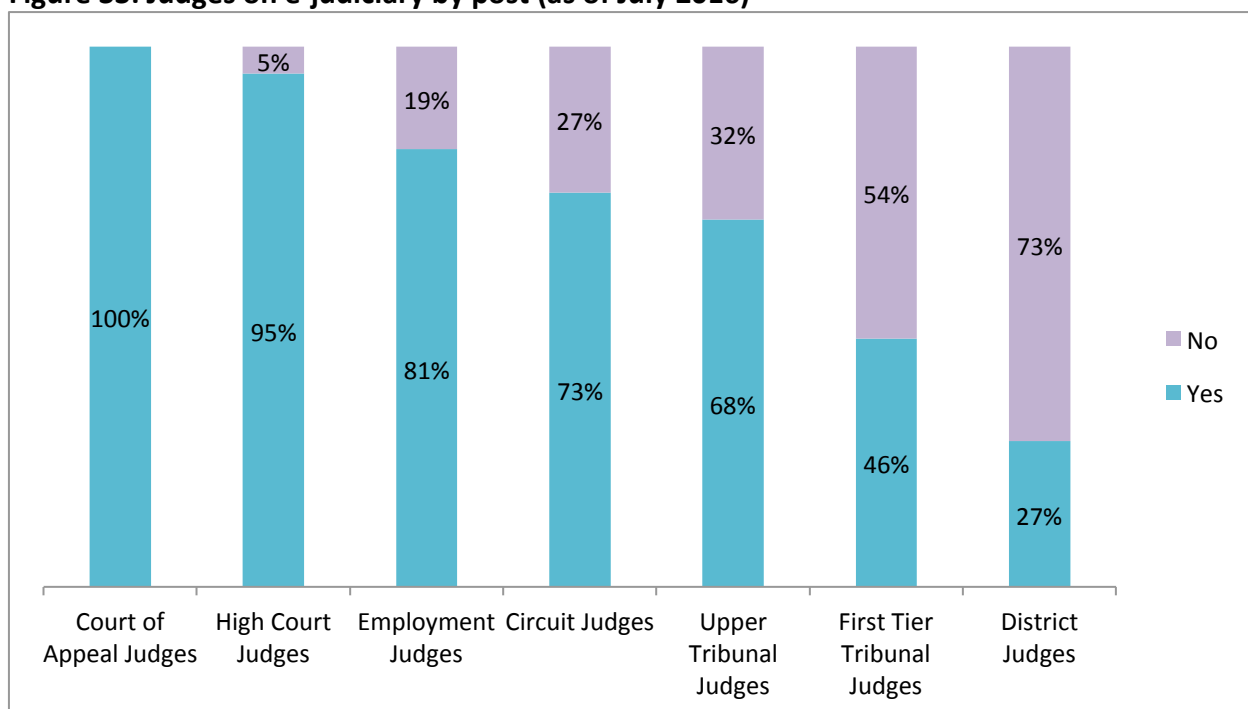
Rating of e-Judiciary (only by those on e-Judiciary)	2016 JAS
Poor	12%
Adequate	38%
Good	40%
Excellent	10%

**By Post**

There are substantial differences in the extent to which judges in different judicial posts are currently on e-judiciary (as of July 2016).

- All Court of Appeal Judges (100%) and most High Court Judges (95%) are on e-judiciary, as well as a majority of Employment Judges (81%), Circuit Judges (73%) and Upper Tribunal Judges (68%).
- Less than half (46%) of First Tier Tribunal Judges and only a quarter (27%) of District Judges were on e-judiciary as of July 2016.

**Figure 33: Judges on e-judiciary by post (as of July 2016)**



#### 4.4 Wi-Fi availability in courts and tribunals

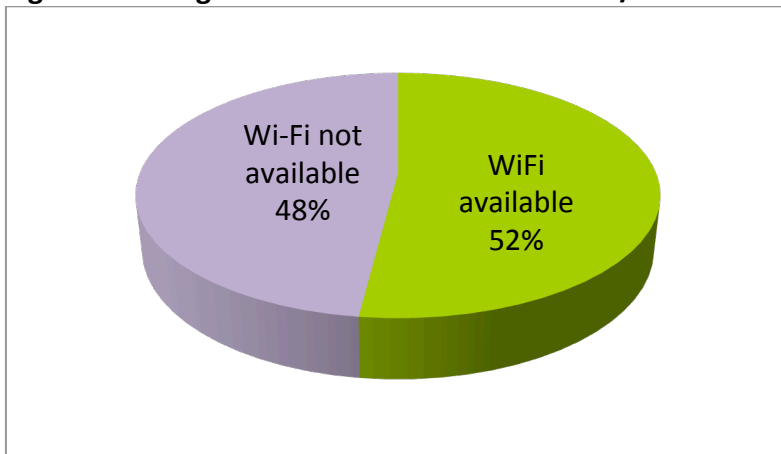
During the survey period the judiciary was in the process of introducing Wi-Fi in courts in England and Wales and UK non-devolved tribunals, and the survey explored the views and experiences of judges at this stage of the roll out of Wi-Fi in these courts and tribunals.

##### Availability and Quality of Wi-Fi

Looking first at all salaried judges combined, as of July 2016 (time of the survey):

- Just over half of all salaried judges (52%) said Wi-Fi was available at their court or tribunal.
- Of the 52% of judges who had Wi-Fi in their courts, 29% rated the quality of the Wi-Fi as Poor, just under half (45%) rated it as Adequate, and 26% said it was Good or Excellent.

**Figure 34: Judges with Wi-Fi available in court/tribunal**



**Table 17: Quality of Wi-Fi**

<i>Rating of quality of Wi-Fi in court</i>	2016 JAS
Poor	29%
Adequate	45%
Good	22%
Excellent	4%

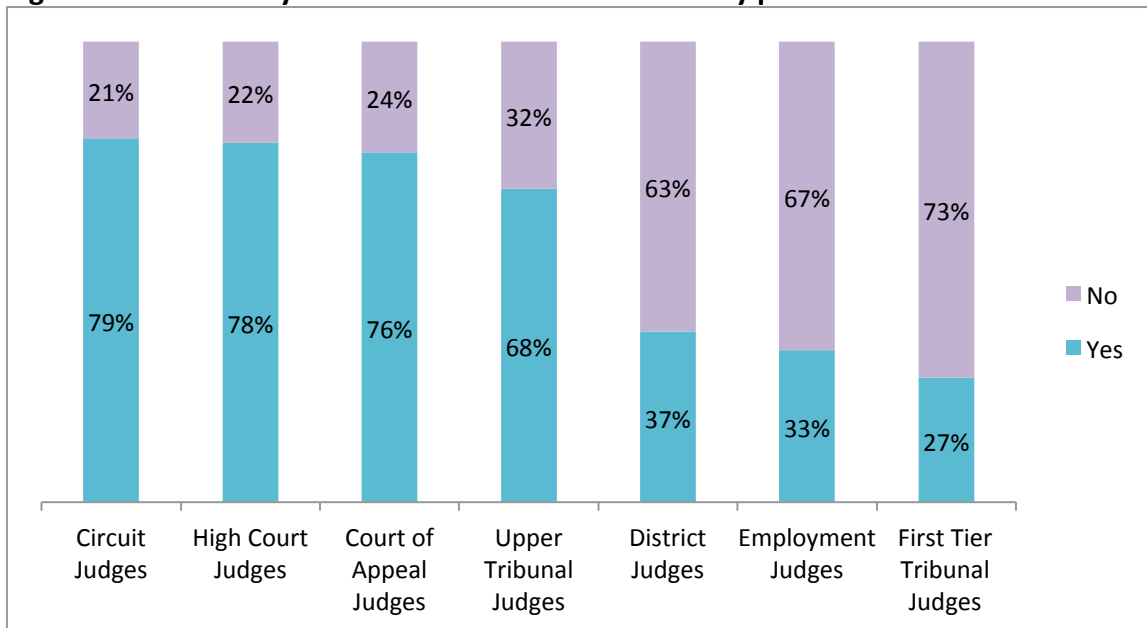
##### By Post

Again there is a distinct divide between the types of judges who said they had Wi-Fi in their courts or tribunals and those who did not (as of July 2016).

- More than three-quarters of all Circuit Judges (79%), High Court Judges (78%) and Court of Appeal Judges (76%) and over two-thirds (68%) of Upper Tribunal Judges said their courts or tribunals had Wi-Fi.
- But only a small proportion of First Tier Tribunal Judges (27%), Employment Judges (33%) and District Judges (37%) said there was Wi-Fi in their courts or tribunals.



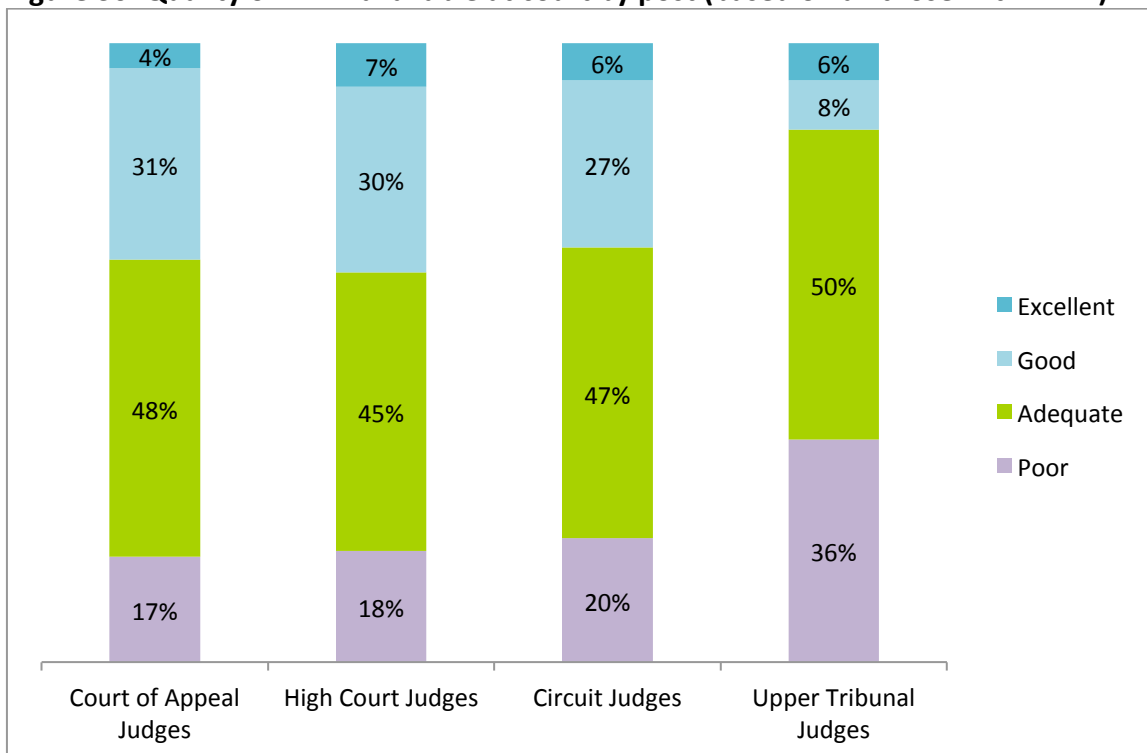
**Figure 35: Availability of Wi-Fi in courts and tribunals by post**



Looking only at those judicial posts where a majority of judges said they had Wi-Fi in their courts (Court of Appeal, High Court, Circuit and Upper Tribunal Judges), the judges in those courts who said they had Wi-Fi in court were asked to rate the quality of the Wi-Fi:

- Almost half of all judges who have Wi-Fi in their courts said the quality was Adequate.
- A third of judges in the Court of Appeal (35%), High Court (37%) and Circuit (33%) bench said the quality of the Wi-Fi was Good or Excellent.
- Over a third (36%) of judges who have Wi-Fi in the Upper Tribunal said the quality was Poor.

**Figure 36: Quality of Wi-Fi available at court by post (based on all those with Wi-Fi)**



## 5. Salary and Pensions

The 2016 JAS included a series of previous and new questions exploring judges' views on their salary and pension arrangements.

### 5.1 Judicial Pay

- An overwhelming majority of all judges (78%) say they have had a loss of net earnings over the last 2 years.
- Almost two-thirds of judges say the judicial salary issue is affecting their own morale (63%).
- The overwhelming majority of judges say the judicial salary issue is affecting the morale of judges they work with (82%).
- Just over half of judges (58%) do not feel they are paid a reasonable salary for the work they do.
- There has been little change in judges' views about their pay since the 2014 JAS.
- These are virtually identical results to those for salaried judges in Scotland and Northern Ireland in 2016.

**Table 18: Judicial views on pay (2016 JAS)**

	Strongly Disagree	Disagree	Not sure	Agree	Strongly Agree
I have had a loss of net earnings over the last 2 years	3%	10%	9%	28%	50%
The judicial salary issue is affecting my morale	5%	21%	11%	29%	34%
The judicial salary issue is affecting the morale of judges I work with	2%	5%	11%	32%	50%
I am paid a reasonable salary for the work I do	20%	38%	9%	28%	4%

**Table 19: Judicial views on salary: 2016 and 2014 compared<sup>7</sup>**

	Agree 2016 JAS	Agree 2014 JAS
I have had a loss of net earnings over the last 2 years	78%	75%
I am paid a reasonable salary for the work I do	32%	27%

<sup>7</sup> These are the two questions on salary that appeared in identical form on both the 2014 JAS and 2016 JAS.

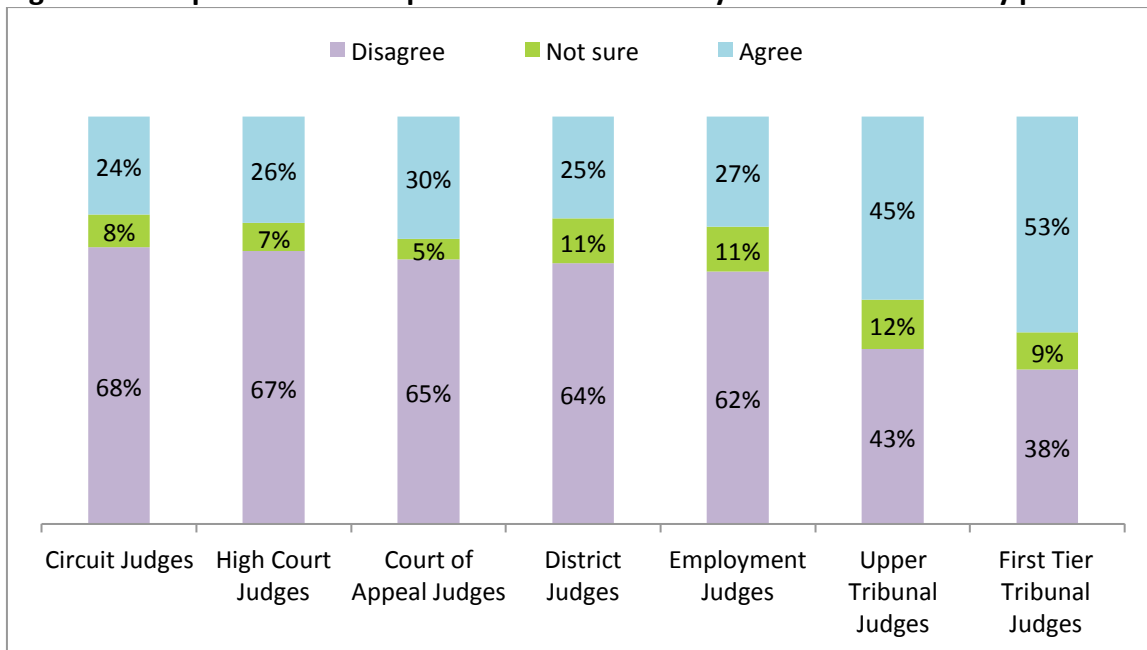
## By Post

### “I am paid a reasonable salary for the work I do”

There are clear differences by judicial post in terms of whether judges feel they are paid a reasonable salary for the work that they do:

- Two-thirds of judges in all courts judiciary posts and Employment Judges disagreed with this statement.
- A majority of First Tier Tribunal Judges (53%) agreed that they are paid a reasonable salary for the work they do.
- Upper Tribunal Judges are split over whether they are paid a reasonable salary for the work they do, with 45% agreeing that they are and 43% disagreeing.

**Figure 37: Responses to “I am paid a reasonable salary for the work I do” by post**

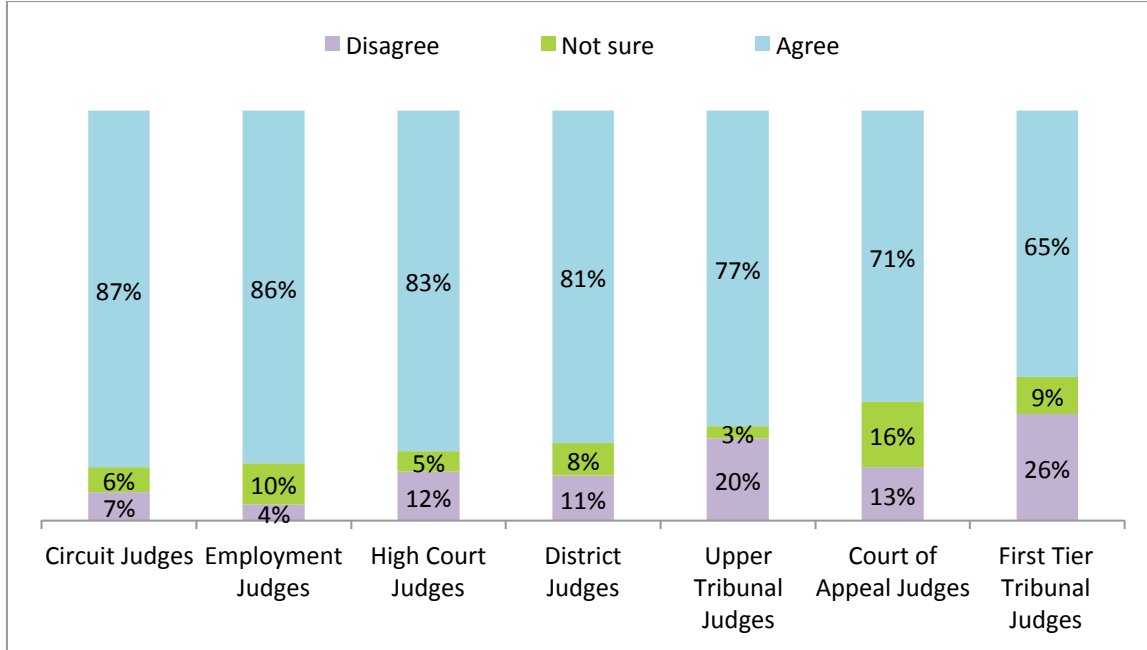


### “I have had a loss of net earnings over the last 2 years”

All judges, regardless of post, are in clear agreement that they have had a loss of net earnings over the 2 years since the last JAS was conducted.

- An overwhelming majority of judges in each judicial post said they had had a loss of net earnings over the last 2 years.
- Over 80% of Circuit, Employment, High Court and District Judges agreed, and between two-thirds and three-quarters of judges in the other judicial posts agreed with this statement.

**Figure 38: Responses to “I have had a loss of net earning over the last 2 years” by post**

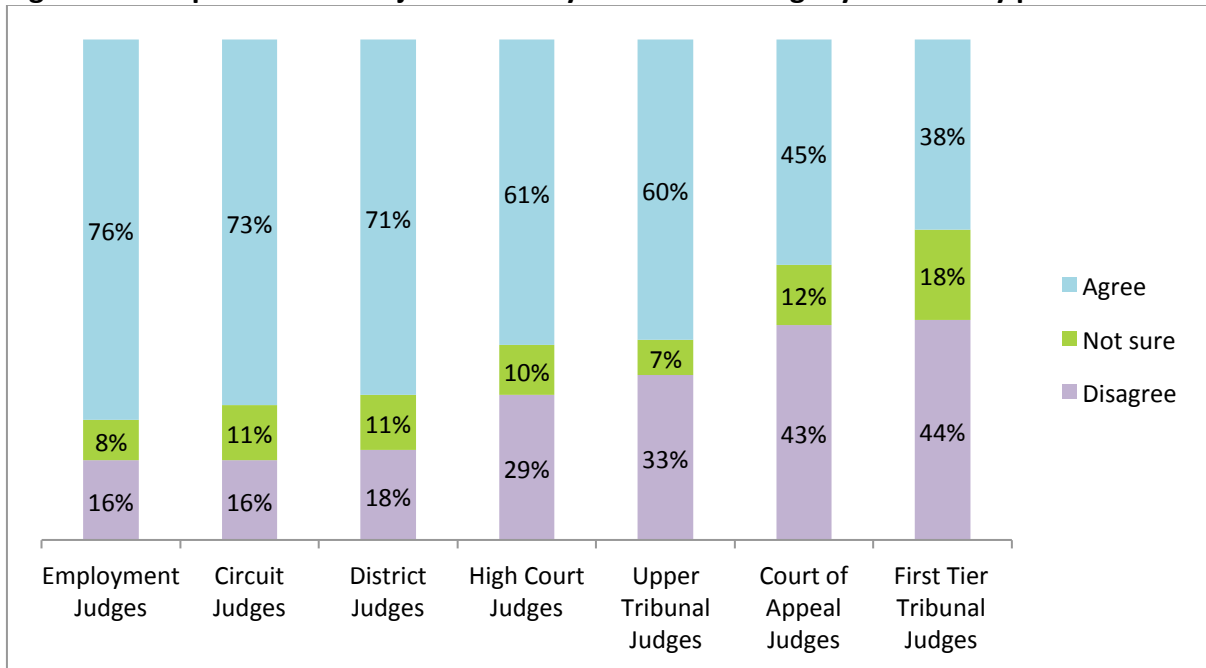


### “The judicial salary issue is affecting my morale”

There are clear differences by judicial post on the extent to which judges feel the judicial salary is affecting their morale:

- The overwhelming majority of Employment Judges (76%), Circuit Judges (73%) and District Judges (71%) said the salary issue was affecting their morale.
- A majority of High Court Judges (61%) and Upper Tribunal Judges (60%) also said their morale had been affected by the salary issue.
- Only a minority of First Tier Tribunal Judges (38%) and Court of Appeal Judges (45%) said the salary issue was affecting their morale.

**Figure 39: Responses to “The judicial salary issue is affecting my morale” by post**

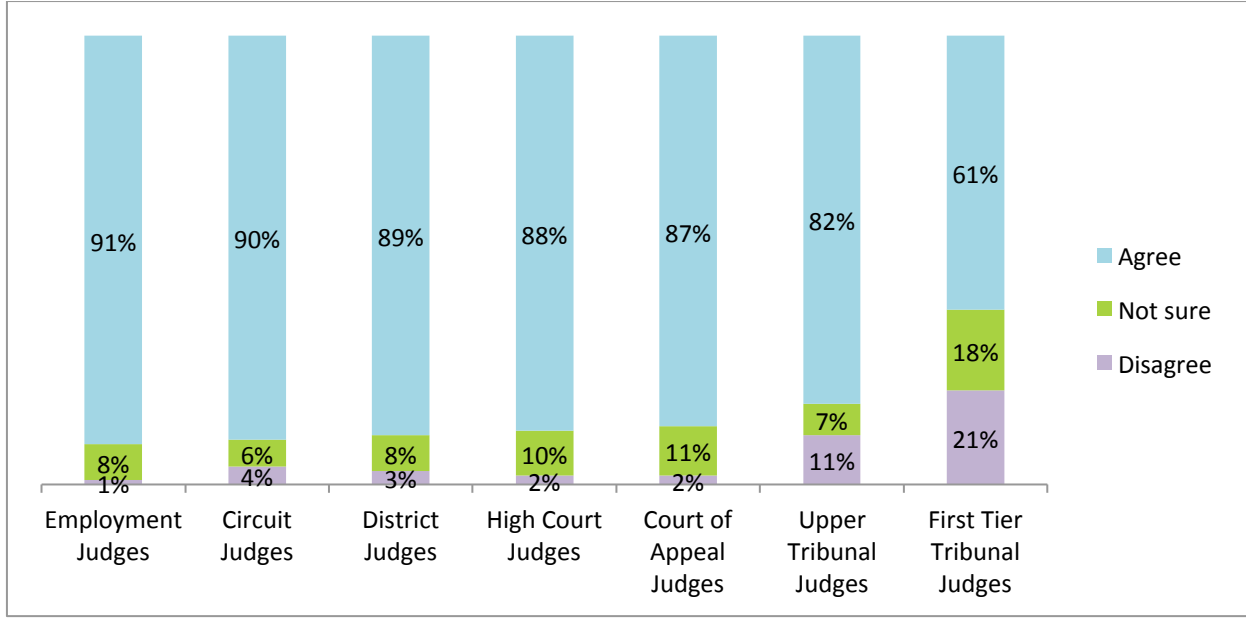


**“The judicial salary issue is affecting the morale of judges I work with”**

All judges, regardless of post, were in clear agreement that the issue of judicial salaries is affecting the morale of judges with whom they work.

- Virtually all judges in all judicial posts agreed with this statement.
- While most First Tier Tribunal Judges also agreed with the statement that the judicial salary issue was affecting the morale of judges they work with, this was a more qualified majority (61%) in comparison to the other judicial posts.

**Figure 40: Responses to “Judicial salary issue is affecting morale of judges I work with” by post**



## 5.2 Judicial Pensions

In 2012 and 2015 government instituted changes to judicial pensions came in to effect, and the survey explored judges' views of the impact of these changes:

- Almost two-thirds of judges (62%) say the change in pensions has affected them personally.
- Almost two-thirds of judges (61%) feel the change in pensions has affected their morale, and an overwhelming majority of all judges (88%) say the change in judicial pensions has affected the morale of judges they work with.
- Judges have divided views about whether some changes to pension entitlements have to be made, with 43% agreeing, 40% disagreeing and 17% uncertain; there has been little change in this view amongst judges since 2014.
- These are virtually identical results to those for salaried judges in Scotland and Northern Ireland in 2016.

**Table 20: Judicial views on pensions**

	Strongly Disagree	Disagree	Not sure	Agree	Strongly Agree
The change in pensions has affected me directly	8%	22%	8%	18%	44%
The change in pensions has affected my morale	8%	22%	9%	21%	40%
The change in pensions has affected the morale of judges I work with	1%	3%	8%	19%	69%
I accept that some changes to pension entitlements have to be made	19%	21%	17%	37%	6%

**Table 21: Judicial views on pension changes: 2016 and 2014 compared<sup>8</sup>**

	Agree 2016 JAS	Agree 2014 JAS
I accept that some changes to pension entitlements have to be made	43%	42%

<sup>8</sup> This is one question on pensions that appeared in identical form on both the 2014 JAS and 2016 JAS.

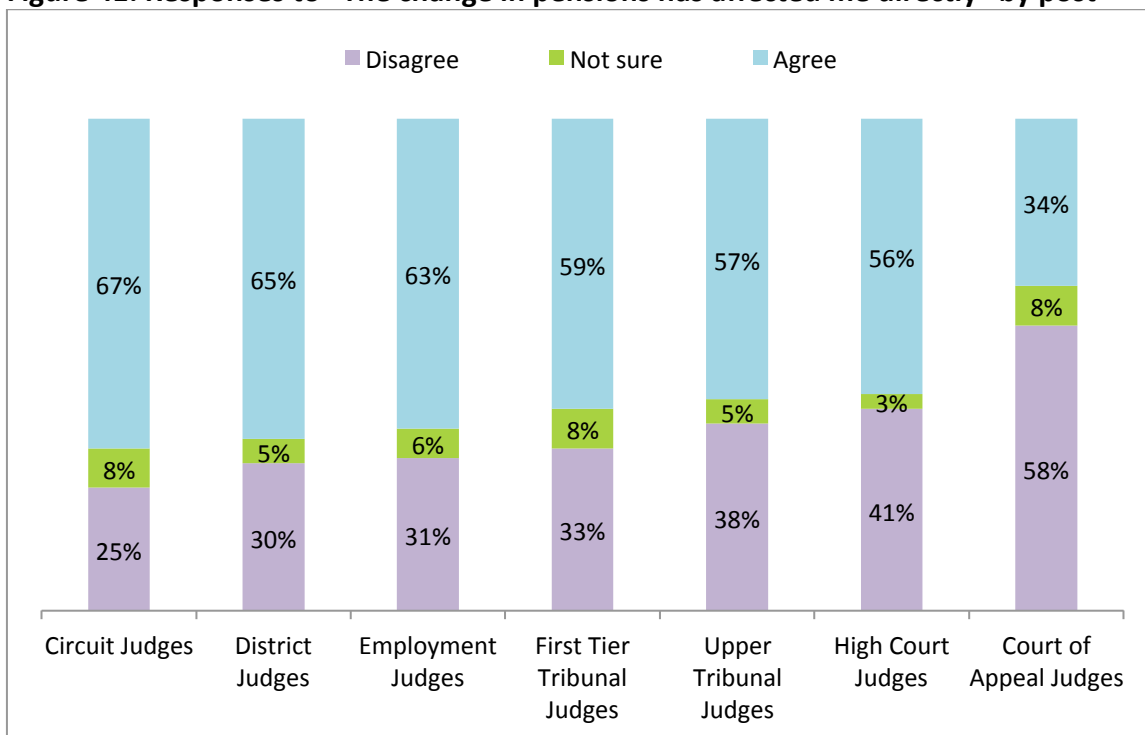
## By Post

### “The change in pensions has affected me directly”

While a majority of all but Court of Appeal Judges said the change in pensions had affected them directly, there were some differences in the level of impact based on judicial post.

- Circuit Judges (67%), District Judges (65%) and Employment Judges (63%) have the largest proportion of judges who say they have been directly affected by the change in pensions.
- A majority of First Tier Tribunal (59%), Upper Tribunal (57%) and High Court (56%) judges also say they have been directly affected.
- Only a third (34%) of Court of Appeal Judges say the pension changes have affected them personally. This is likely to reflect the fact that many Court of Appeal judges will be amongst the longest serving judges, and therefore their date of first appointment to the judiciary means the recent pension changes may not affect as many of them as judges in other posts.

**Figure 41: Responses to “The change in pensions has affected me directly” by post**



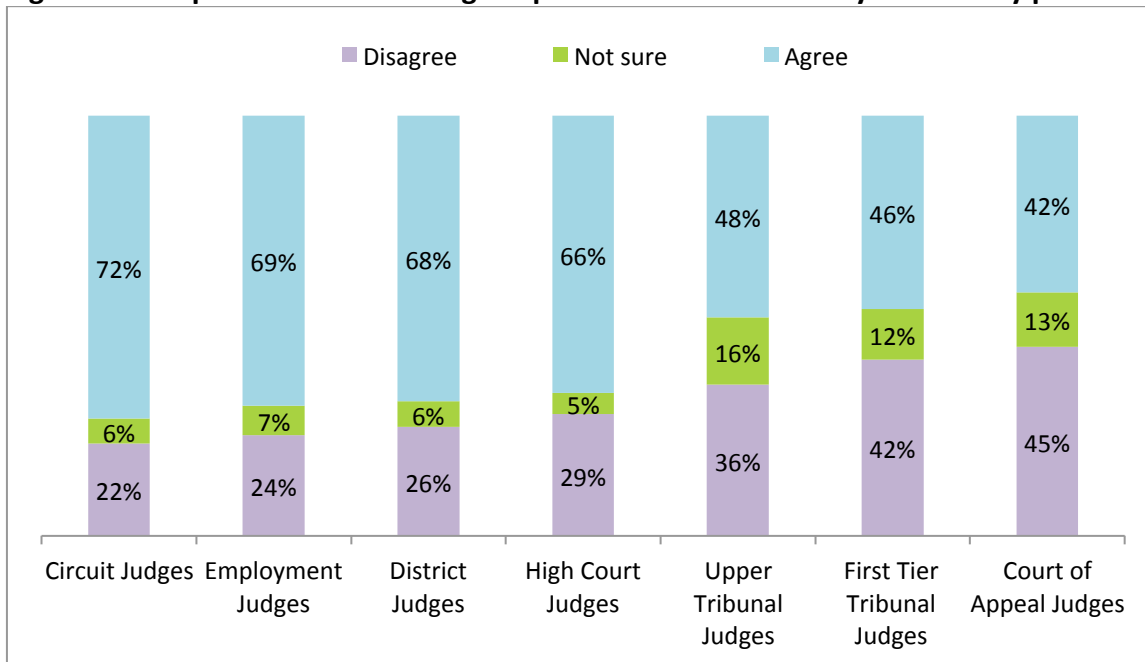


### “The change in pensions has affected my morale”

There are substantial differences between judicial posts on the extent to which judges feel that the change in pensions has affected their morale.

- A majority of Circuit Judges (72%), District Judges (69%), Employment Judges (68%) and High Court Judges (66%) said that the pension changes had affected their morale.
- It is perhaps not surprising that the Circuit, District and Employment Judges were most likely to say that the pension changes had affected their morale, as judges in these 3 judicial posts had the largest proportion of judges that said they were directly affected by the pension changes (see above).
- However, for both High Court Judges and Court of Appeal Judges a larger portion said the pension changes had affected their morale compared with the proportion of those judges who said they were directly affected by the changes. This provides some indication of the wider impact of the pension changes on the judiciary, including those not directly affected financially by the pension changes.
- A minority of Court of Appeal Judges (42%), First Tier Tribunal Judges (46%) and Upper Tribunal Judges (48%) said the pension changes had affected their own morale.

**Figure 42: Responses to “The change in pensions has affected my morale” by post**

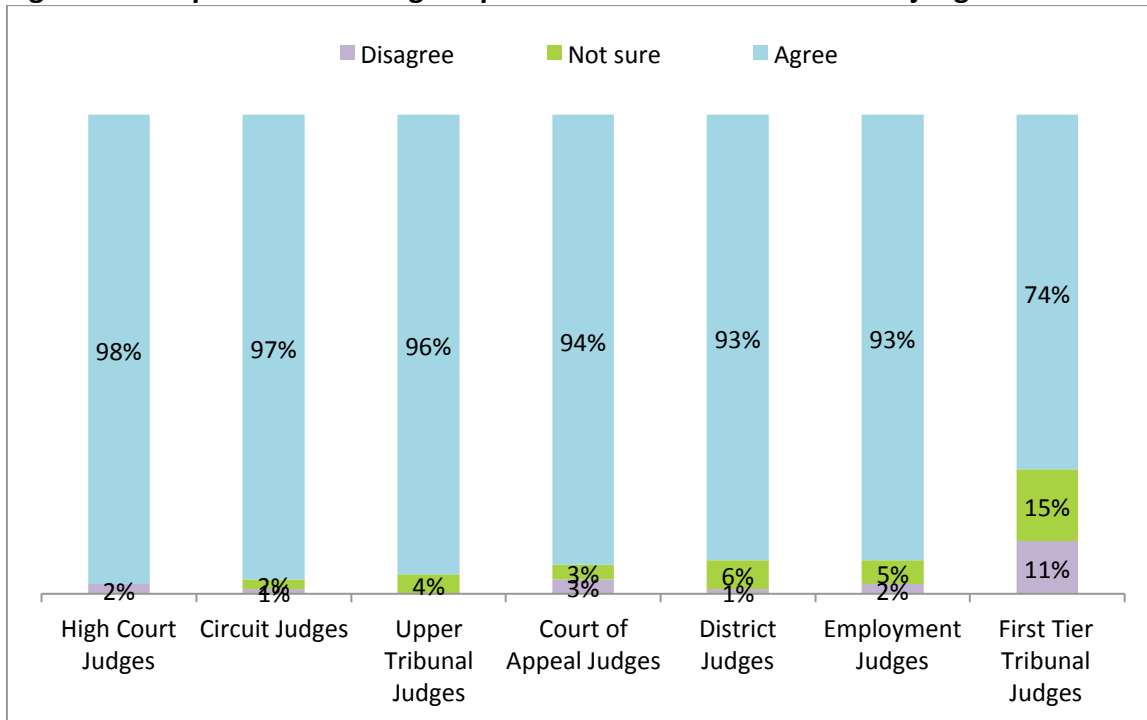


**“The change in pensions has affected the morale of judges I work with”**

Virtually all judges in all judicial posts said that the pensions changes had affected the morale of judges that they work with.

- Over 90% of all judges in all judicial posts, except First Tier Tribunal Judges, said pension changes had affected the morale of fellow judges, although a clear majority of First Tier Tribunal Judges agreed.
- Three-quarters (74%) of First Tier Tribunal Judges said the pensions changes had affected the judges they work with.

**Figure 43: Responses to “Change in pensions has affected morale of judges I work with” by post**

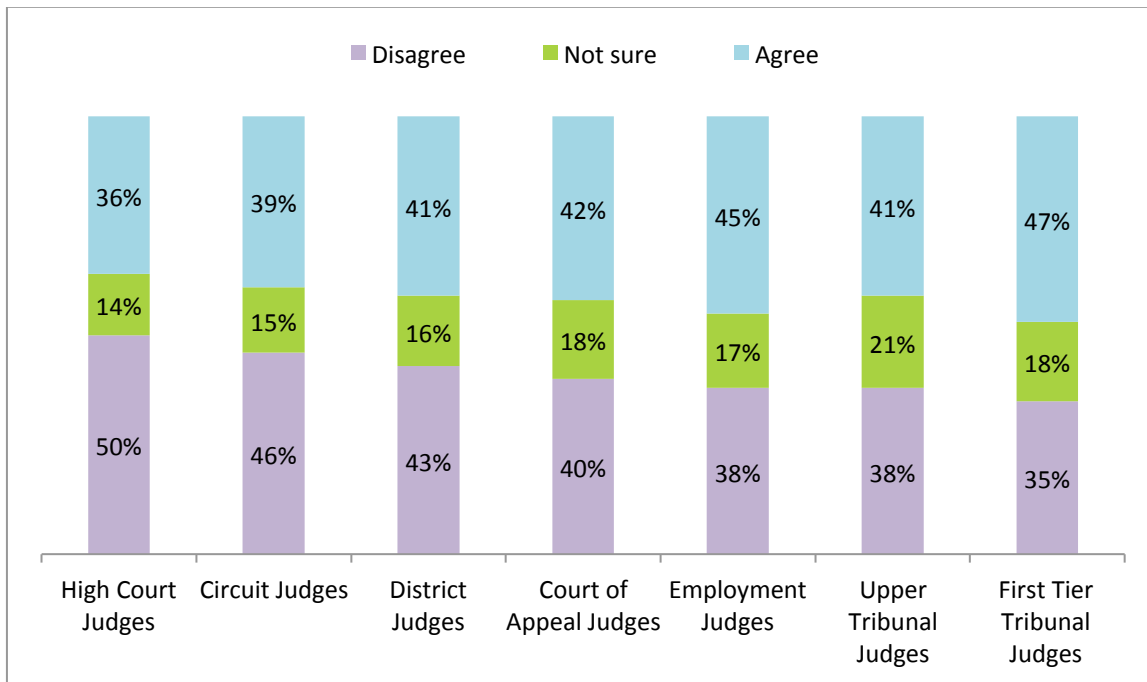


### “I accept that some changes to pension entitlements have to be made”

Judges in all the different judicial posts are clearly divided over whether some changes to pension entitlements had to be made.

- Judges in posts in the courts judiciary were less likely than judges in tribunal posts to accept that some pension changes have to be made.
- Those most likely to accept that changes have to be made are First Tier Tribunal Judges (47%).
- Those least likely to accept that changes have to be made are High Court Judges (50%).

**Figure 44: Responses by post to “I accept that some changes to pension entitlements have to be made”**



### 5.3 Combined Effects of Pay & Pensions Reform, Out of Hours Work & Employment Options

The 2016 JAS also looked at how the pay and pension issues combined are affecting judges, and explored the extent to which judges would take certain actions to address this if they were able. Unlike any other profession, judges have limited employment options. Once judges take up a salaried post in England and Wales they cannot return to practice if they decide to leave the judiciary, and while in post judges cannot supplement their income with any other form of work.

- Almost three-quarters of all salaried judges (74%) feel that their pay and pension entitlement combined does not adequately reflect the work they have done and will do before retirement. This has increased from 2014 when it was 78%.
- A majority of judges (51%) feel that the amount of out of hours work they are required to do in their job is affecting them; this has increased substantially from 2014 when it was 29%. However, this question was phrased differently in 2014 and this may have been a factor in the increase<sup>9</sup>.
- Judges are evenly divided over whether they would leave the judiciary if this was a viable option, but the proportion of judges in 2016 that said they would leave if it was a viable option (42%) has almost doubled from 2014 (23%). However, this question was phrased differently in 2014 and this may have been a factor in the increase<sup>10</sup>.
- Judges are evenly divided over whether they would pursue out of court work to earn additional income if this was an option. The proportion of judges in 2016 that would do so is almost the same as it was in 2014 (40%).
- These 2016 results for judges in England and Wales courts and UK tribunals are virtually identical to those for judges in Scotland and Northern Ireland in 2016.

**Table 22: Judges' views on pay and pension changes, out of hours work, employment options**

	Strongly Disagree	Disagree	Not sure	Agree	Strongly Agree
My pay and pension entitlement does not adequately reflect the work I have done and will do before retirement	4%	10%	12%	28%	46%
The amount of out of hours work required to do the job is affecting me	6%	28%	15%	28%	23%
If I felt that leaving the judiciary was a viable option I would consider doing so	14%	26%	18%	21%	21%
If I could earn additional income through out of court work I would pursue this option	15%	23%	20%	22%	20%

<sup>9</sup> In the 2014 JAS this statement was phrased as: *Salary is not the issue. It is the amount of out of hours work required to do the job that affects me.*

<sup>10</sup> In the 2014 JAS this statement was phrased as: *I would consider leaving the judiciary to go back to some kind of legal practice.*

**Table 23: Views on pay & pension, out of hours work and employment options: 2016 and 2014**

	Agree 2016 JAS	Agree 2014 JAS
My pay and pension entitlement does not adequately reflect the work I have done and will do before retirement	74%	78%
The amount of out of hours work required to do the job is affecting me	51%	29%
If I felt that leaving the judiciary was a viable option I would consider doing so	42%	23%
If I could earn additional income through out of court work I would pursue this option	42%	40%

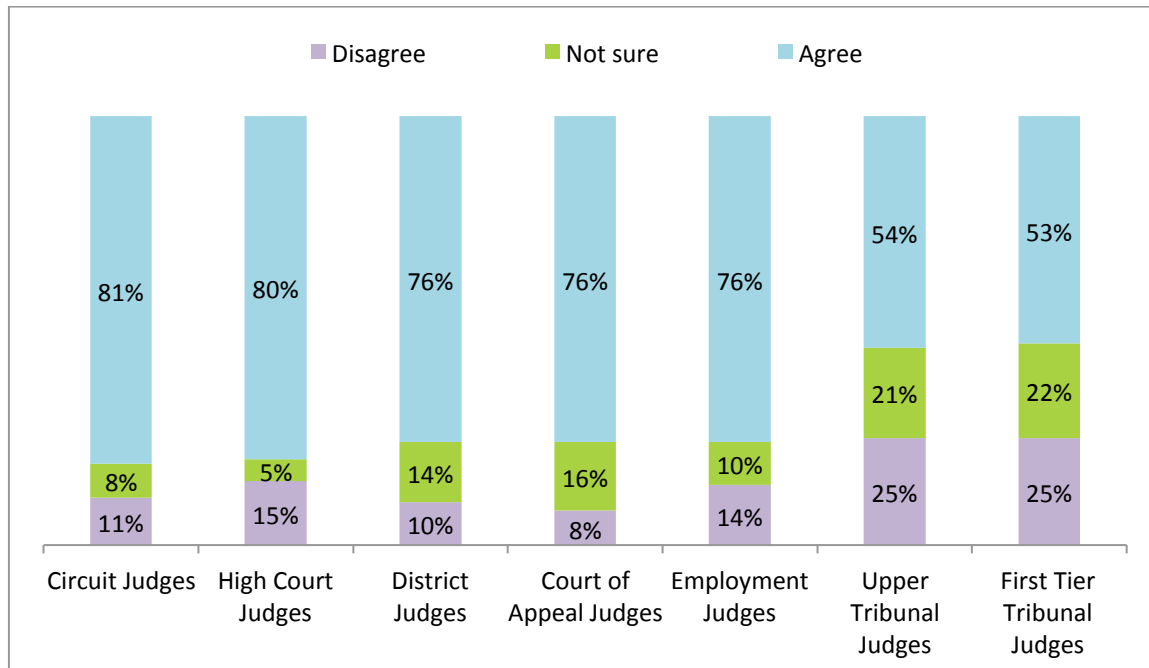
**By Post**

**“My pay and pension entitlement does not adequately reflect the work I have done and will do before retirement”**

A majority of judges in all judicial posts felt their pay and pension entitlement does not adequately reflect the work they have done and will do before retirement, but there are differences between judges in the courts Judiciary and most tribunal judges.

- Over three-quarters of judges in all judicial posts in the courts judiciary and Employment Judges agreed with this statement.
- While a majority of judges in the Upper Tribunal (54%) and First Tier Tribunal (53%) also agreed, these were qualified majorities, where a quarter disagreed and almost another quarter were not sure.

**Figure 45: Responses by post to “My pay and pension entitlement does not adequately reflect the work I have done and will do before retirement”**

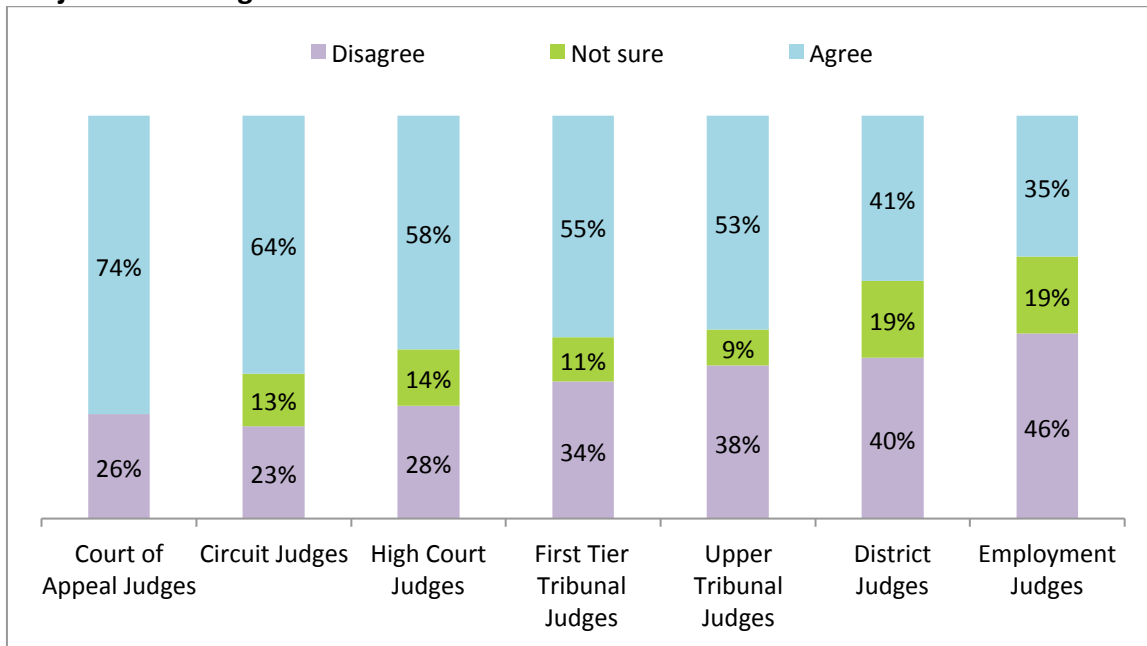


**“The amount of out of hours work required to do the job is affecting me”**

The impact of out of hours work required to do their job has a greater impact on judges in certain judicial posts than others.

- Three-quarters (74%) of Court of Appeal Judges, two-thirds (64%) of Circuit Judges and more than half of High Court Judges, First Tier Tribunal Judges and Upper Tribunal Judges say they are affected by the amount of out of hours work their job requires.
- Only 41% of District Judges and 35% of Employment Judges say they are affected by out of hours work.

**Figure 46: Responses by post to “The amount of out of hours work required to do the job is affecting me”**



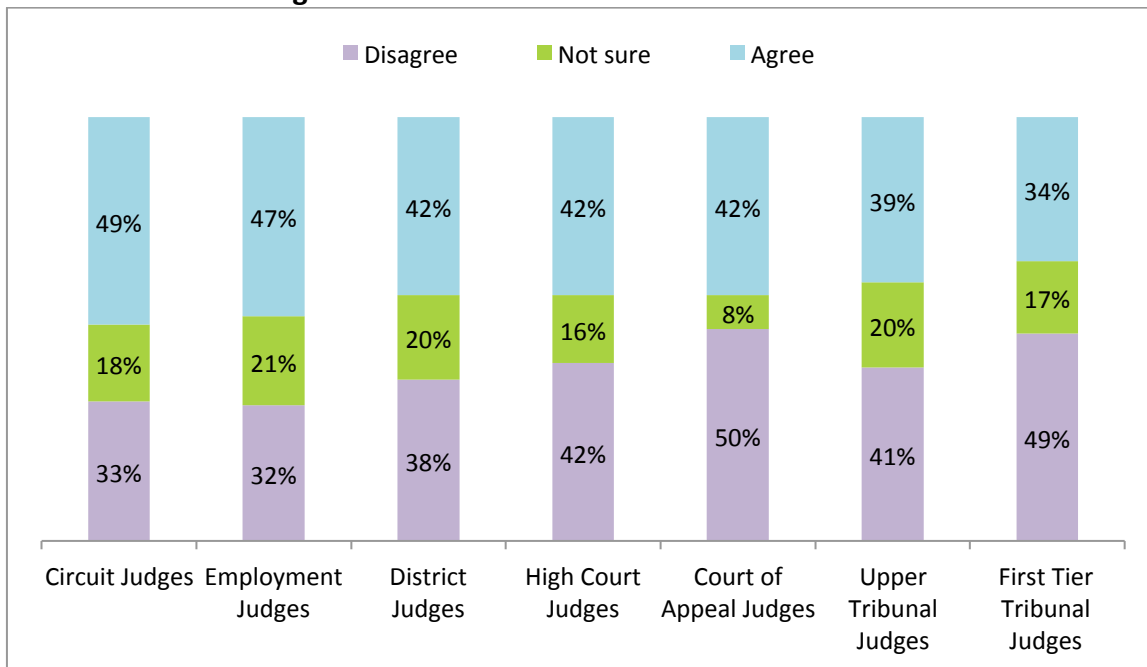
**“If I felt that leaving the judiciary was a viable option I would consider doing so”**

This question was asked in the unique employment context for the salaried judiciary in England and Wales, which prevents judges from returning to practice law once they have taken up a salaried judicial position should they subsequently decided to leave the judiciary.

While judges in each of the judicial posts are quite divided about whether they would consider leaving the judiciary if it was a viable option, a substantial proportion of judges in all judicial posts said they would consider leaving if such an option were viable. There were some differences between some judicial post holders on the extent to which judges would consider leaving:

- Almost half of all Circuit Judges (49%) and Employment Judges (47%) said they would consider leaving the judiciary if doing so was a viable option.
- Only a third of First Tier Tribunal Judges (34%) said they would consider leaving if it were a viable option.

**Figure 47: Responses by post to “If I felt that leaving the judiciary was a viable option I would consider doing so”**

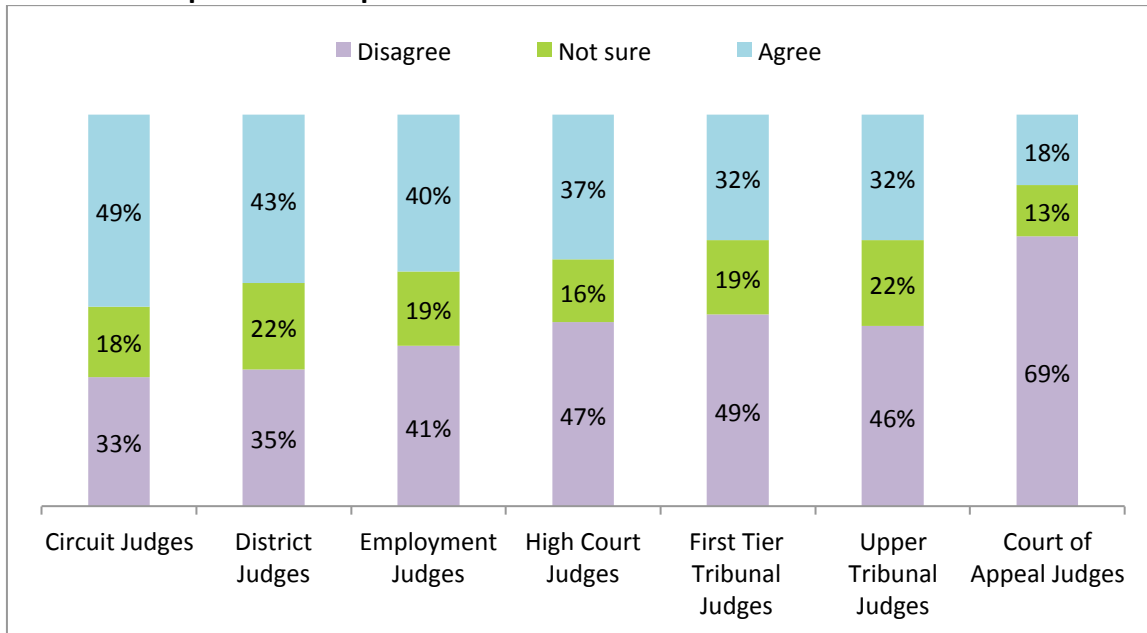


**“If I could earn additional income through out of court work I would pursue this option”<sup>11</sup>**

This question was asked in the context of employment rules that preclude salaried judges from earning addition income beyond their judicial salary.

- This is also another issue where judges in each of the judicial posts are divided in their views, with the exception of Court of Appeal Judges.
- While almost half of all Circuit Judges (49%) and District Judges (43%) would pursue paid out of court work if this was possible, only 18% of Court of Appeal Judges would do so.

**Figure 48: Responses by post to “If I could earn additional income through out of court work I would pursue this option”**



<sup>11</sup> No gender differences were found in relation to either of the out of hours work questions.



## 6. Opportunities, Support, Training and Personal Development

### 6.1 Opportunities and support in judges' working lives

In the 2014 JAS judges were asked about the availability of certain opportunities in their working life (work flexibility, career progression, etc.). These questions were repeated in the 2016 JAS, but judges were asked first how important these opportunities were to them. This provides a more helpful indication of whether those specific aspects that are most important to judges in their working life are being provided. In addition new questions were included in the 2016 JAS, which address the need for and availability of support for dealing with stressful conditions at work.

**Table 24: Importance to judges of specific opportunities**

<i>To what extent do you feel the following are important to you?</i>	Important	Not sure	Not important
Time to discuss work with colleagues	91%	4%	5%
Support for dealing with stressful conditions at work	72%	15%	13%
Opportunities for career progression	61%	11%	28%
Opportunities to work part-time	48%	11%	41%
Opportunities for flexible working hours	44%	13%	43%
Opportunities to sit in other jurisdictions	44%	17%	39%

A majority of judges said **3 opportunities and support measures were most important** to them:

- Time to discuss work with colleagues (91%), support for dealing with stressful conditions at work (72%) and opportunities for career progression (61%).
- These are very similar results to those for judges in Scotland and Northern Ireland in 2016.

**Table 25: Availability of opportunities or support for judges**

<i>Rate the availability of the following opportunities or support</i>	Non-Existent	Poor	Adequate	Good	Excellent
Time to discuss work with colleagues	5%	31%	44%	17%	3%
Support for dealing with stressful conditions at work	24%	35%	33%	7%	<1%
Opportunities for career progression	23%	38%	31%	7%	<1%
Opportunities to work part-time	38%	17%	22%	15%	8%
Opportunities for flexible working hours	54%	14%	19%	10%	3%
Opportunities to sit in other jurisdictions	29%	26%	32%	11%	2%

A majority of judges said **opportunities were not sufficient in the 3 areas that were most important** to them:

- Even though almost all judges (91%) said **time to discuss work with colleagues** was important, only 20% said the opportunities for this were Good or Excellent while almost half (44%) said they were Adequate.
- Even though almost three-quarters (72%) said **support for dealing with stressful work conditions** was important, most (59%) said this support was either Non-existent or Poor.
- Even though almost two-thirds of judges (61%) said **opportunities for career progression** were important, most judges (61%) said this support was either Non-existent or Poor.
- These are very similar results to those for judges in Scotland and Northern Ireland.

## By Post

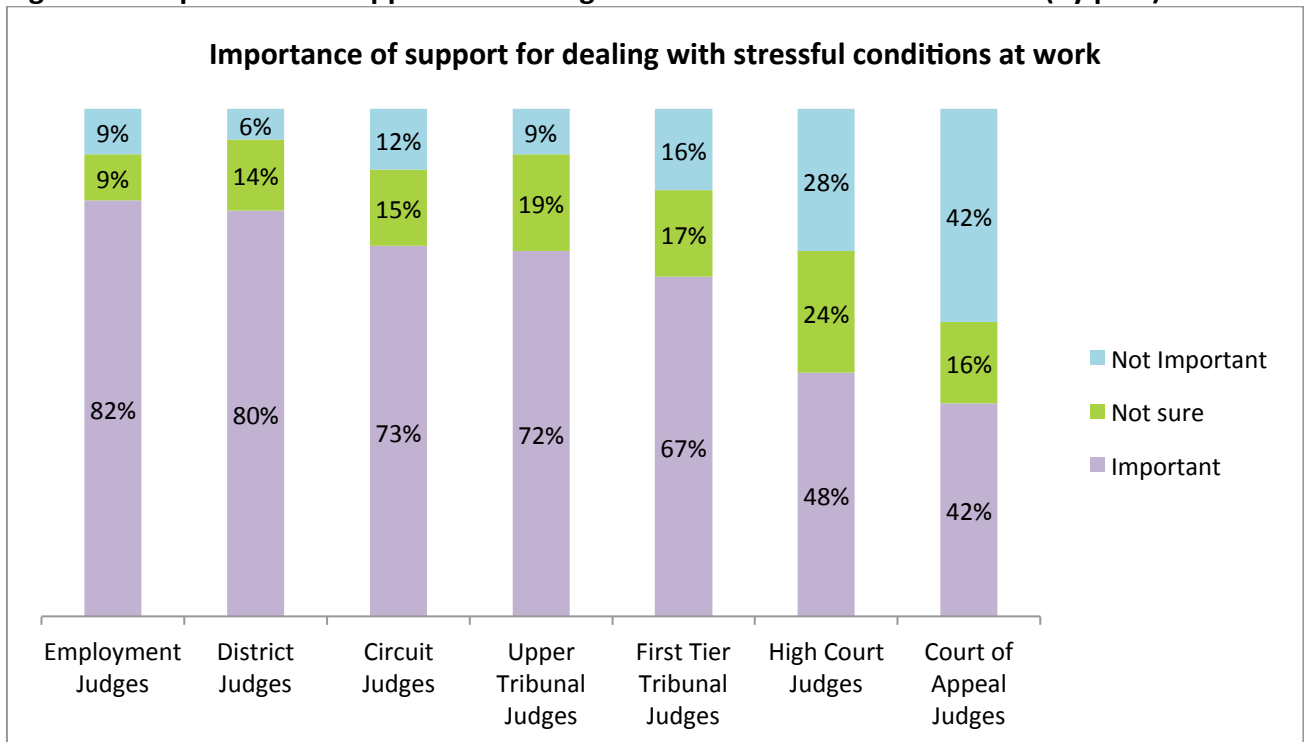
### Support for dealing with stressful conditions at work

Support for dealing with stressful conditions at work and time to discuss work with colleagues are the two areas judges identified in the survey that they feel are most important to them. While most judges feel they already have a reasonable amount of time to discuss work with colleagues, many clearly feel they do not have sufficient support for dealing with stressful conditions at work. This applies to judges in almost all judicial posts, but it is rated as important by very large majorities of judges in judicial posts where there are the largest number of judges in England and Wales. Given this, it is explored in more detail here.

### Importance

Figure 49 shows that the overwhelming majority of judges in all judicial posts, with the exception of High Court and Court of Appeal Judges, said that support for dealing with stressful conditions at work was important to them. And almost half of High Court and Court of Appeal Judges said this was important to them.

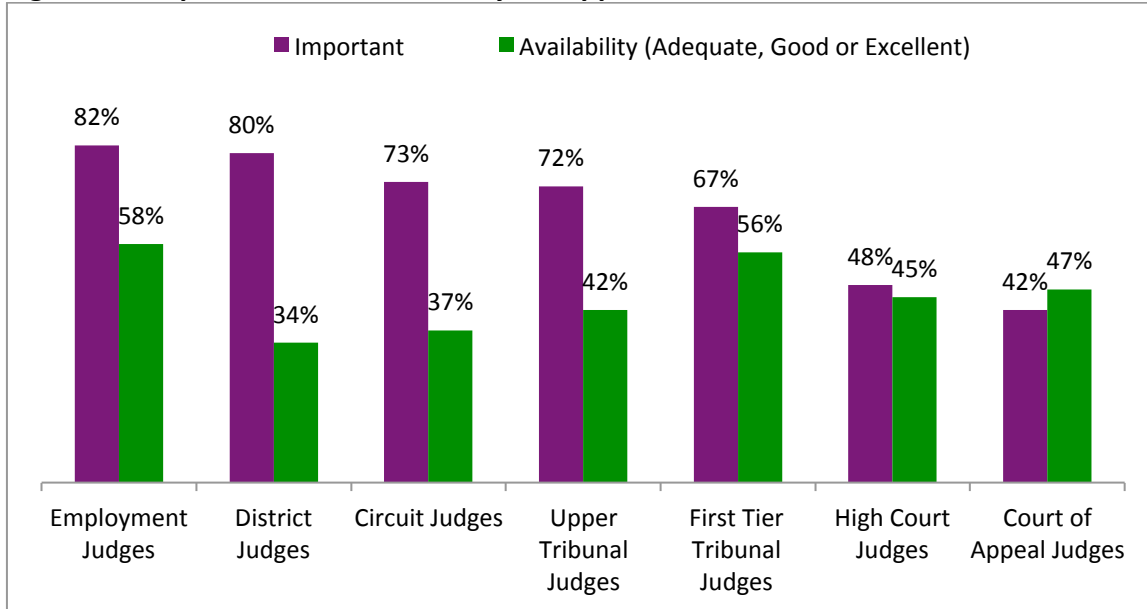
**Figure 49: Importance of support for dealing with stressful conditions at work (by post)**



### Availability

While large majorities of Employment Judges, District Judges, Circuit Judges and Upper Tribunal Judges indicated that support for dealing with stressful conditions at work was important to them, these are the judicial posts where the smallest proportion of judges felt that such support was actually available to them. In comparison to other aspects of judicial working life that are clearly problematic for most judges but are beyond the judiciary's control, such as pay and pensions, this is an issue the judiciary may be able to address under its 2005 remit for judicial welfare.

**Figure 50: Importance and availability of support to deal with stressful conditions at work**



## Opportunities for career progression

### Importance

A majority of judges in all judicial posts, with the exception of the Court of Appeal, said the opportunity for career progression was important to them.

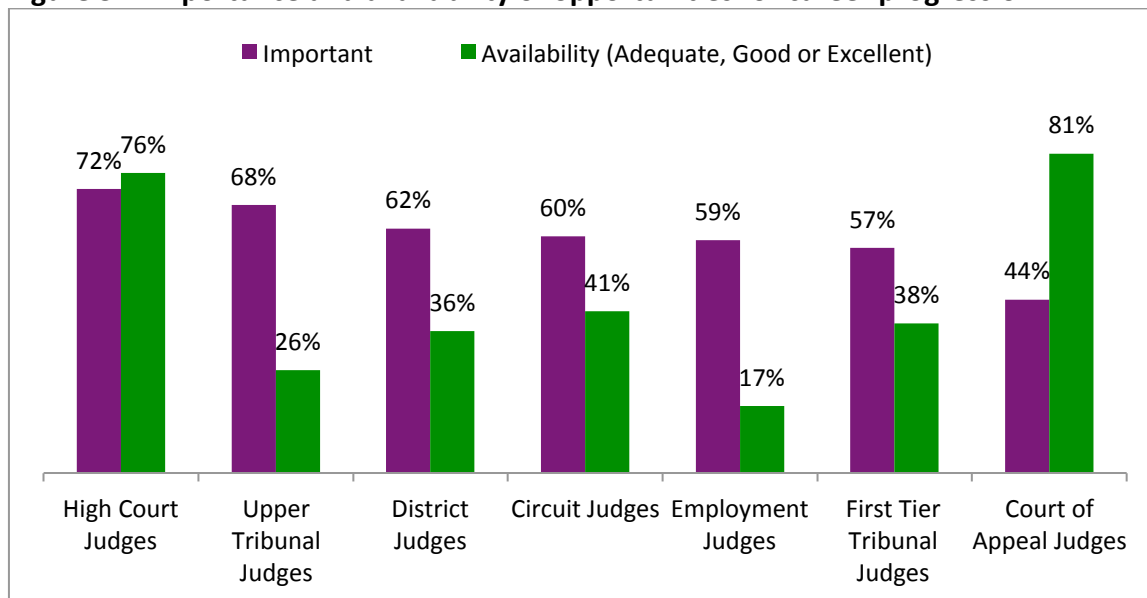
- It was most important for High Court Judges (72%) and Upper Tribunal Judges (68%).
- It was least important for Court of Appeal Judges (44%), who are judges that have reached the highest judicial post in England and Wales (the Supreme Court being a UK court).

### Availability

The opportunities for career progression were perceived to be lowest amongst judges in many judicial posts where this was felt to be most important:

- While a clear majority of Upper Tribunal, District, Circuit, Employment and First Tier Tribunal Judges felt opportunities for career progression were important to them, only small minorities of judges in any of these posts said such opportunities were available to them.

**Figure 51: Importance and availability of opportunities for career progression**



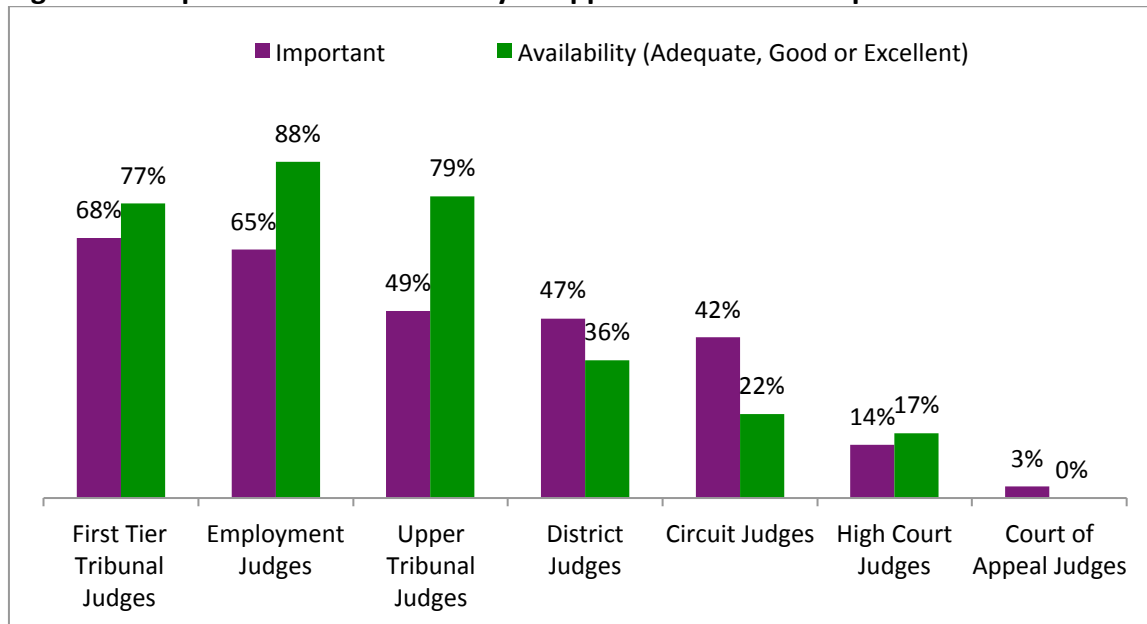
## Opportunities to work part-time

### Importance and Availability

The opportunity to work part-time was only rated as important by a majority of judges in tribunals:

- First Tier Tribunal Judges (68%) and Employment Judges (65%) and almost half (49%) of all Upper Tribunal Judges said it was important to them.
- A majority of judges in all these tribunals said that the opportunity to work part-time was available to them.

**Figure 52: Importance and availability of opportunities to work part-time**



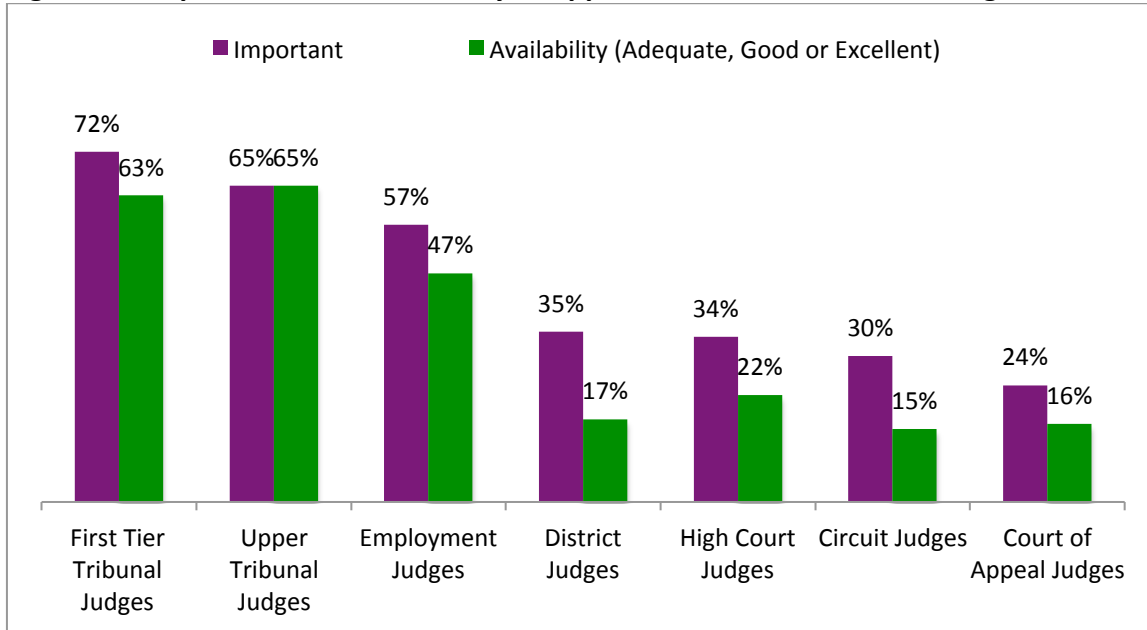
## Opportunities for flexible working hours

### Importance and Availability

Flexible working appears to be important primarily only to most tribunal judges.

- Opportunities for flexible working hours are most important to First Tier Tribunal Judges (72%), followed by Upper Tribunal Judges (65%) and Employment Judges (57%).
- There was no substantial divide between the proportion of judges saying the opportunity for flexible working hours was important to them and the proportion who said that this opportunity existed for them.

**Figure 53: Importance and availability of opportunities for flexible working hours**



## Opportunities to sit in other jurisdictions

### Importance

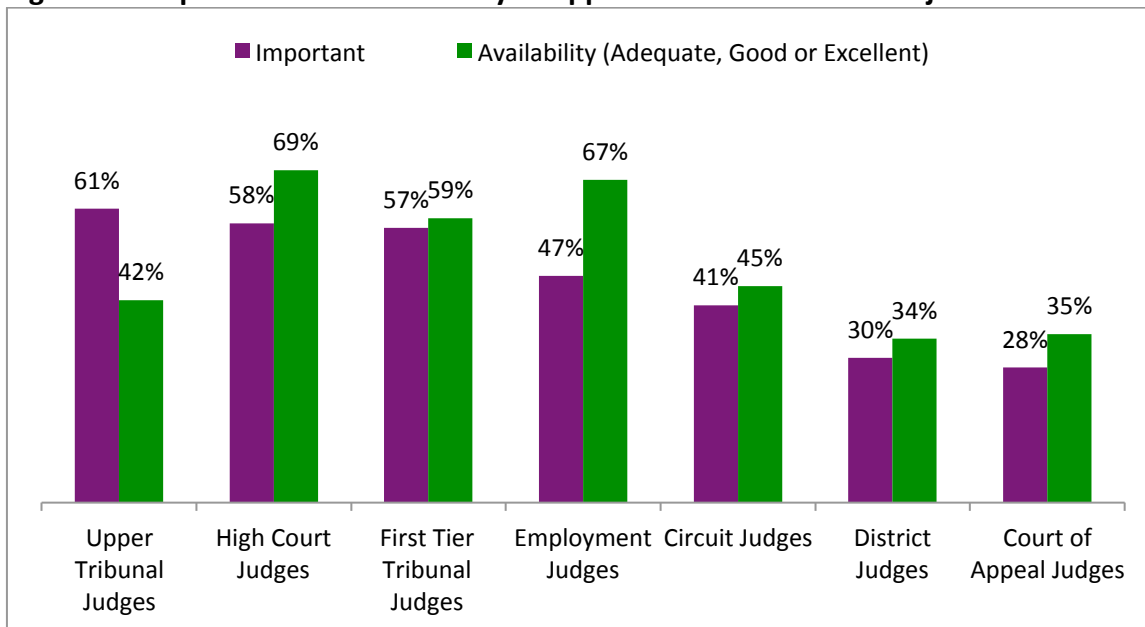
There was great variability in the extent to which judges in different judicial posts felt the opportunity to sit in other jurisdictions was important to them.

- A majority of High Court Judges (58%), Upper Tribunal Judges (61%) and First Tier Tribunal Judges (57%) said this opportunity was important to them.
- Close to a majority of Employment Judges (47%) and Circuit Judges (41%) said the opportunity to sit in other jurisdictions was important to them.

### Availability

Upper Tribunal Judges were the only judicial post where the opportunities to sit in other jurisdictions was rated as important by a majority (61%) but where such opportunities were not felt to be sufficiently available (42%).

**Figure 54: Importance and availability of opportunities to sit in other jurisdictions**



## 6.2 Training & Personal Development

Judges were asked to indicate their satisfaction with aspects of their training and personal development:

- Most judges are satisfied with the quality of the judicial training (74%) they receive and the range of training available (61%).
- Only a minority of judges are satisfied with the time available to undertake judicial training (45%) and the opportunities in general for personal development (32%).
- These findings from the 2016 JAS are almost identical to the 2014 JAS.

**Table 26: Satisfaction with training and personal development**

<i>To what extent are you satisfied with the following?</i>	Not satisfied at all	Could be better	Satisfied	Completely satisfied
Quality of judicial training	4%	22%	57%	17%
Range of judicial training available	7%	32%	53%	8%
Time to undertake training	17%	37%	39%	6%
Opportunities for personal development	22%	46%	30%	2%

### By Post

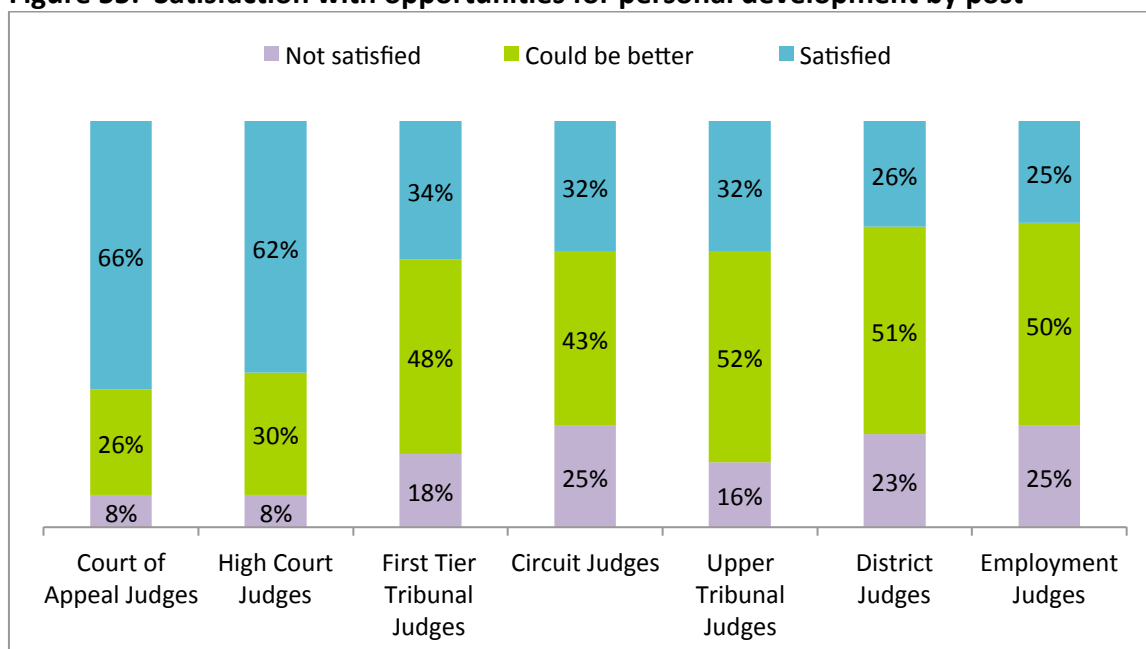
For most of these issues differences did emerge between judges in different judicial posts.

### Opportunities for personal development

There were clear differences on this issue between judges in the Court of Appeal and High Court and all other judges:

- Two-thirds of Court of Appeal (66%) and High Court (62%) Judges are satisfied with the opportunities they currently have for personal development.
- Approximately half of judges in all other judicial posts say the opportunities for personal development could be better.
- Only a small proportion of judges in all judicial posts say they are not satisfied with the opportunities for personal development.

**Figure 55: Satisfaction with opportunities for personal development by post**



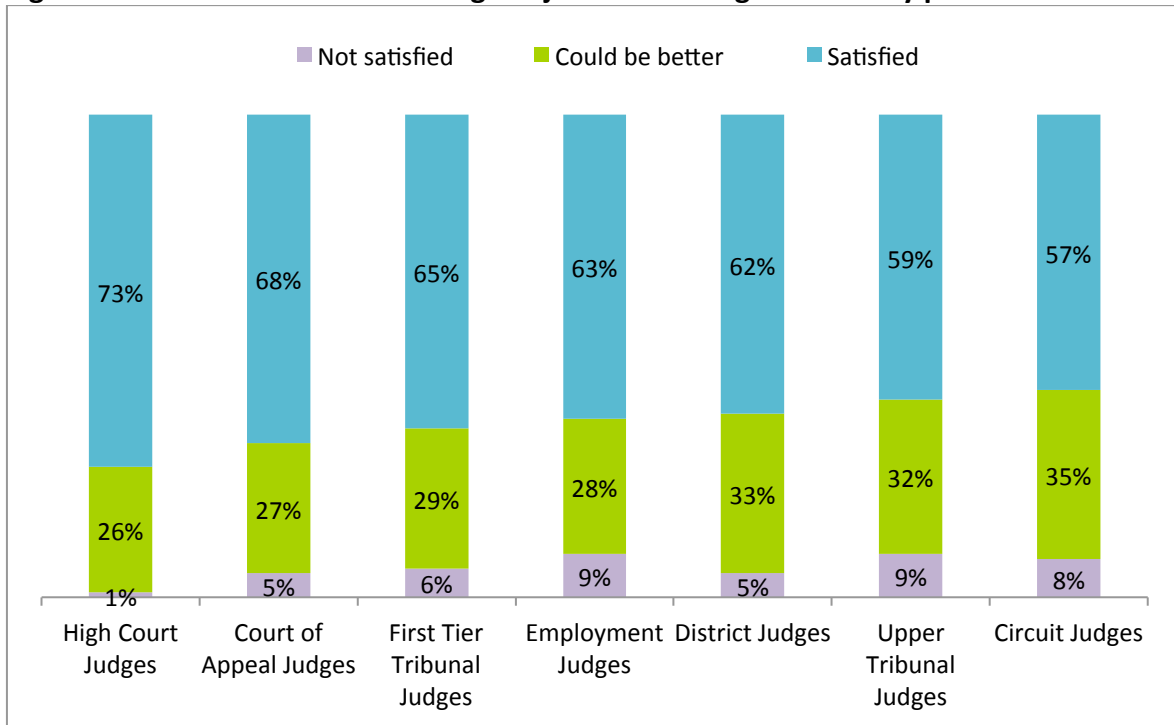


### Range of judicial training available

There was a fairly consistent pattern of view amongst judges in different judicial posts about how satisfied they are with the range of judicial training available:

- A majority of judges in all judicial posts said they were satisfied with the range of judicial training available. This was highest amongst High Court Judges (73%) and lowest amongst Circuit Judges (57%).
- Between a quarter and a third of judges in all judicial posts said the range of training could be better.

**Figure 56: Satisfaction with the range of judicial training available by post**

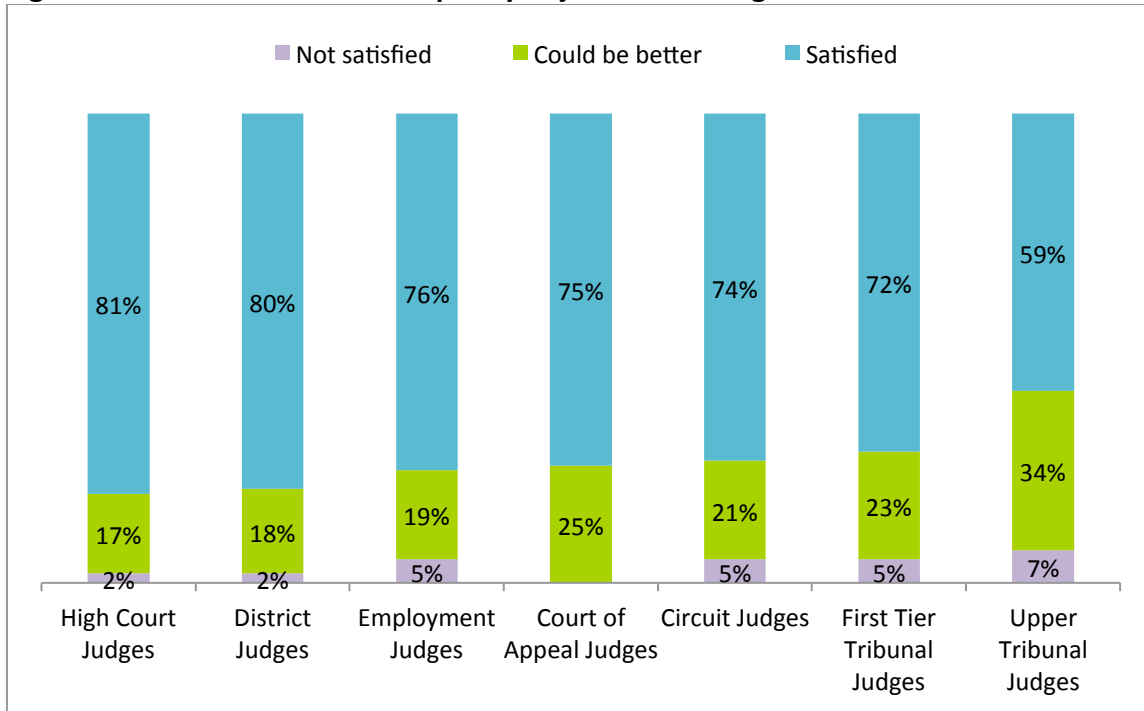


### Quality of judicial training available

There was widespread satisfaction with the quality of judicial training available across all judicial posts:

- Approximately three-quarters of judges in all judicial posts (except Upper Tribunal Judges) said they were satisfied with the quality of judicial training available to them.
- A majority (59%) of Upper Tribunal Judges were satisfied with the quality of judicial training available, but a third (34%) said it could be better.

**Figure 57: Satisfaction with the quality of judicial training available**

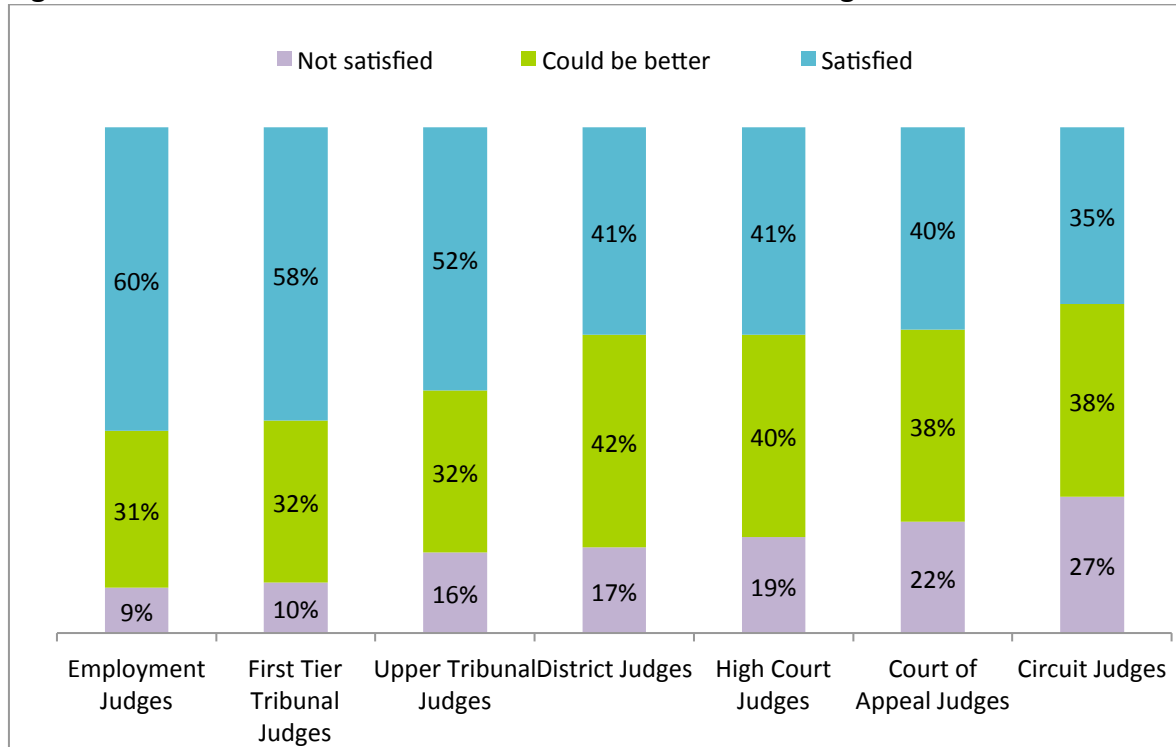


## Time available to undertake training

There were differences in the extent to which judges in different judicial posts were satisfied with the time available to them to undertake training:

- While a majority of tribunal judges were satisfied with the time available to undertake training, only a minority of judges in all posts in the courts judiciary were satisfied with this.

**Figure 58: Satisfaction with time available to undertake training**



### 6.3 Aspects of Job Satisfaction

Judges were asked about how satisfied they are with 3 aspects of their job (the challenge, variety of work and sense of achievement), repeating the same questions asked in 2014:

- Three-quarters of judges are satisfied with the challenge of their job (77%) and the variety of their work (73%), and there has been no change in this from 2014.
- Since 2014 there is a lower level of satisfaction in the sense of achievement judges have in their job, with close to a majority of judges (45%) expressing dissatisfaction with the sense of achievement they have in their work, and this level of dissatisfaction has increased from 2014 when it was 38%.

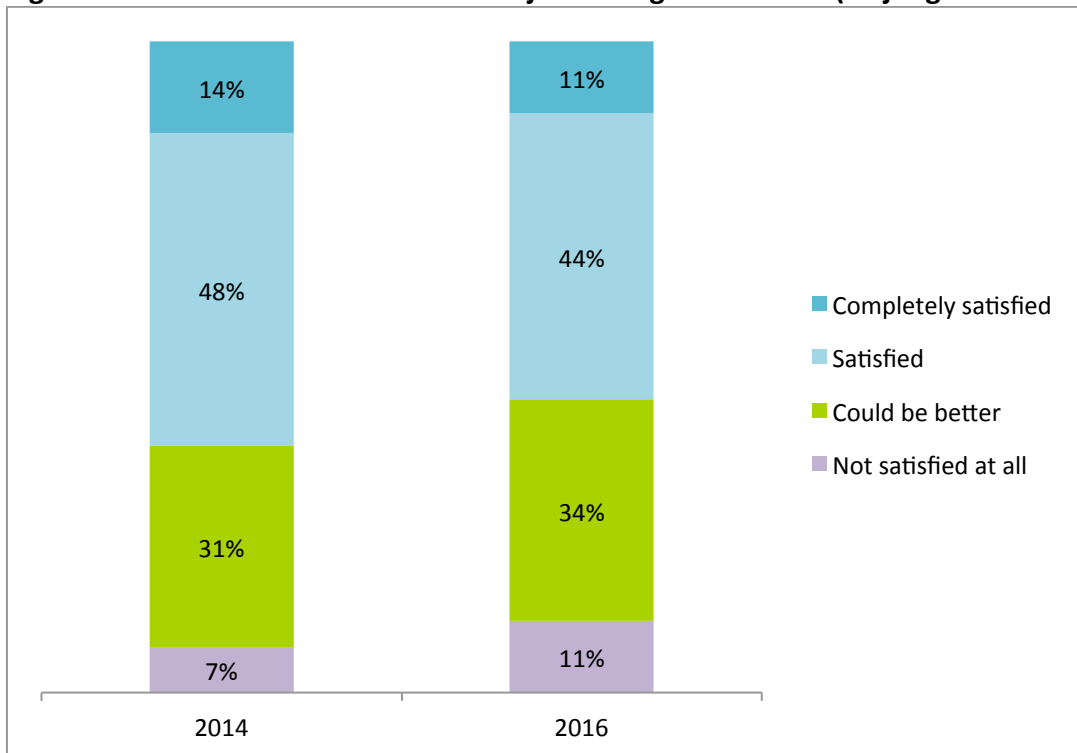
**Table 27: Satisfaction with aspects of the job (all judges combined)**

<i>To what extent are you satisfied with the following?</i>	Not satisfied at all	Could be better	Satisfied	Completely satisfied
Challenge of the job	5%	18%	59%	18%
Variety of work	6%	21%	57%	16%
Sense of achievement in the job	11%	34%	44%	11%

#### Sense of achievement in the job

As noted above, this is the one area where some change has occurred when looking at all judges combined. There were increases in those who are not satisfied at all with the sense of achievement in their job (up 4%) or feel their sense of satisfaction could be better (up 3%), resulting in a 7% drop in judges who say they are satisfied with the sense of achievement they have in their job.

**Figure 59: Sense of achievement in the job: change since 2014 (all judges combined)**



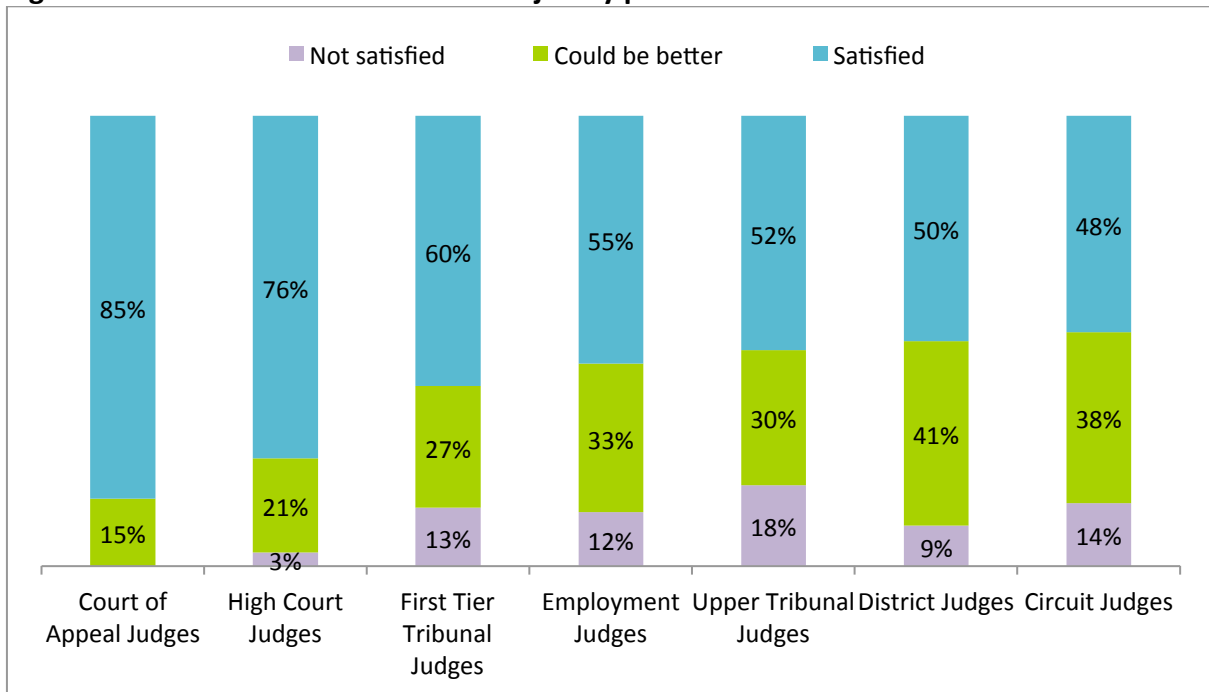
## By Post

### Sense of achievement in the job

There are substantial differences between judicial posts in the extent to which judges said they were satisfied with the sense of achievement in their job:

- The overwhelming majority of Court of Appeal Judges (85%) and High Court Judges (76%) were satisfied with the sense of achievement in their job.
- Only a minority of Circuit Judges (48%), half of District Judges (50%) and just over half of Upper Tribunal Judges (52%) were satisfied with the sense of achievement in their job.

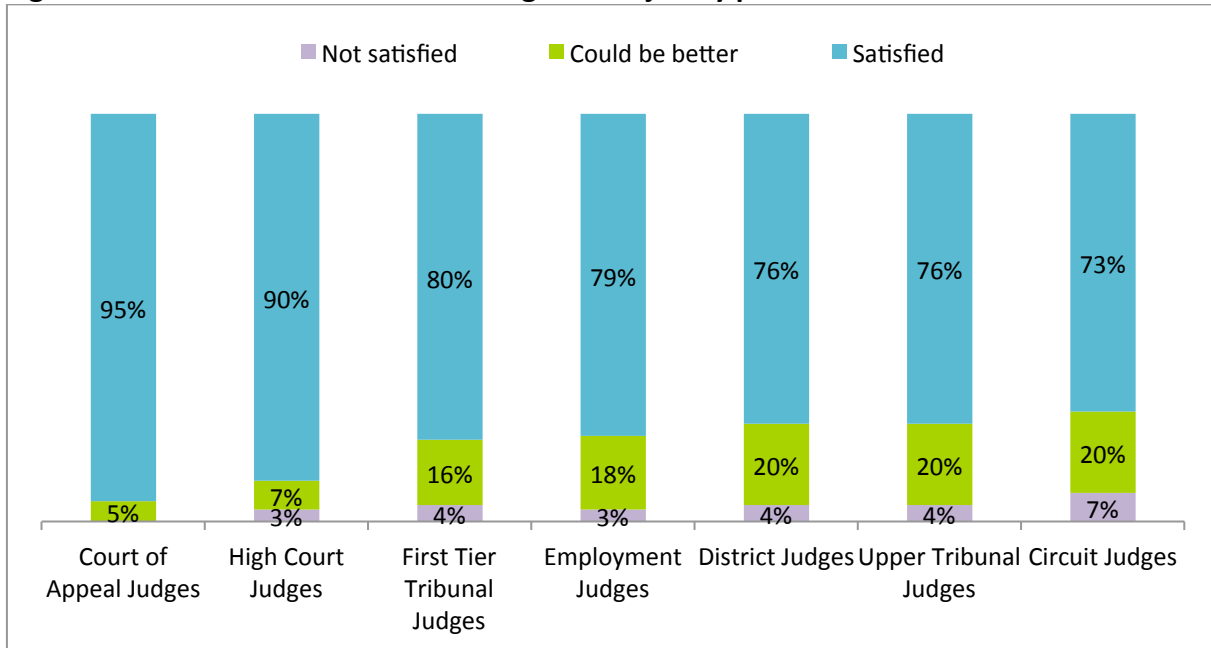
**Figure 60: Sense of achievement in the job by post**



### Challenge of the job

The overwhelming majority of judges in all judicial posts were satisfied with the challenge of their job.

**Figure 61: Satisfaction with the challenge of the job by post**

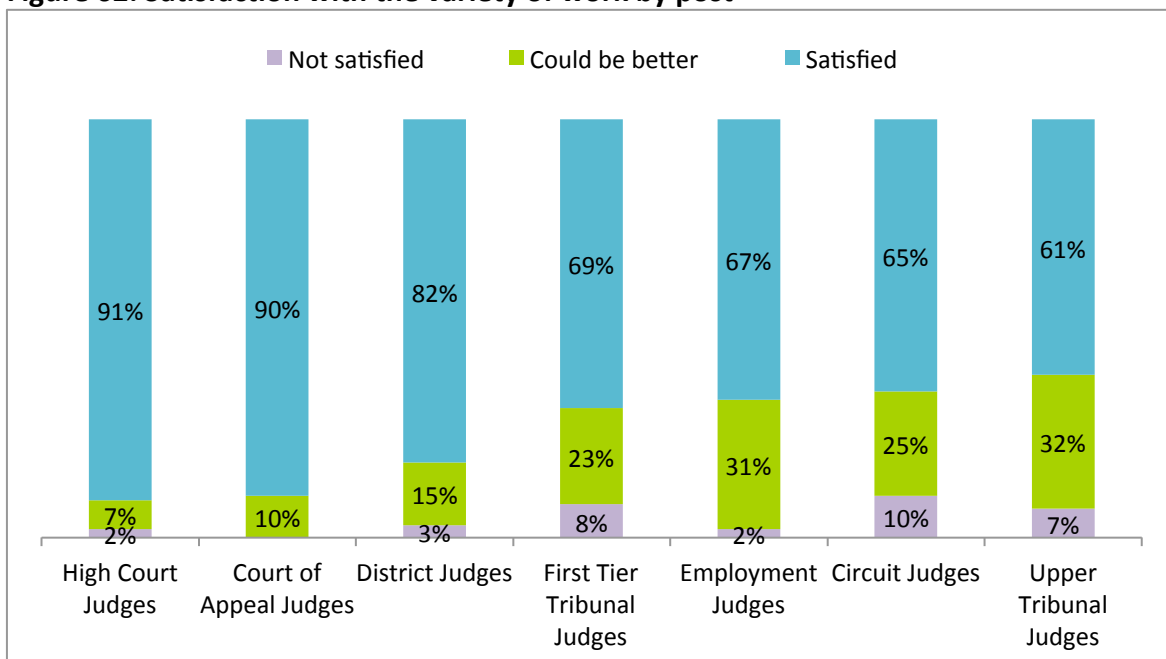


### Variety of work

There is a substantial variation in the extent to which judges in different judicial posts are satisfied with their variety of work.

- Satisfaction in the variety of work is highest amongst High Court, Court of Appeal and District Judges, where almost all judges said they are satisfied.
- While a majority of judges in other judicial posts are satisfied with the variety of work, the satisfaction levels are lowest amongst tribunal judges and Circuit Judges.

**Figure 62: Satisfaction with the variety of work by post**



## 7. Change in the Judiciary

The 2016 JAS repeated several questions from the 2014 JAS about the changes being experienced by the judges in their working lives.

### 7.1 Change since appointment

**Most judges (90%) feel their job has changed since they were first appointed** in ways that affect them, and there is very little change in judges' views on this since 2014 (89%).

- A majority of judges (51%) said there has been a **large amount of change** in their job that has affected them since they were first appointed.

**Table 28: Change in job since first appointed**

<i>To what extent do you feel your job has changed since you were first appointed?</i>	2016 JAS	2014 JAS	% change since 2014
It has changed completely	14%	9%	+5%
There has been a large amount of change	51%	51%	0%
There been some change which affects me	25%	29%	-4%
Very small amount and does not affect me	5%	6%	-1%
It has not changed at all	5%	5%	0%

### 7.2 General views on change in the judiciary

Judges were also asked to respond to a number of statements about change in the judiciary:

- Over three-quarters of all judges (78%) felt that some change is needed in the judiciary, but almost all judges (88%) said that the judiciary needs to have control over policy changes that affect judges,
- Over two thirds of judges (69%) said that too much change has been imposed on the judiciary in recent years, and a majority of judges (52%) said that the amount of change in recent years has brought judges to breaking point
- Judges were divided over whether the judiciary manages change well
- But more than three-quarters of judges (76%) said that despite any reservations they may have about changes to the judiciary they still enjoyed their job as a judge.

**Table 29: Judges general views on change in the judiciary**

	Strongly Disagree	Disagree	Not Sure	Agree	Strongly Agree
The judiciary manages change well	7%	28%	25%	36%	4%
Too much change has been imposed on the judiciary in recent years	1%	12%	18%	41%	28%
Some change is needed in the judiciary	1%	6%	15%	70%	8%
The amount of change in recent years has brought judges to breaking point	2%	18%	28%	28%	24%
The judiciary needs to have control over policy changes that affect judges	0%	3%	9%	38%	50%
Despite any reservations I may have about changes in the judiciary I still enjoy my job as a judge	3%	6%	15%	52%	24%

### 7.3 Changes that concern judges most

Judges were asked to indicate which changes in the judiciary concerned them most. A majority of all judges are most concerned by the following changes to the judiciary:

- Staff reductions, judicial morale, the increase in litigants in person, fiscal constraints, stressful working conditions, and the ability to attract the best people into the judiciary.
- Increase in litigants in person has risen to the 3<sup>rd</sup> highest concern on the list (from 5<sup>th</sup> in 2014).

**Table 30: Changes of greatest concern to judges (2016 and 2014)**

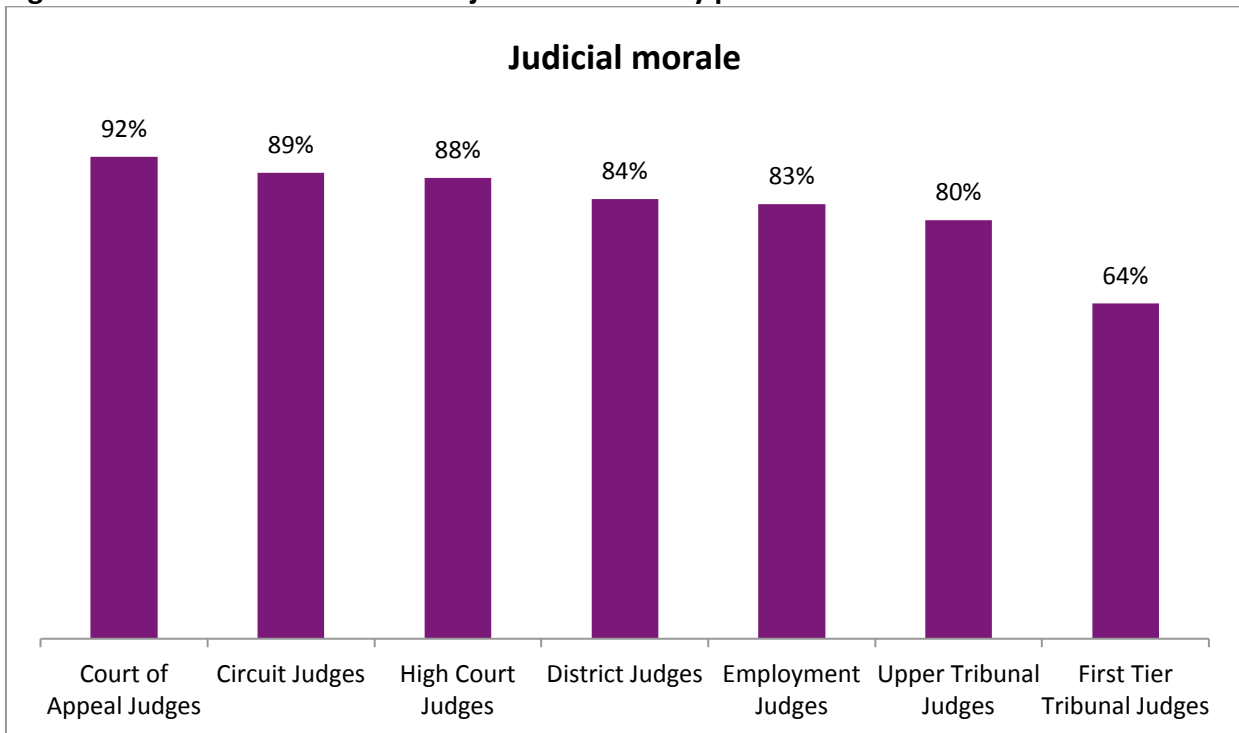
<i>What changes to the judiciary concern you most?</i>	2016 JAS (most concerned by the following changes)	2014 JAS (what are the judiciary's main future challenges)
Staff reductions	88%	92%
Judicial morale	83%	86%
Increase in litigants in person	71%	77%
Fiscal constraints	60%	81%
Stressful working conditions	56%	----
Ability to attract the best people into the judiciary	56%	78%
Loss of judicial independence	50%	65%
Loss of experienced judges	48%	56%
Court closures	45%	----
Personal safety for judges	34%	34%
Introduction of digital working in courts	26%	----
Reduction in face-to-face hearings	25%	----



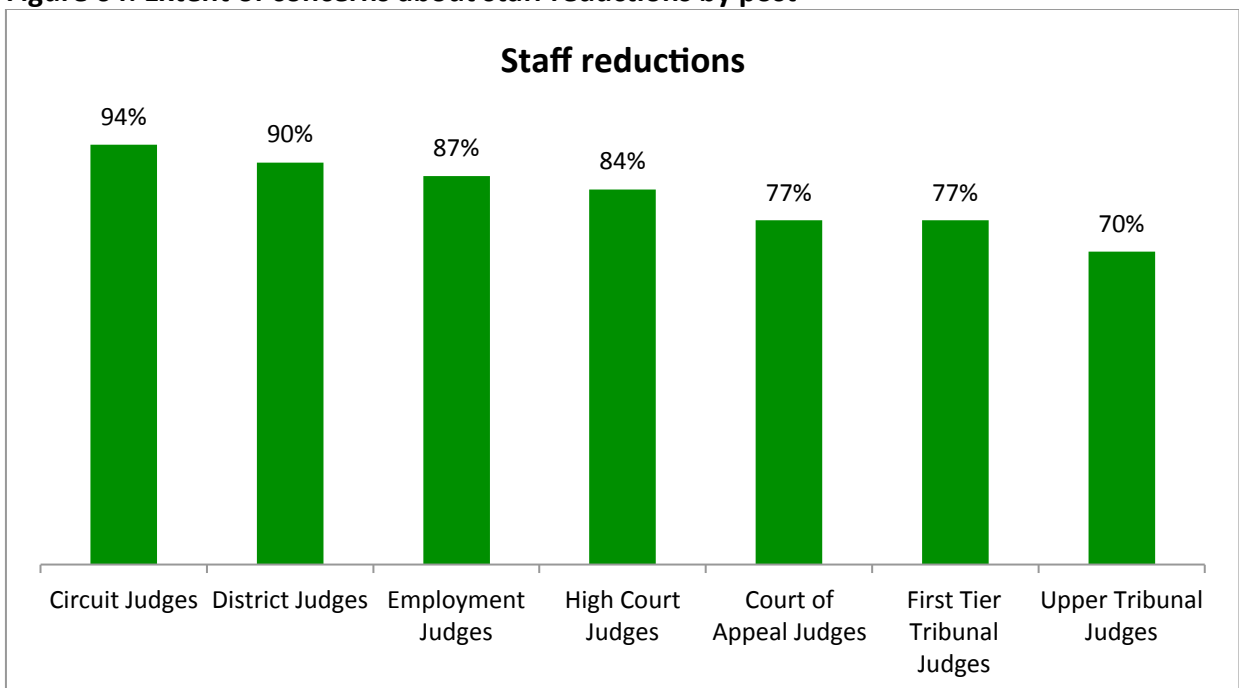
### Changes that concern judges most by judicial post

Judicial morale and staff reductions were consistently rated of most concern by judges in all judicial posts.

**Figure 63: Extent of concern about judicial morale by post**

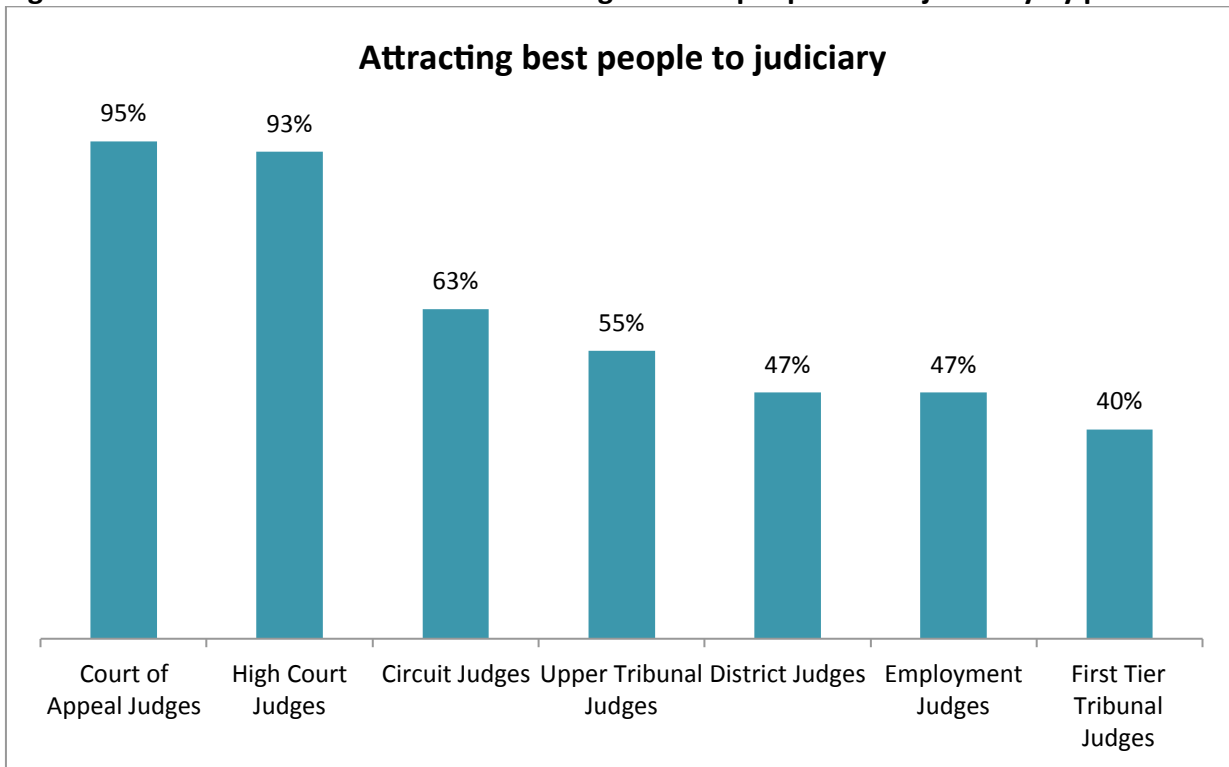


**Figure 64: Extent of concerns about staff reductions by post**

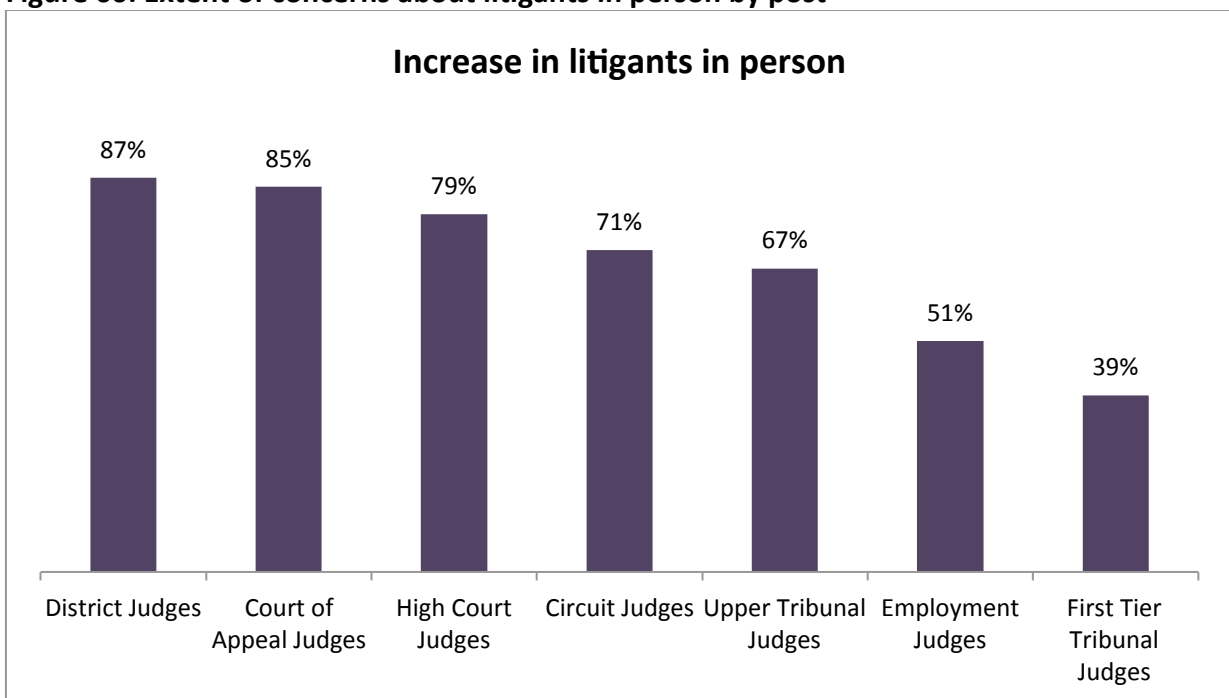


The issues of next greatest concern to a majority of judges in most judicial posts were attracting the best people to the judiciary and the increase in litigants in person, followed by fiscal constraints, the loss of experienced judges, court closures and loss of judicial independence.

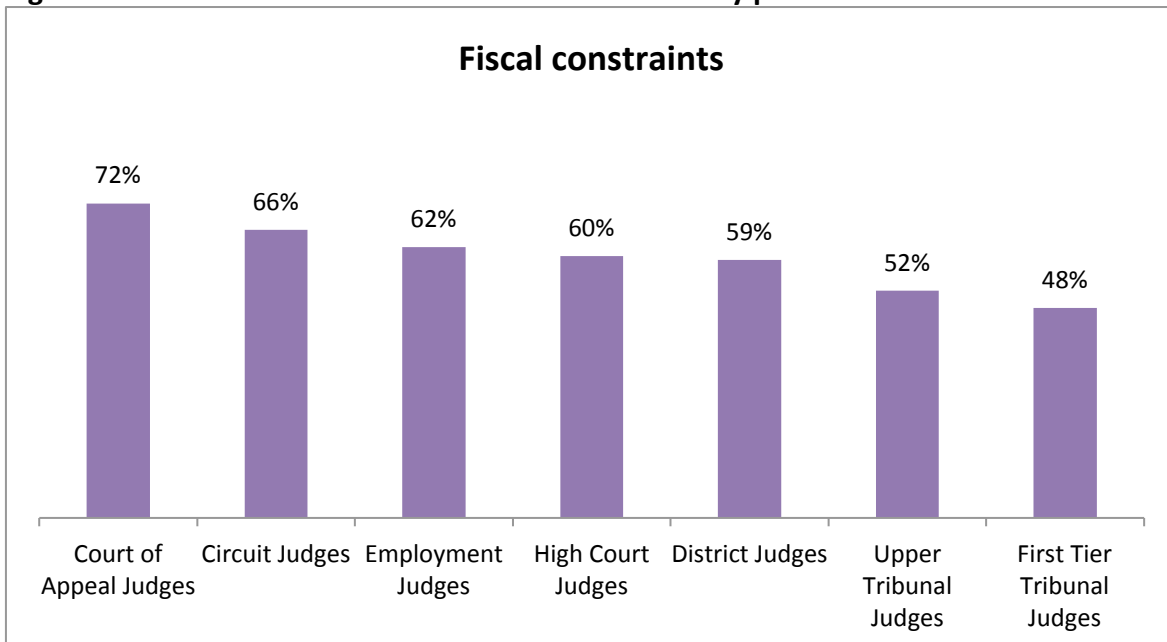
**Figure 65: Extent of concerns about attracting the best people to the judiciary by post**



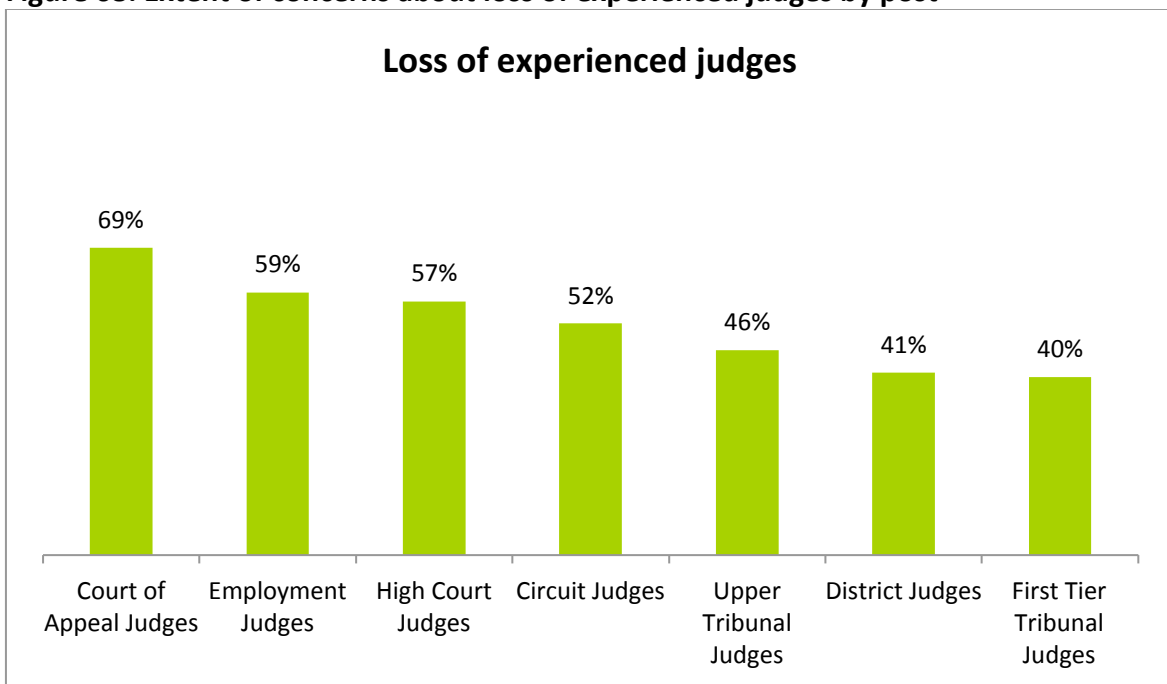
**Figure 66: Extent of concerns about litigants in person by post**



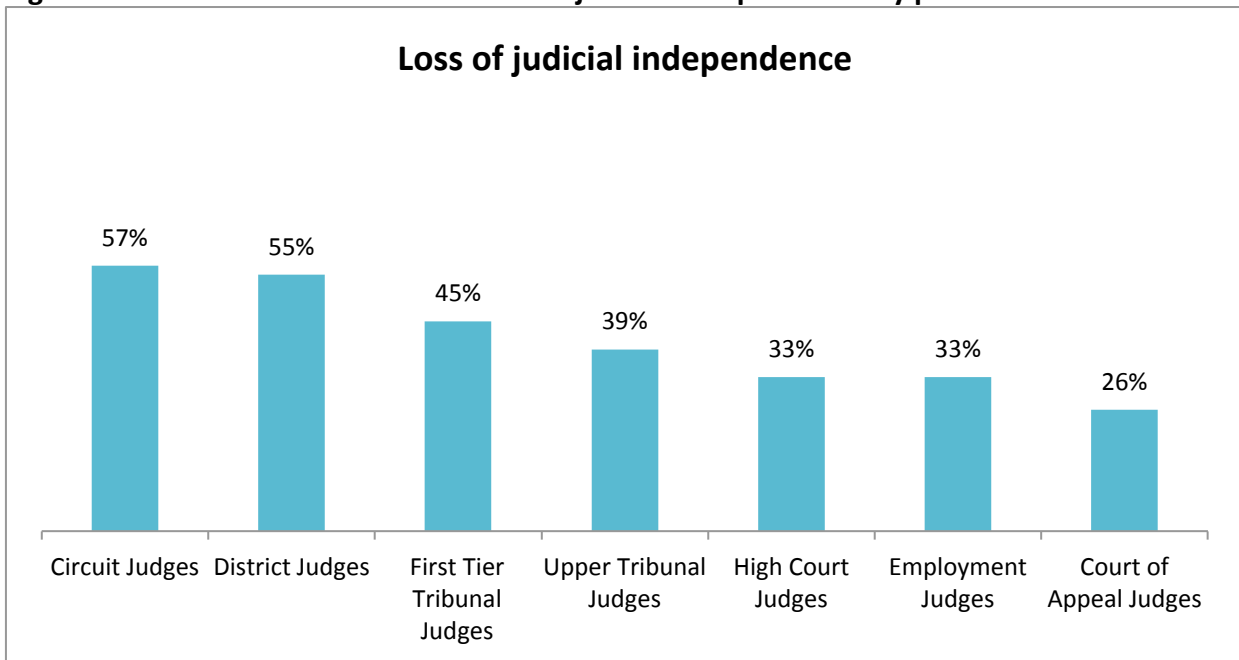
**Figure 67: Extent of concerns about fiscal constraints by post**



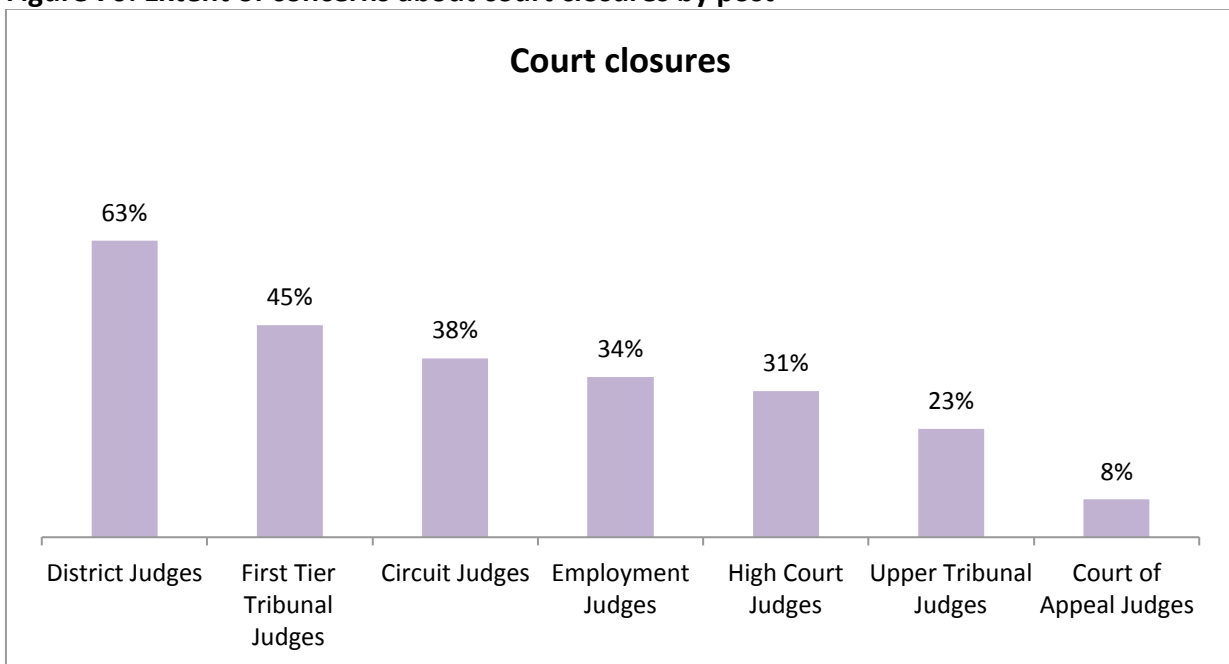
**Figure 68: Extent of concerns about loss of experienced judges by post**



**Figure 69: Extent of concerns about loss of judicial independence by post**



**Figure 70: Extent of concerns about court closures by post**

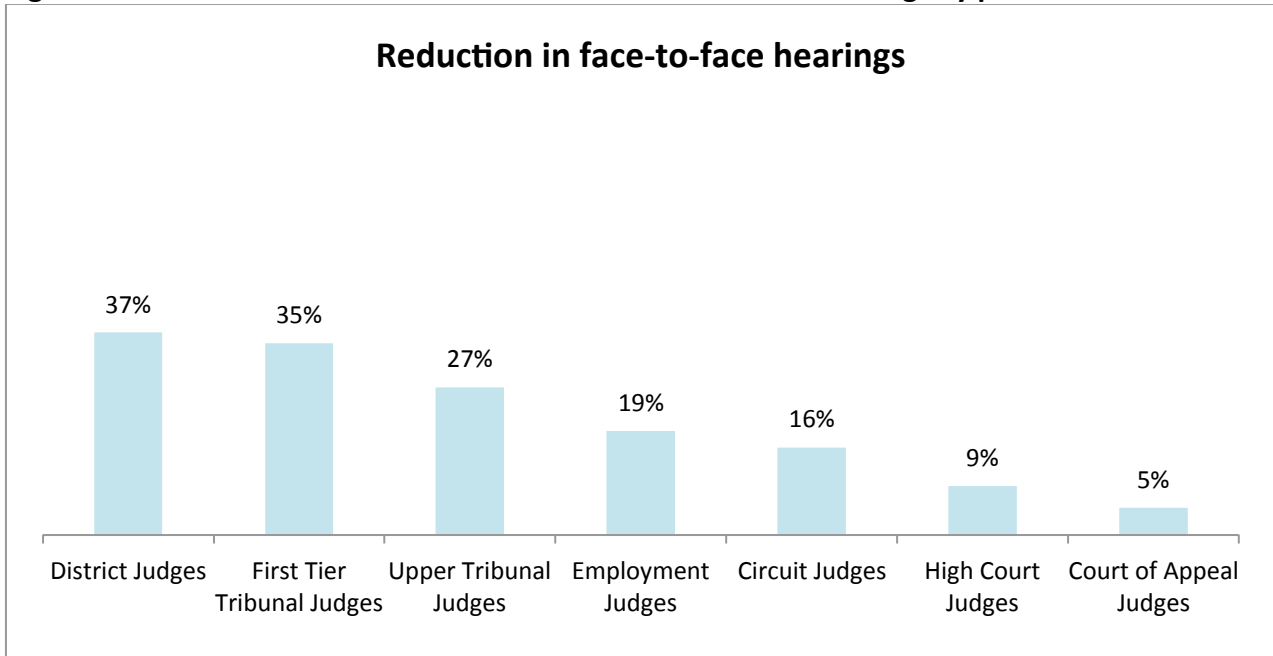


Personal safety, reduction in face-to-face hearings and the introduction of digital working in courts were not of most concern to most judges in almost all judicial posts. The one exception was personal safety for District Judges, where 51% rated this as an issue of most concern.

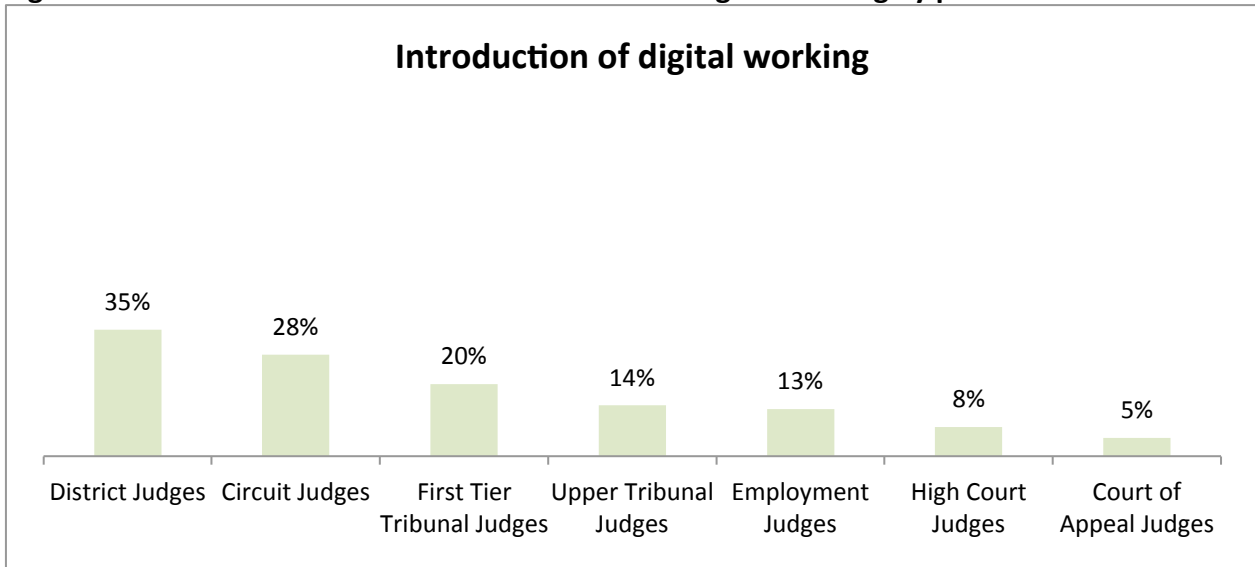
**Figure 71: Extent of concerns about personal safety by post**



**Figure 72: Extent of concerns about reduction in face-to-face hearings by post**



**Figure 73: Extent of concerns about introduction of digital working by post**



## 8. Future Planning

The 2016 JAS repeated several questions from the 2014 JAS about judges' plans for staying in the judiciary until they reach compulsory retirement age.

### 8.1 Plans for early departure from the judiciary

Judges were asked if they were considering leaving the judiciary in the next 5 years other than by reaching compulsory retirement age:

- Of those judges that will not reach compulsory retirement age in the next 5 years, over a third (36%) said they were considering it, and almost a quarter (23%) are currently undecided.
- There has been an increase of 4% since 2014 in those considering leaving the judiciary early in the next 5 years.
- The proportion of judges in England and Wales that are considering leaving the judiciary early within the next 5 years is similar to the proportion in Scotland (39%) and Northern Ireland (40%), but England and Wales is the only jurisdiction to see a discernible increase in this proportion since 2014 (+5%).

**Table 31: Plans for early departure from the judiciary**

<i>Are you considering leaving the judiciary early in the next 5 years?</i>	2016 JAS	2014 JAS	% change from 2014
Yes	36%	31%	+5%
Currently undecided	23%	22%	+1%
No	41%	47%	-6%

### 8.2 Factors promoting early departures

The following table shows the factors a majority of judges said were those that **would make them more likely to leave the judiciary early**. These are similar results to those for judges in Scotland and Northern Ireland.

**Table 32: Factors promoting early departures**

<i>What factors would make you more likely to leave the judiciary early</i>	2016 JAS
Limits on pay awards	68%
Reduction in pension benefits	68%
Increase in workload	57%
Further demands for out of hours work	54%
Stressful working conditions	54%
Reduction in administrative support	51%

### 8.3 Factors encouraging judicial retention

The 3 factors a majority of judges said would make them more likely to **remain in the judiciary** are:

- Higher remuneration (80%)
- Settled position on pension entitlements (57%)
- Better administrative support (56%)

These are similar results to those for judges in Scotland and Northern Ireland in 2016.

## 8.4 More Detailed Analysis of Judges' Early Departure Intentions

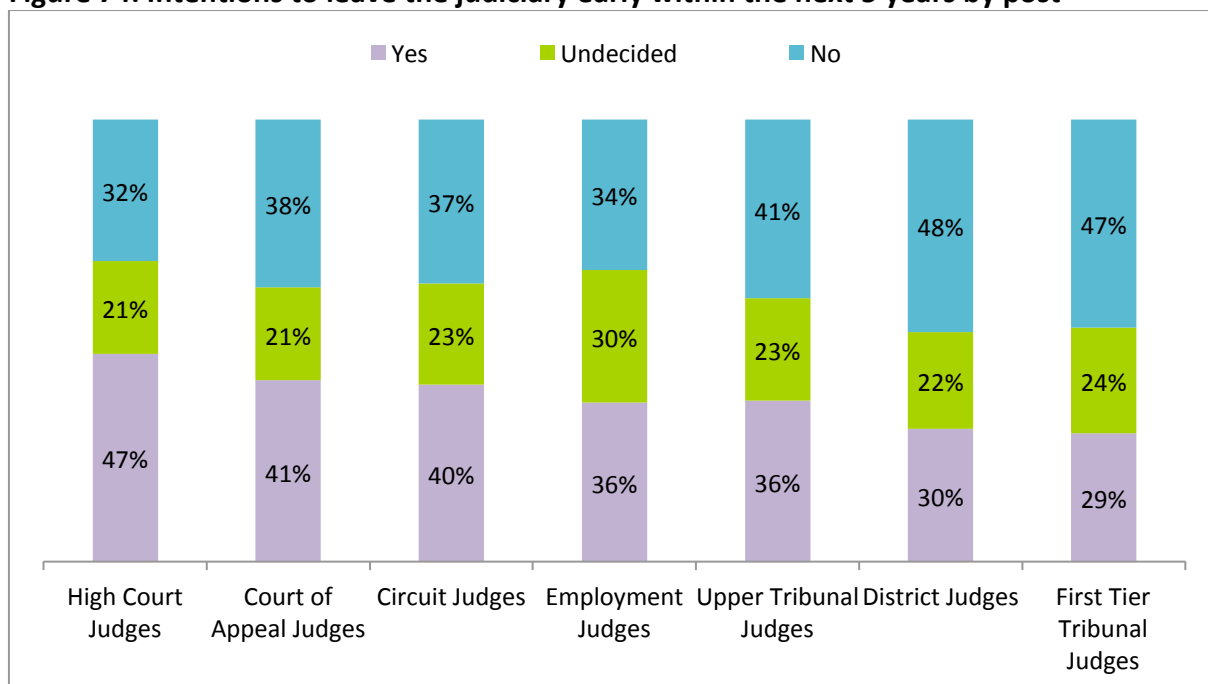
### Courts and Tribunals

A higher percentage of courts judges (37%) than tribunal judges (32%) are intending to leave the judiciary early in the next 5 years, but the real differences emerge by individual judicial post.

### By Post

The highest proportions of judges intending to leave the judiciary early in the next 5 years are found amongst High Court Judges (47%), Court of Appeal Judges (41%) and Circuit Judges (40%). These findings for the High Court are of particular importance, given the number of compulsory retirements that will occur in the High Court in this period (27) alongside some recruitment challenges for the High Court experienced in recent years.

**Figure 74: Intentions to leave the judiciary early within the next 5 years by post**



**Table 33: Numbers of judges considering leaving in the next 5 years (by post)**

	<i>Those judges who said they were considering leaving the judiciary early in the next 5 years</i>	
District Judges	117	
Circuit Judges	189	
High Court Judges	42	
Court of Appeal Judges	12	
Other <sup>12</sup>	13	
<b>Total for Courts</b>		<b>373</b>
First Tier Tribunal Judges	51	
Employment Judges	39	
Upper Tribunal Judges	17	
<b>Total for Tribunals</b>		<b>107</b>
<b>TOTAL</b>		<b>480</b>

<sup>12</sup> This includes Judge Advocates General, Masters, Registrars and Costs Judges.



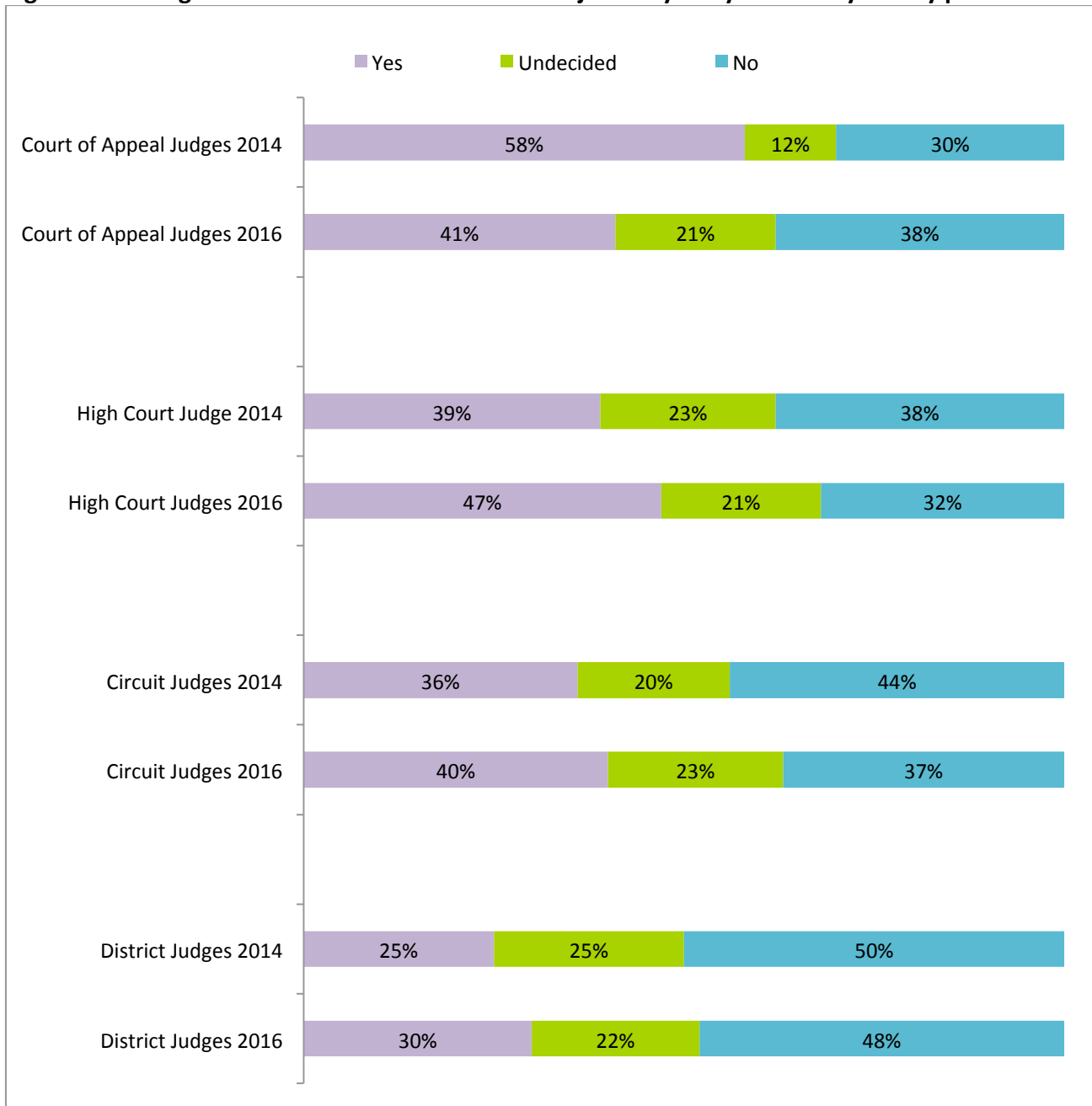
**Comparison to 2014 JAS results**

With the exception of Court of Appeal Judges, the proportion of judges saying they are considering leaving the judiciary early in the next 5 years has increased for every other judicial post in both the courts and tribunals judiciary.

**Courts Judiciary**

- **The proportion of High Court Judges considering leaving early in the next 5 years has increased by 8% (the highest increase in the courts judiciary) and amounts to 42 judges.**
- The proportion of District Judges considering leaving early by 2021 has increased by 5% and amounts to 117 judges.
- The proportion of Circuit Judges considering leaving early by 2021 has increased by 4% and amounts to 189 judges.

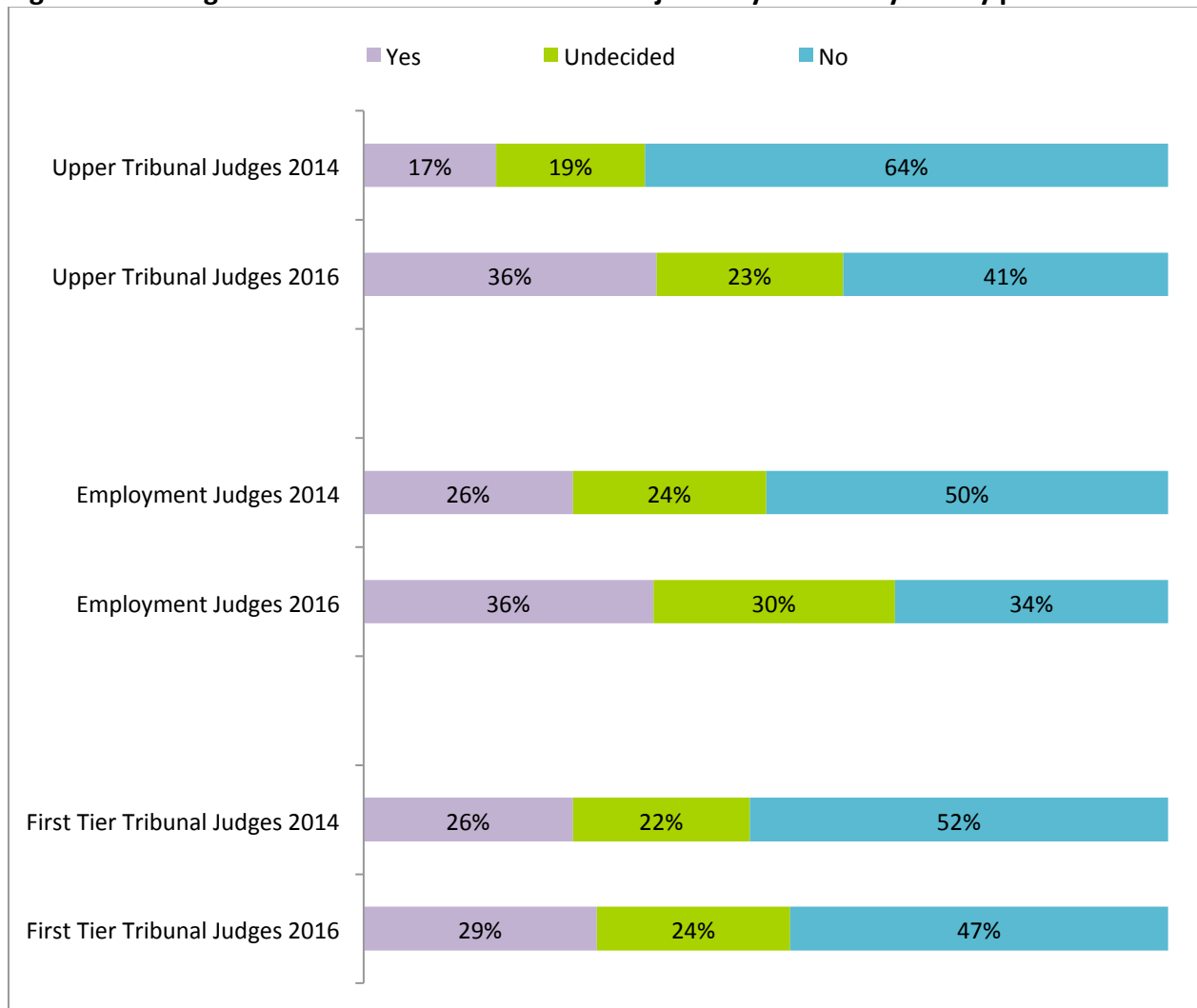
**Figure 75: Change since 2014 in intentions to leave judiciary early in next 5 years by post: Courts**



### Tribunals Judiciary

- The proportion of Upper Tribunal Judges considering leaving early in the next 5 years has increased by 19% (the highest increase of any judicial post), and amounts to 17 judges.
- The proportion of Employment Judges considering leaving early has increased by 10%, and amounts to 39 judges.
- The proportion of First Tier Tribunal Judges considering leaving early has increased by 3%, and amounts to 51 judges.

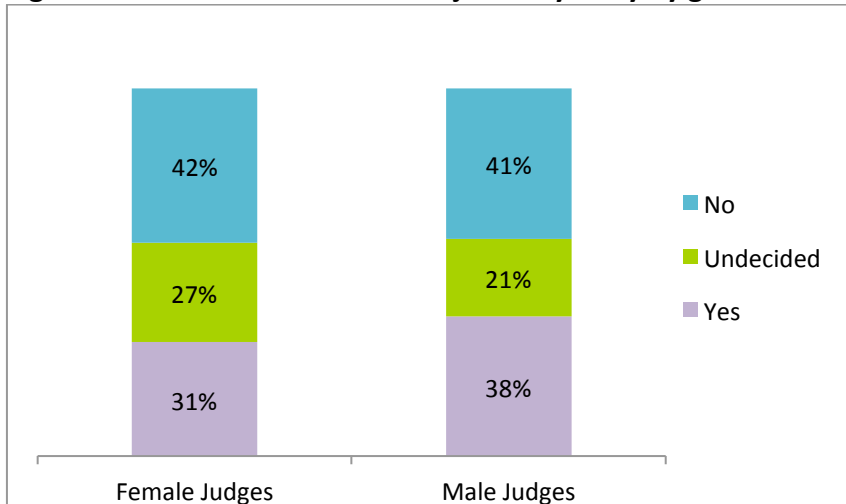
Figure 76: Change since 2014 in intentions to leave judiciary in next 5 years by post: Tribunals



### By Gender

While there is little difference between male and female judges in their intentions to leave the judiciary early in the next 5 years, it is concerning given the efforts to increase female representation in the judiciary that almost a third (31%) of all female judges are currently considering leaving the judiciary early in the next 5 years. This amounts to 144 of 472 female judges who took part in the survey and are not scheduled to retire in the next 5 years.

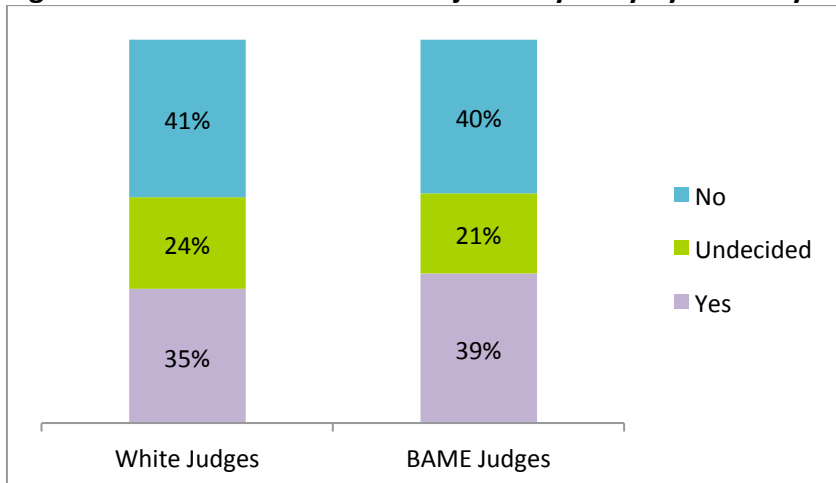
**Figure 77: Intentions to leave the judiciary early by gender**



### By Ethnicity

While there is little difference between White and Black and Minority Ethnic (BAME) judges in their intentions to leave the judiciary early in the next 5 years, it is also concerning given the efforts to increase BAME representation in the judiciary that over a third (39%) of all BAME judges are considering leaving in the next 5 years. This amounts to 30 of the 77 BAME judges who took part in the survey and are not scheduled to reach retirement age in the next 5 years.

**Figure 78: Intentions to leave the judiciary early by ethnicity**



**Table 34: Number of judges and early retirement intentions by gender and ethnicity**

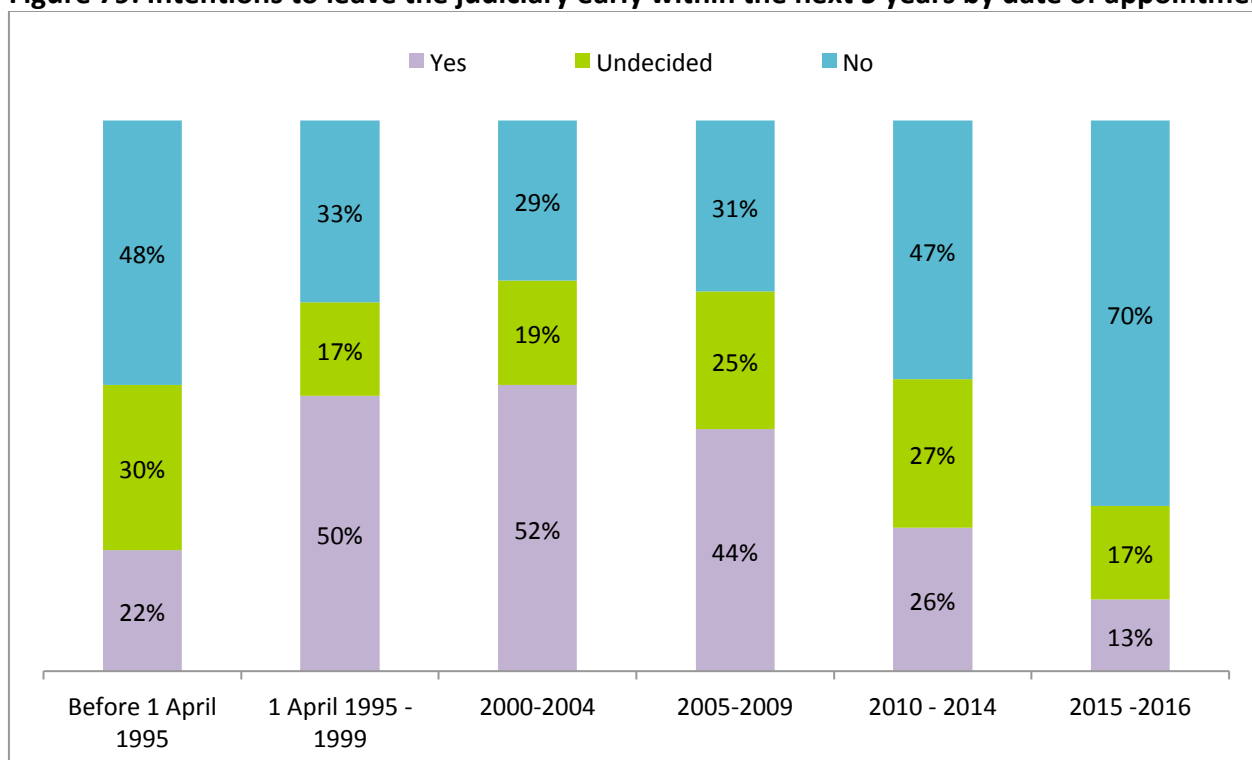
	Yes	Undecided	No	Will be retired
Female Judges	144	128	200	47
Male Judges	323	180	350	199
White Judges	440	292	513	240
BAME Judges	30	16	31	6

### By Length of Service

While it might reasonably be expected that a judge’s date of first appointment to a salaried judicial post would be related to intentions to leave the judiciary before full retirement age in the next 5 years, there are some results to note on this issue:

- Over a quarter of all judges who have been in the judiciary for only 2-4 years are already considering leaving early within the next 5 years.
- Almost half of all judges who have been in the judiciary between 7-11 years are considering leaving early in the next 5 years.
- Over half of all judges who have been in the judiciary between 12-14 years are considering leaving early in the next 5 years.

**Figure 79: Intentions to leave the judiciary early within the next 5 years by date of appointment**



**Table 35: Judges intending to leave early by date of first appointment to the salaried judiciary**

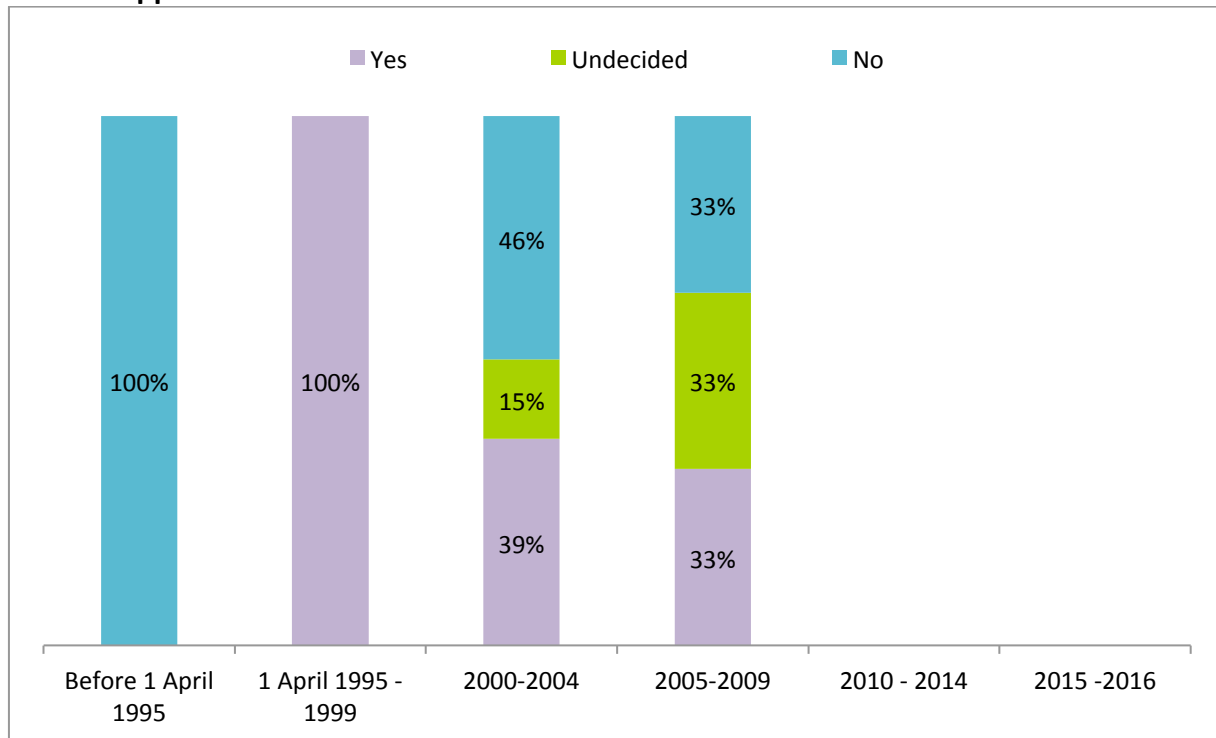
	Considering leaving early in the next 5 years	Currently undecided about leaving in the next 5 years	Not considering leaving early in the next 5 years
Before 1 April 1995	8	11	18
1 April 1995 - 1999	50	17	33
2000-2004	133	48	75
2005-2009	148	84	107
2010 - 2014	122	130	225
2015 -2016	17	21	88
<b>Total number</b>	<b>478</b>	<b>311</b>	<b>546</b>

### Intentions to Retire Early in Next 5 Years by Post and Date of First Appointment to Salaried Post

The following explores how judges' intentions to leave the judiciary early are related to judicial post and date of joining the salaried judiciary.

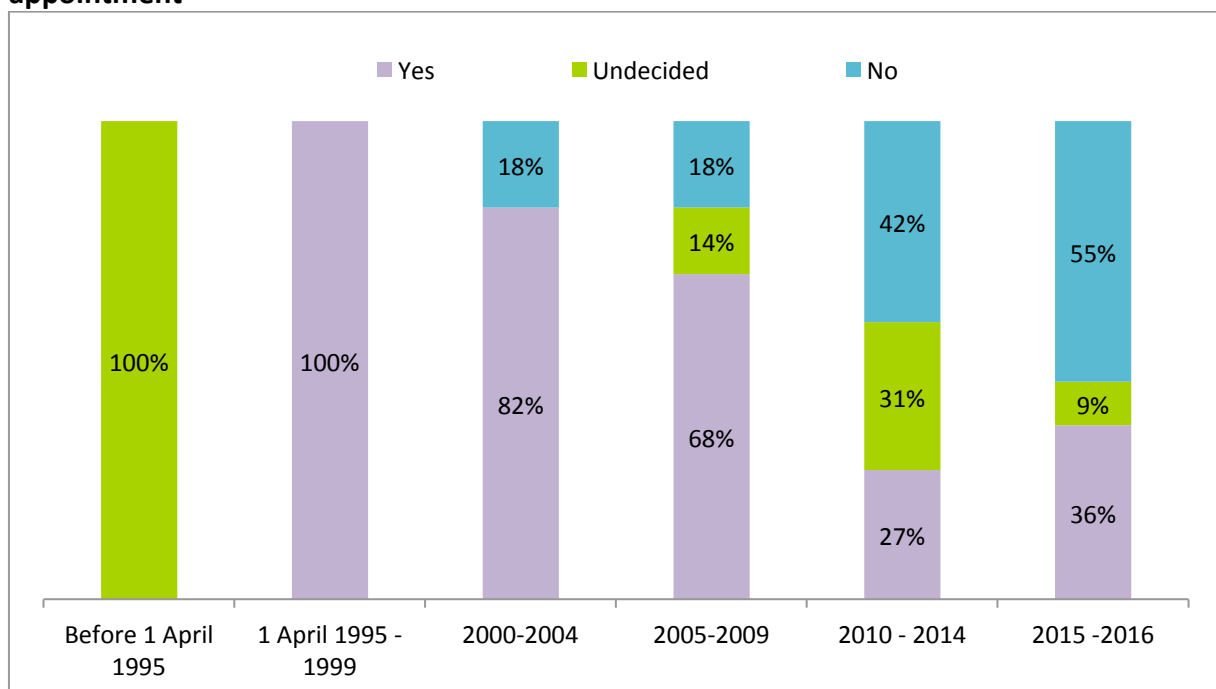
#### Court of Appeal Judges

**Figure 80: Court of Appeal Judges intentions to retire early in next 5 years by date of first salaried appointment**



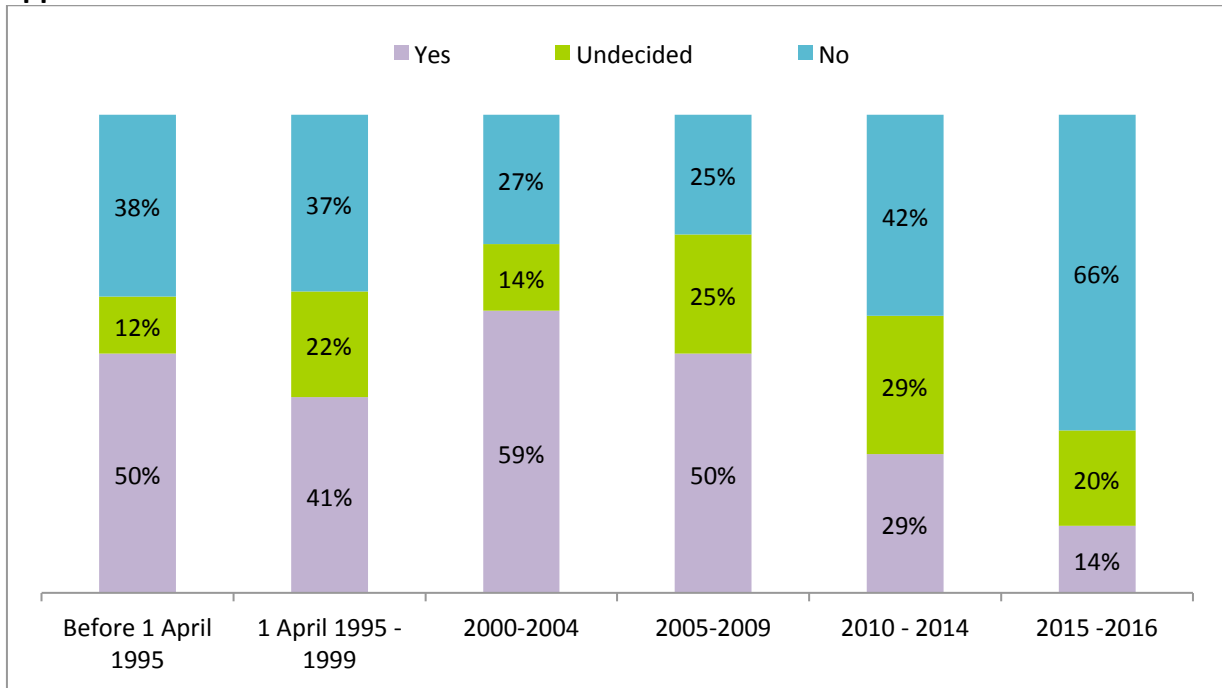
#### High Court Judges

**Figure 81: High Court Judges intentions to retire early in next 5 years by date of first salaried appointment**



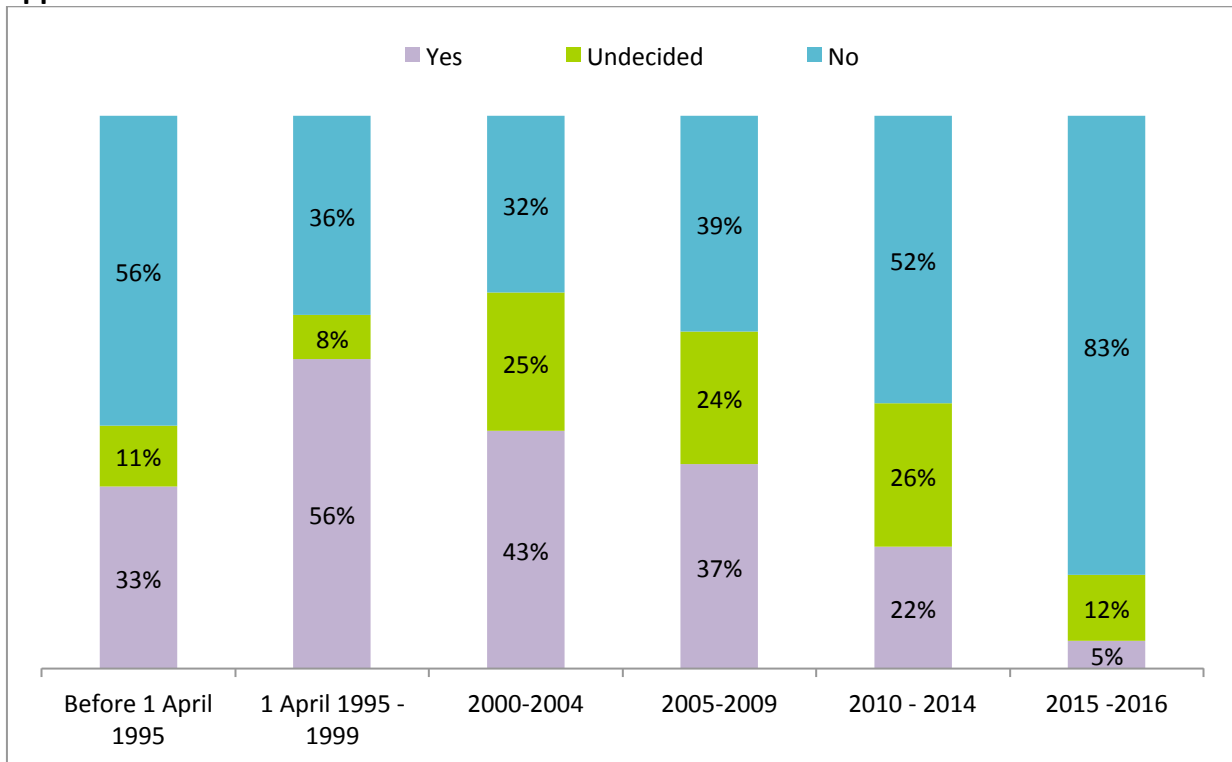
## Circuit Judges

**Figure 82: Circuit Judges intentions to retire early in next 5 years by date of first salaried appointment**



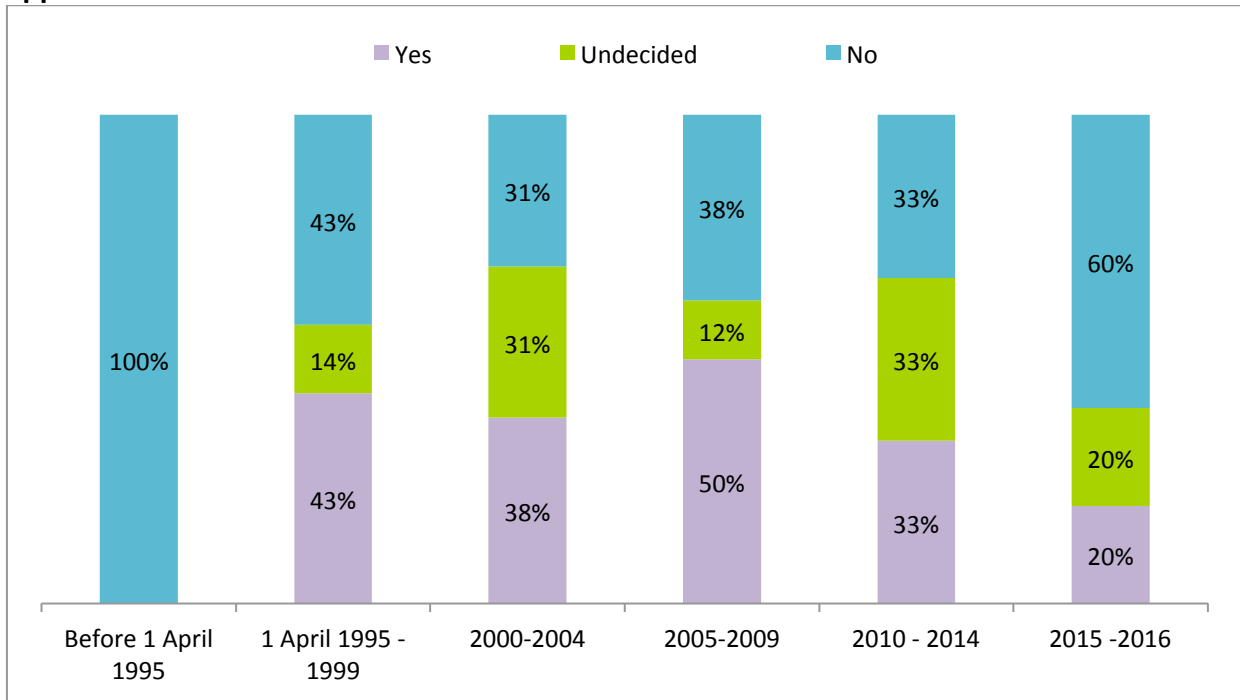
## District Judges

**Figure 83: District Judges intentions to retire early in next 5 years by date of first salaried appointment**



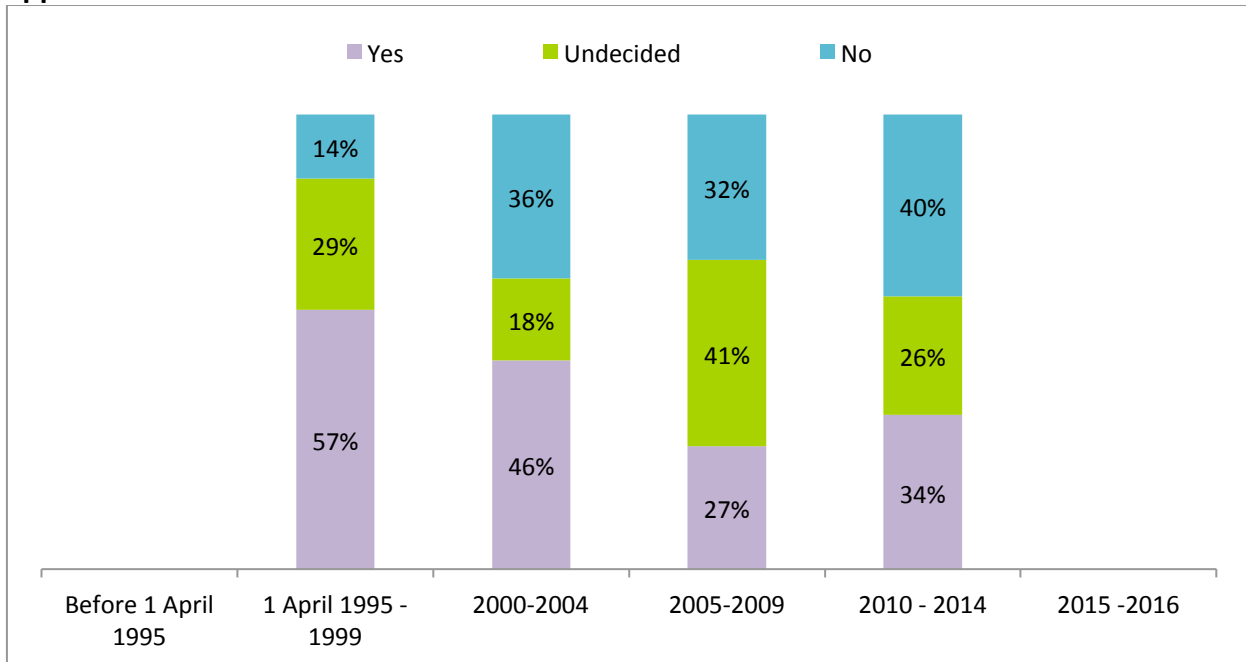
## Upper Tribunal Judges

**Figure 84: Upper Tribunal Judges intentions to retire early in next 5 years by date of first salaried appointment**



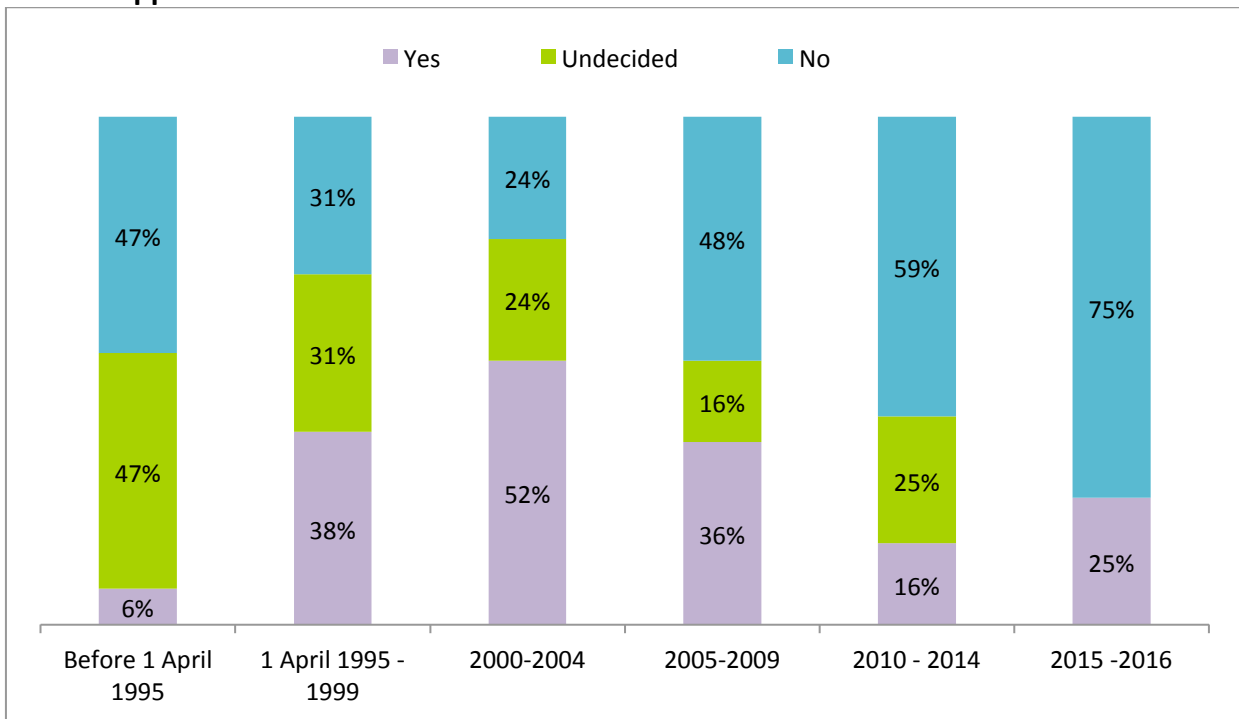
## Employment Judges

**Figure 85: Employment Judges intentions to retire early in next 5 years by date of first salaried appointment**



## First Tier Tribunal Judges

**Figure 86: First Tier Tribunal Judges intentions to retire early in next 5 years by date of first salaried appointment**

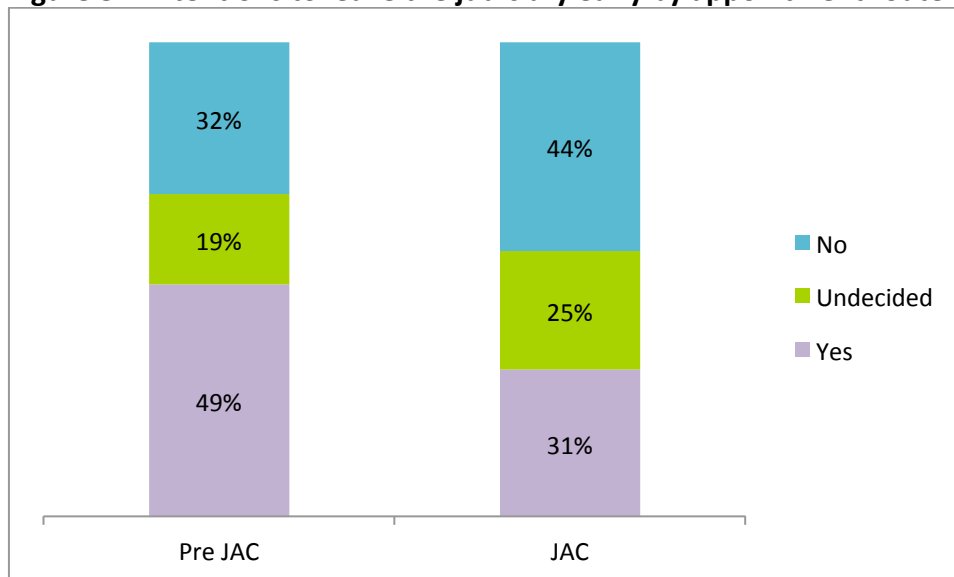




### Pre JAC appointments and JAC appointments

Looking at the relationship between appointment route and intentions to leave the judiciary early in the next five years, the largest proportion of judges intending to leave early are those appointed under the pre-2005 judicial appointments process (49%). This may be reasonable to expect, as these are judges who are more likely to be closer to retirement age. However, over half (56%) of all judges appointed via the new Judicial Appointments Commission (JAC) process introduced in 2005 are now either considering leaving the judiciary early within the next 5 years (31%) or are currently undecided about this (25%).

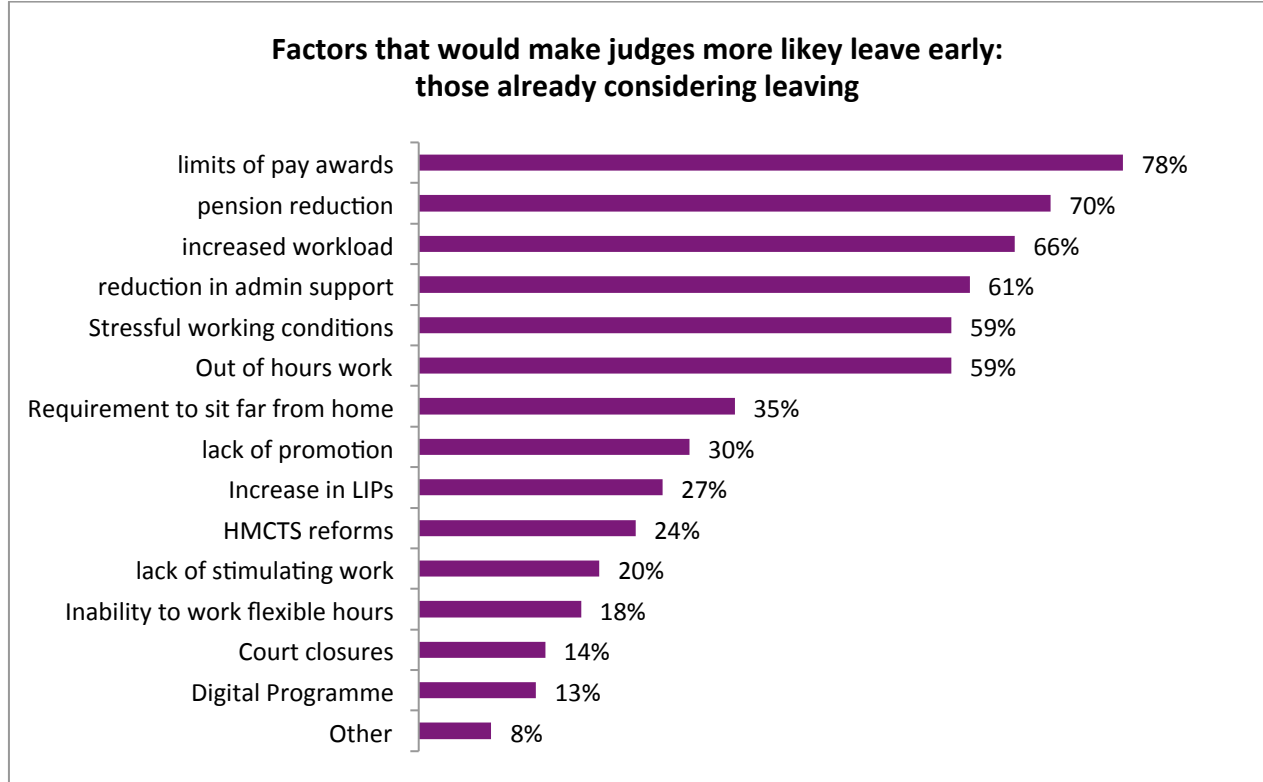
**Figure 87: Intentions to leave the judiciary early by appointment route**



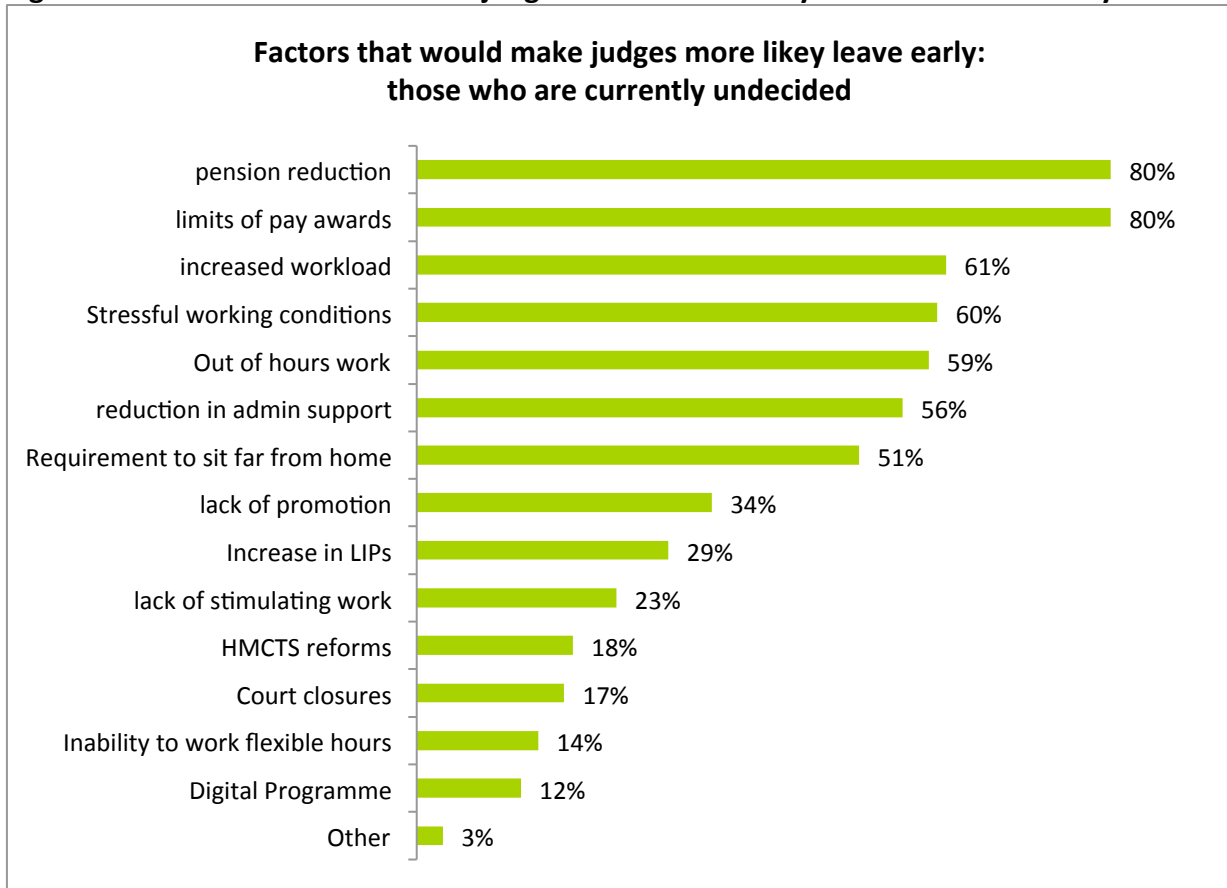
## 8.5 Factors that would make judges more likely to leave

The following examines the factors that judges said would make them more likely to leave the judiciary early in the next 5 years. The responses are broken down according to whether the judges said they were already considering leaving early, were currently undecided or were not intending to leave early.

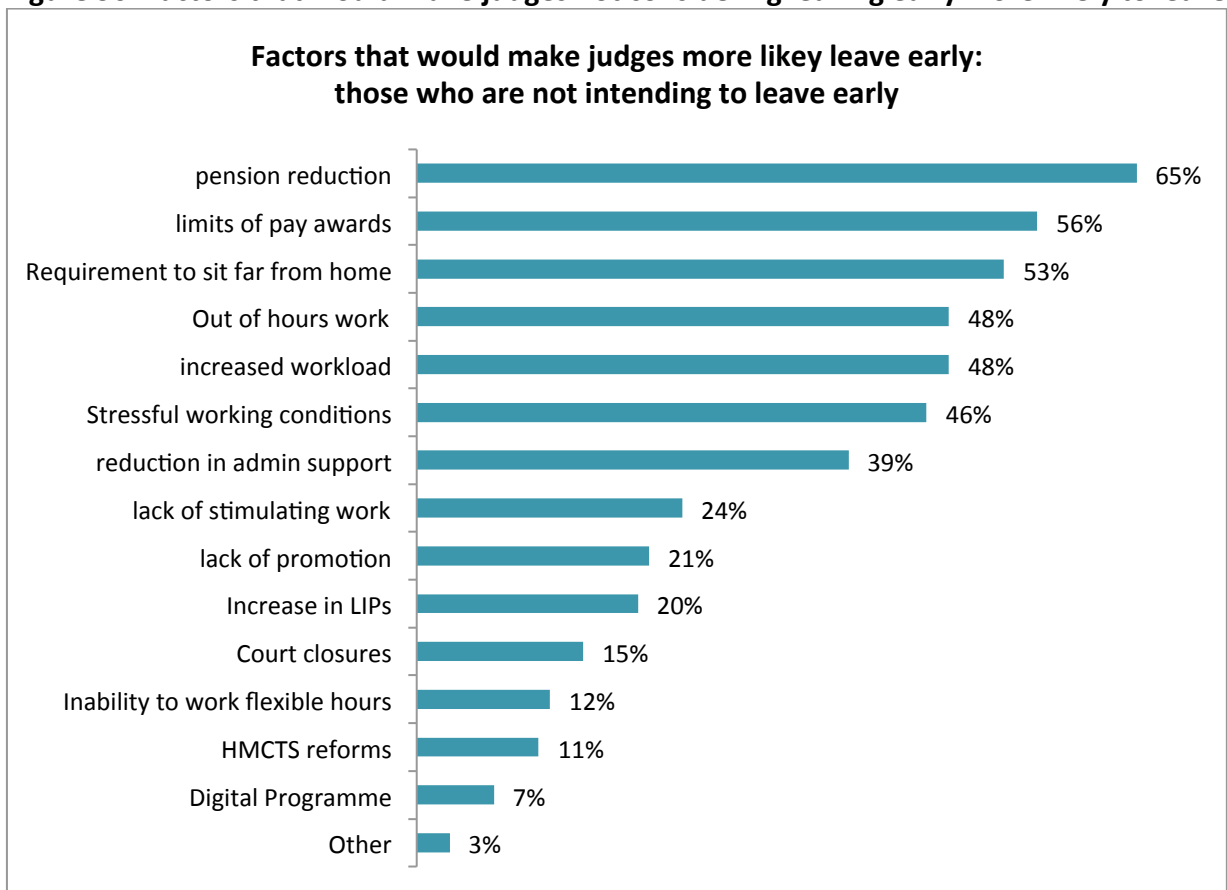
**Figure 88: Factors that would make judges already considering leaving early more likely to leave**



**Figure 89: Factors that would make judges who are currently undecided more likely to leave**



**Figure 90: Factors that would make judges not considering leaving early more likely to leave**



## 9. Joining the Judiciary

### 9.1 In retrospect would you have applied?

A new question was asked in the 2016 JAS to try to assess the extent to which judges may now regret joining the judiciary. Judges were asked: *Knowing what you know now about your job as a judge would you still have applied?*

A majority of judges (61%) said they would still have applied; almost a third (27%) were unsure, and a small minority (12%) said they would not have applied.

**Table 36: Retrospective view of applying to the judiciary**

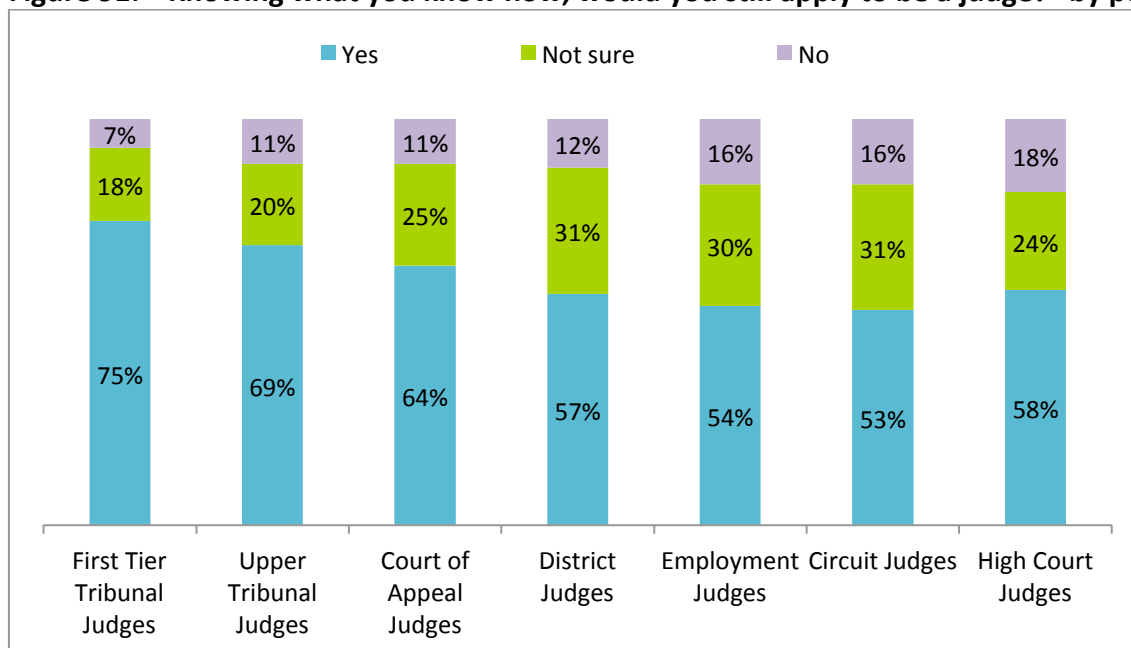
<i>Knowing what you know now, would you still have applied to be a judge?</i>	2016 JAS
Yes	61%
Not sure	27%
No	12%

#### By Post

The judicial posts with the highest percentage of judges who said they would not have applied knowing what they now know about their job were High Court, Circuit and Employment Judges.

- Amongst High Court Judges, 18% said they would not have applied and another 24% said they were not sure if they would have applied.
- Amongst Circuit Judges, 16% said they would not have applied and another 31% said they were not sure if they would have applied.
- Amongst Employment Judges, 16% said they would not have applied and another 30% said they were not sure if they would have applied.

**Figure 91: “Knowing what you know now, would you still apply to be a judge?” by post**



## 9.2 Recommending the Judiciary as a Job

In 2014, judges were asked the reasons why they would encourage suitable people to apply to join the judiciary, but they were not asked directly whether they would do so. A new question was asked in the 2016 JAS: *Would you encourage suitable people to apply to join the judiciary?*

Just over a majority of judges (57%) said they would encourage suitable people to apply to the judiciary, but a large proportion (43%) said they would either not encourage suitable people to apply (17%) or were not sure if they would do so (26%).

**Table 37: Willingness to encourage applications**

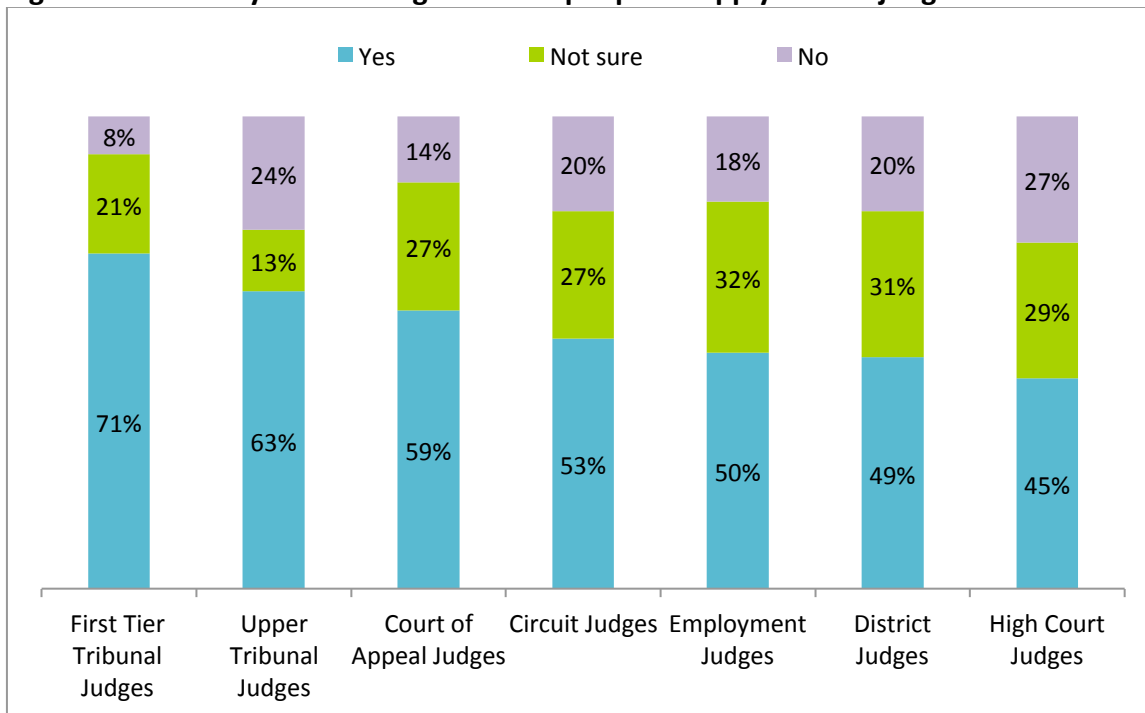
<i>Would you encourage suitable people to apply to join the judiciary?</i>	2016 JAS
Yes	57%
Not sure	26%
No	17%

### By Post

There are clear differences by judicial post, with First Tier Tribunal Judges most likely to encourage suitable people to apply (71%), and High Court Judges least likely to encourage suitable people to apply (45%).

- Over half (56%) of High Court Judges and over half (51%) of District Judges either would not or are not sure whether they would encourage suitable people to apply to be a judge.
- Half (50%) of Employment Judges would not or are not sure whether they would encourage suitable people to apply to be a judge.
- Almost half (47%) of Circuit Judges either would not or are not sure whether they would encourage suitable people to apply to be a judge.

**Figure 92: Would you encourage suitable people to apply to be a judge?**



When asked the **reasons why they would encourage suitable applicants** to apply to join the judiciary, a majority of judges gave 4 reasons:

- Chance to contribute to justice being done (79%)
- Challenge of the work (75%)
- Intellectual satisfaction (70%)
- Public Service (70%)

When asked the **reasons why they would discourage suitable applicants** to apply to join the judiciary, a majority of judges gave 5 reasons:

- Likelihood of further reduction in pension entitlements (73%)
- Reduction in income (65%)
- Constant policy changes (57%)
- Lack of administrative support (52%)
- Feeling of being an employee or civil servant (51%)

The reasons are very consistent with judges' responses to the 2014 JAS.

- The only substantial change is the increase of 6% from 2014 to 2016 in the proportion of judges who said the "poor quality of physical work environment" is a reason they would discourage people from applying to be a judge.

**Table 38: Reasons judges would discourage suitable people from applying to the judiciary**

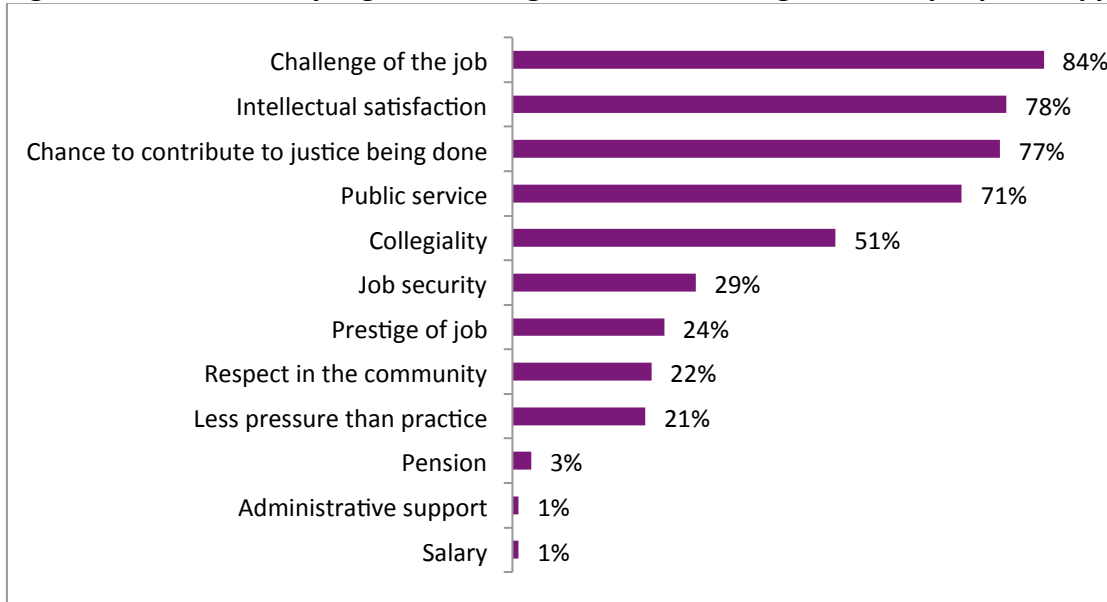
	2016 JAS	2014 JAS	change
Likelihood of further reduction in pension entitlements	73%	76%	-3%
Reduction in income	65%	69%	-4%
Constant policy changes	57%	60%	-3%
Lack of administrative support	52%	54%	-2%
Feeling of being an employee or civil servant	51%	49%	+2%
Lack of personal control over working time	41%	41%	-----
Isolation of job	38%	39%	-1%
Poor quality of physical work environment	34%	28%	+6%
Too few opportunities for promotion	34%	34%	-----
Increase in litigants in person	33%	N/A	
Too much out of hours work required to do the job	28%	28%	-----
Rigid hierarchical work environment	26%	23%	+3%

## More detailed analysis of High Court Responses

Given that High Court Judges were least likely to say that they would recommend suitable applicants apply to the High Court and given the current recruitment issues in relation to the High Court, a more detailed analysis of High Court responses was carried out.

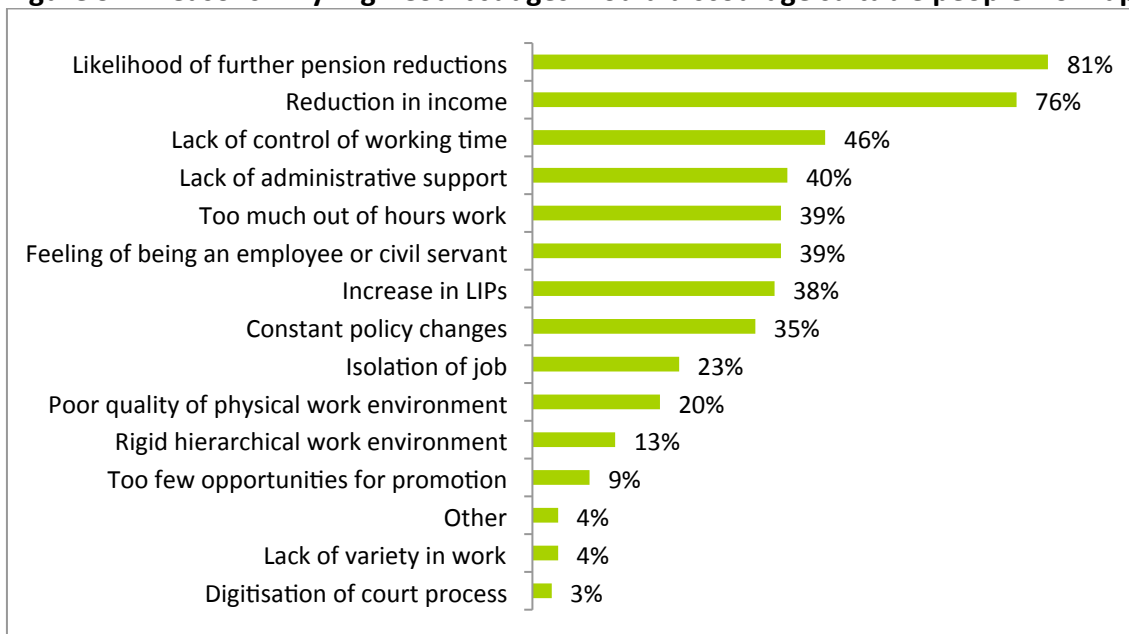
If High Court Judges were to encourage suitable applicants to apply they would focus on the challenge, intellectual satisfaction, chance to contribute to justice being done and public service aspects of the job as encouragement to apply.

**Figure 93: Reasons why High Court Judges would encourage suitable people to apply**



It is quite clear that pension and pay are the overriding reasons why current High Court Judges would discourage suitable candidates from applying to the High Court bench.

**Figure 94: Reasons why High Court Judges would discourage suitable people from applying**



## 10. Leadership

### 10.1 Extent of leadership work undertaken

Only a small proportion of judges (17%) hold formal leadership positions in the judiciary. **But close to a majority of all judges (44%) currently undertake additional responsibilities that are not formal leadership roles.**

### 10.2 Willingness to take on a leadership role

- Over a third of judges (39%) are interested in taking on more leadership responsibilities, but 14% feel there are no leadership roles available in their jurisdiction.
- Just over half of all judges (53%) are not interested in taking on more leadership responsibilities, but for 14% of these judges it is because they already have enough leadership responsibilities and 18% are not interested at the present time.

**Table 39: Willingness to take on leadership responsibilities**

<i>Are you interested in taking on more leadership responsibilities?</i>	2016 JAS
Yes	25%
Yes but none are currently available in my jurisdiction	14%
Not sure	8%
Not at the present time	18%
No because I have enough leadership responsibilities already	14%
No	21%

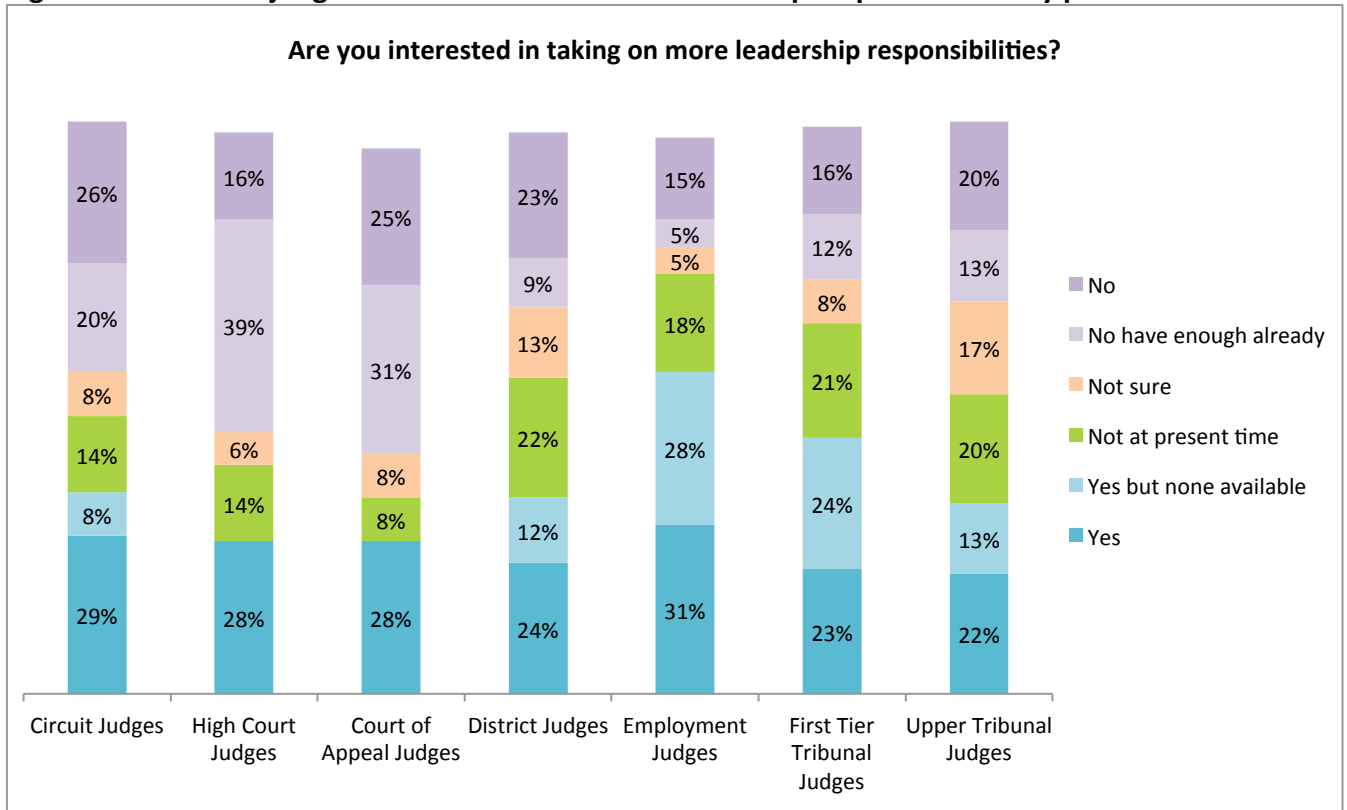
### By Post

There are some substantial differences when this is broken down by judicial post.

- The largest proportion of judges who said “No because I have enough leadership responsibilities already” were High Court Judges (39%) and Court of Appeal judges (31%), but judges in these posts also had a higher proportion of judges who said they would like to take on more leadership responsibilities (both at 28%).
- The highest proportion of judges who said they would like to take on more leadership responsibilities were Employment Judges (31%), but they were also the largest proportion of judges that said there were currently no leadership roles available to them (28%).
- Almost a third of Circuit Judges (29%) said they were interested in taking on more leadership responsibilities, but almost the same amount (26%) said they were not interested.
- District Judges were split between those who said Yes (24%), Not at the present time (22%) and No (23%).



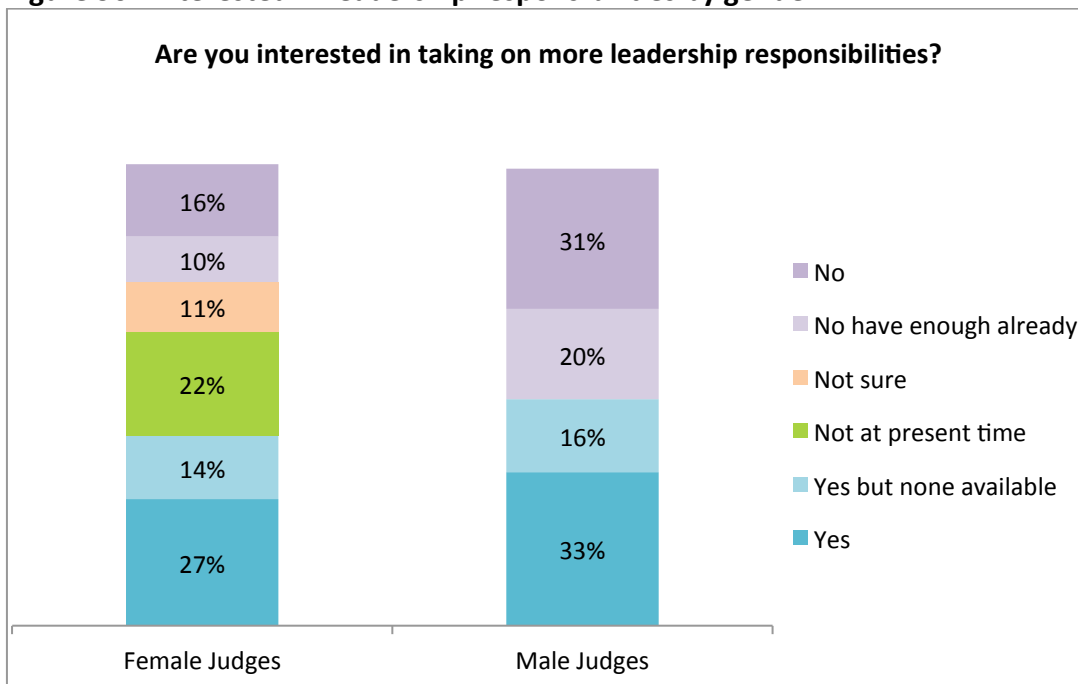
**Figure 95: Whether judges are interested in more leadership responsibilities by post**



**By Gender**

There were some differences by gender, with more male judges (50%) interested in taking on leadership responsibilities compared with 42% of female judges. However, this may simply reflect the greater proportion of male judges at senior levels in the judiciary. This is reflected in the fact that twice as many male judges (20%) than female judges (10%) said they had enough leadership responsibilities.

**Figure 96: Interested in leadership responsibilities by gender**



### 10.3 Allocation of leadership roles

Judges were asked if they felt judicial leadership roles were allocated fairly:

- A majority of judges (54%) said they **did not know enough about how leadership roles were allocated** to say whether it was fair; this reflects a notable increase (+12%) since 2014 when a minority of judges (42%) held this view.

**Table 40: Fairness of allocation of leadership roles**

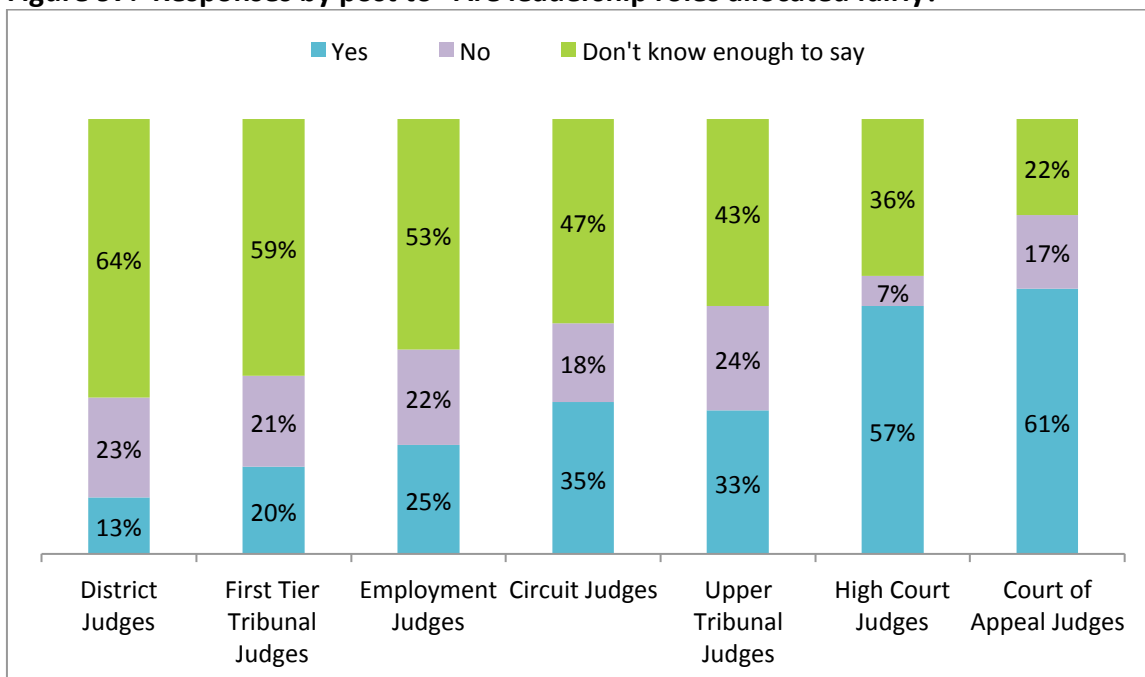
<i>Are leadership roles in the judiciary allocated fairly?</i>	2016 JAS	2014 JAS	% change since 2014
Yes	26%	30%	-4%
No	20%	28%	-8%
I do not know enough about how it is done to say	54%	42%	+12%

#### By Post

There are clear differences between judicial posts in relation to this issue. To a large extent judges in the more senior ranks of the judiciary had confidence that leadership roles were allocated fairly, while judges in other ranks were most likely to say that they did not know enough about how leadership roles were allocated to say whether the process was fair or not.

- Only amongst two judicial posts (the two most senior posts) did a majority of judges say they felt leadership roles were allocated fairly: Court of Appeal Judges (61%) and High Court Judges (57%).
- A majority of District Judges (64%), First Tier Tribunal Judges (59%) and Employment Judges (53%) said they did not know enough about how leadership roles were allocation to say whether the process was fair or not.
- Amongst Circuit Judges and Upper Tribunal Judges just under a majority of judges said they did not know enough about how leadership roles were allocation to say whether the process was fair or not, but a third said they felt the process was fair.

**Figure 97: Responses by post to “Are leadership roles allocated fairly?”**



#### 10.4 Training for those in current leadership positions

Judges who currently undertake leadership duties were asked if they would welcome training in several specific areas.

A majority of judges said they would welcome training in 2 areas:

- Two-thirds (66%) would welcome training on managing colleagues.
- Over half (61%) would welcome training on working with government policy makers.

Over a third (39%) would welcome training on media communications.

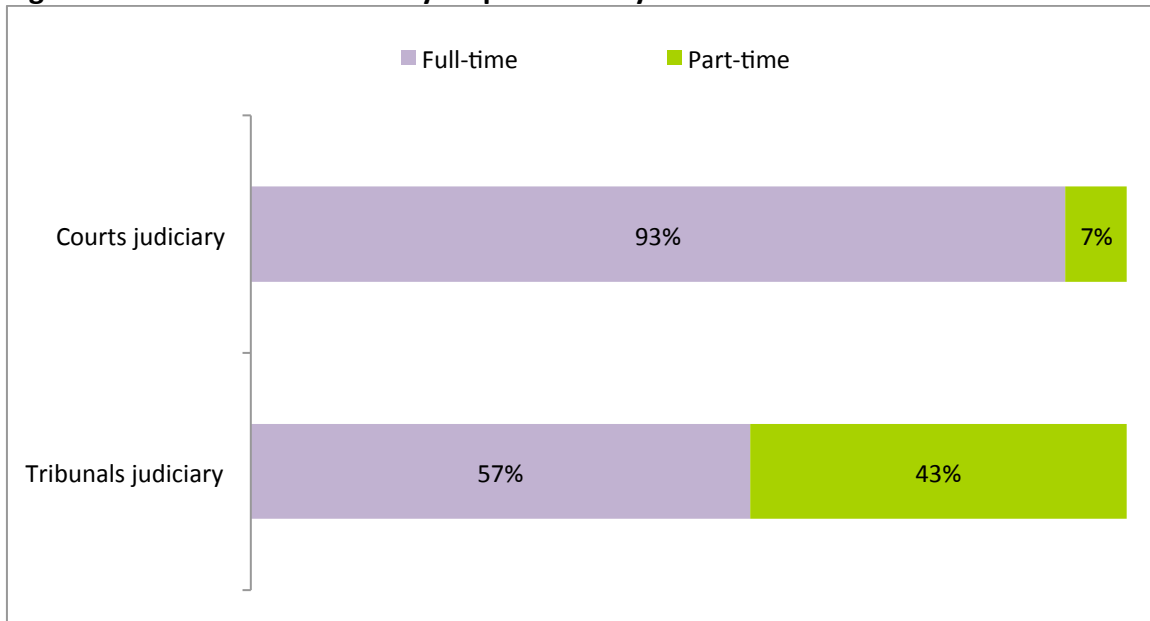
**Table 41: Areas where leadership judges would welcome training**

	2016 JAS
Managing colleagues	66%
Working with government policy makers	61%
Media communications	39%

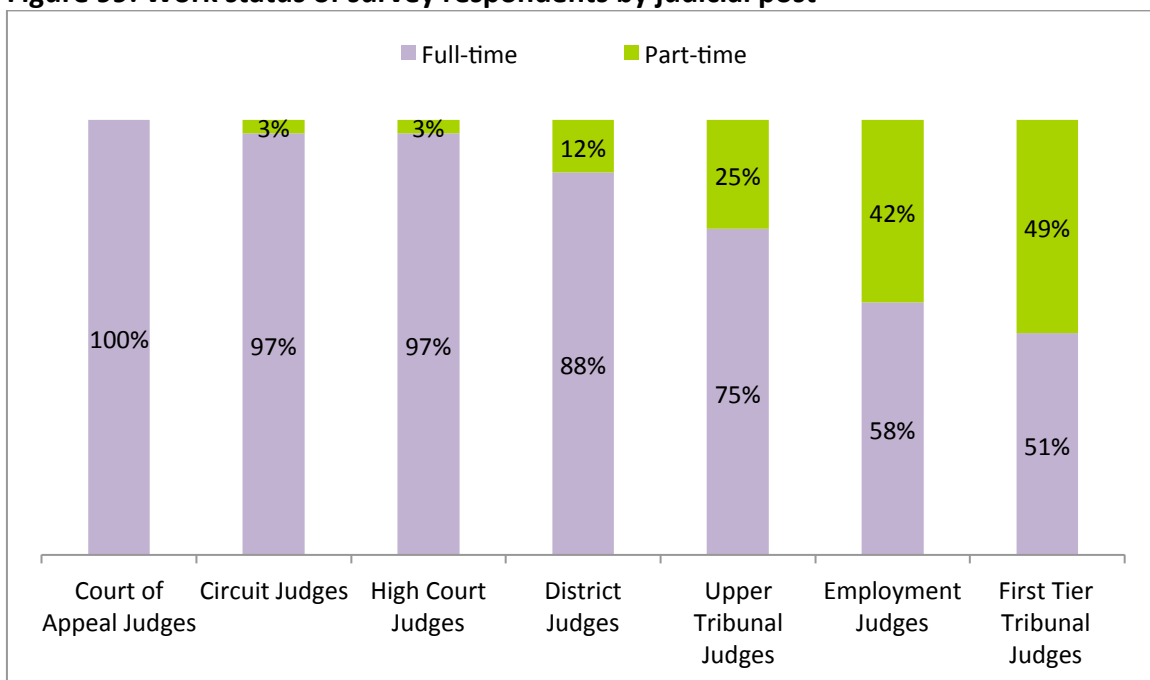
## 11. Survey Respondents

### 11.1 Work status: full-time versus part-time salaried judges

**Figure 98: Work status of survey respondents by courts and tribunals**

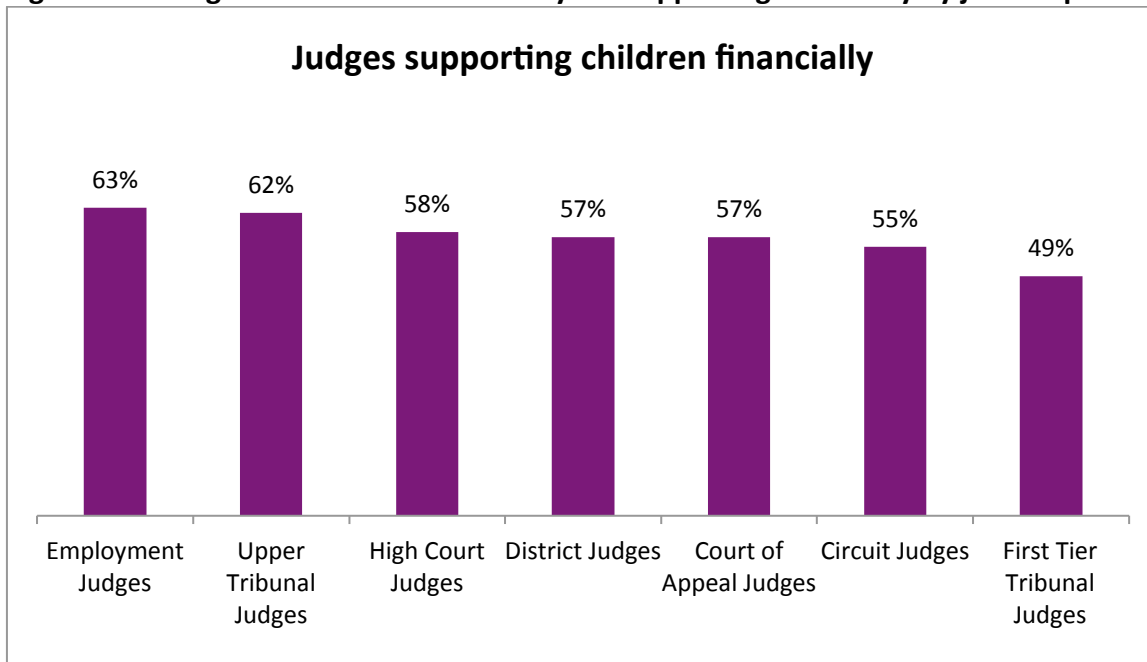


**Figure 99: Work status of survey respondents by judicial post**



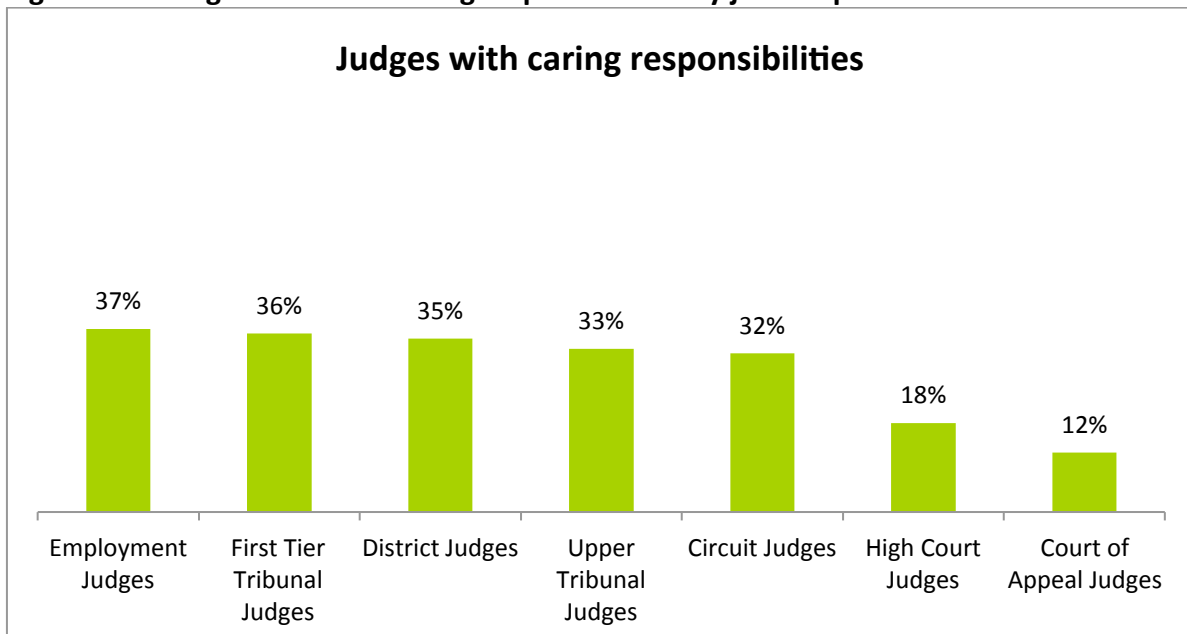
## 11.2 Financial dependants

Figure 100: Judges who have children they are supporting financially by judicial post



## 11.3 Caring responsibilities

Figure 101: Judges who have caring responsibilities by judicial post



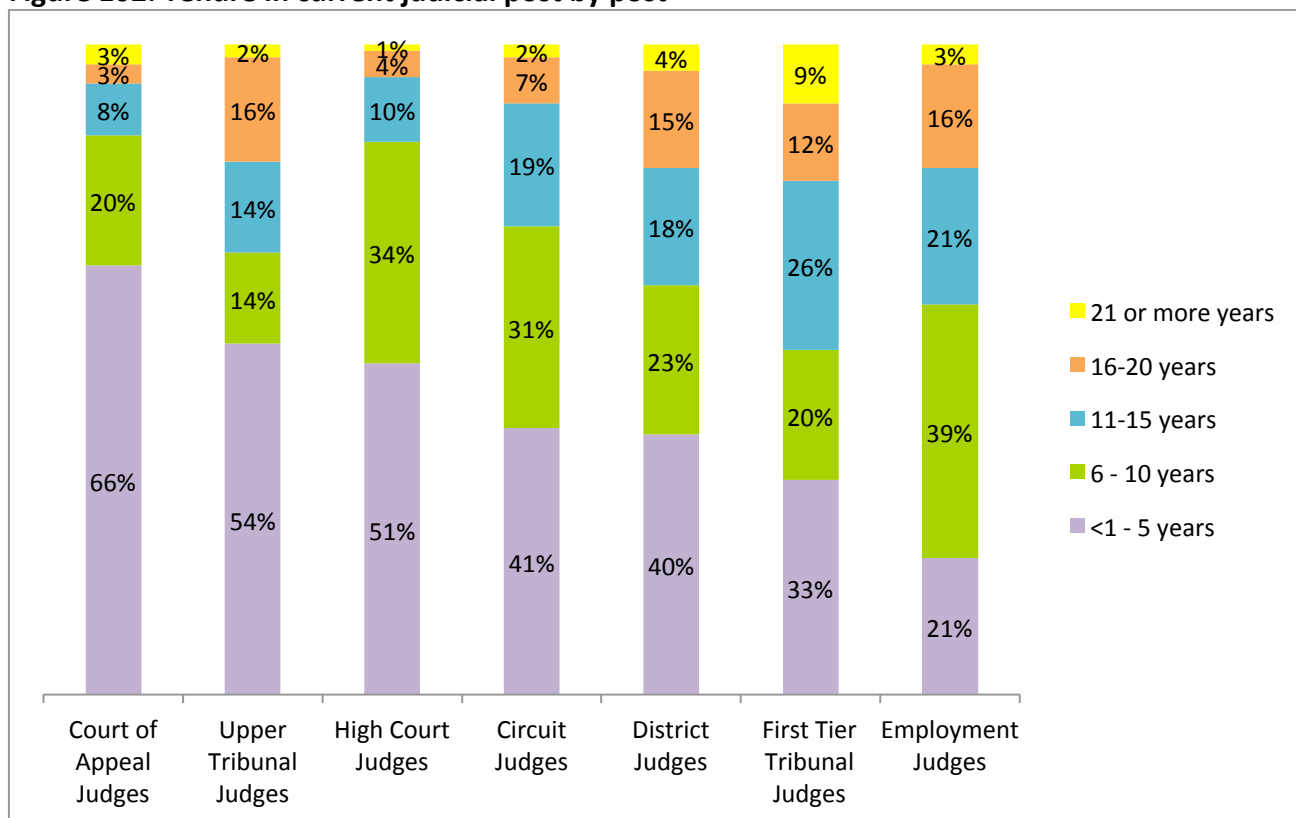
## 11.4 Date of first appointment to a salaried judicial post

**Table 42: Date of first appointment to a salaried judicial post by post**

	Before 1 April 1995	1 April 1995 - 1999	2000- 2004	2005- 2009	2010- 2014	2015- 2016
District Judges	4%	13%	17%	20%	37%	9%
Circuit Judges	3%	9%	21%	29%	27%	11%
High Court Judges	2%	4%	14%	27%	43%	10%
Court of Appeal Judges	8%	15%	44%	33%	0%	0%
First Tier Tribunal Judges	10%	10%	30%	17%	31%	2%
Employment Judges	1%	10%	29%	32%	28%	0%
Upper Tribunal Judges	5%	19%	26%	14%	25%	11%

## 11.5 Tenure in current post

**Figure 102: Tenure in current judicial post by post**



## 12. The Survey

- 92% of all the judges who completed the survey said it was about the right length.
- Almost all (90%) said it either took less than 10 minutes to complete (50%) or less than 20 minutes to complete (40%).



<https://opinio.ucl.ac.uk/s?s=43424&tr=9632787&dt=desktop>

## 2016 Judicial Attitude Survey

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The Judicial Institute of University College London (UCL) is running this **2016 Judicial Attitude Survey (JAS)** on behalf of the Lord Chief Justice of England and Wales, the Lord President of Scotland, the Lord Chief Justice of Northern Ireland and the Senior President of Tribunals, with a view to informing and supporting their **submissions to the Senior Salaries Review Body (SSRB)**.

### SSRB Response to the 2014 Judicial Attitude Survey

As you may recall, in 2014 the first ever UK Judicial Attitude Survey was conducted to assist with that year's submissions to the SSRB. In its 2015 report the **SSRB highlighted the value of the JAS** to its work:

*"We welcome the first UK Judicial Attitude Survey, which provides a comprehensive evidence base from which to draw conclusions about judicial motivation and morale. The Survey also provides a base from which to measure change against in future.*

In its most recent report in April 2016, the SSRB reiterated the value of the JAS to its work, saying *"We also regard regular judicial attitude surveys as essential and welcome the LCJ's intention to undertake another one this year."*

### 2016 Judicial Attitude Survey (JAS)

The 2016 survey includes some of the same questions judges were asked in 2014, which will help to assess any recent changes in judicial attitudes. But the survey also includes **a number of new questions** about major changes taking place in the



<https://opinio.ucl.ac.uk/s?s=43424&tr=9632787&dt=desktop>

includes a **number of new questions** about major changes taking place in the judiciary (eg, Digital reform and HMCTS reform programme policies).

The invitation to participate in this survey is being sent to **all salaried members of the judiciary** in England and Wales, Scotland and Northern Ireland. It is not being sent to any other members of the judiciary.

This survey is designed to enable salaried members of the judiciary to provide feedback on their **views and experience of serving as a judge**.

The survey is **completely voluntary and anonymous**. Your survey responses **cannot be traced back** to you personally.

### Use of the Survey

UCL has undertaken in writing not to use any information collected in its research, save with the express consent of the Lord Chief Justices, Lord President and Senior President of Tribunals. The anonymised, collated data will be held by the Judicial Offices of each jurisdiction.

Publication or disclosure, either in whole or in part, of any survey responses may be included in the formal response to the SSRB or other public bodies. Disclosure of submitted information may also be requested in accordance with, for instance, the Freedom of Information Act 2000 or the Freedom of Information (Scotland) Act 2001. Where such disclosure is sought UCL and/or the Judicial Offices undertake to take such steps as appropriate and as they believe applicable to seek exemptions from such disclosure.

**Thank you for taking the time to do the survey, which should take 5-10 minutes.**

**Your participation in this survey and your answers to the following questions will**



# 2016 Judicial Attitude Survey

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## Your Judicial Post

1. Please indicate which is the main judicial post you currently hold.

*(If you have multiple posts please select what you consider your main post and you can provide any further details in the box below)*

- First Tier Tribunal Judge
- Employment Judge
- Upper Tribunal Judge
- District Judge (Civil or Magistrates)
- Circuit Judge
- High Court Judge (Chancery)
- High Court Judge (Family)
- High Court Judge (Queen's Bench)
- Lord or Lady Justice of Appeal or Head of Division
- Master
- Registrar
- Judge Advocate General (including Vice and Assistant JAG)
- Other (please specify in box below)

2. When were you first appointed to the SALARIED judiciary?

- Before 1 April 1995
- 1 April 1995 - 1999

- 2000 - 2004
- 2005 - 2009
- 2010 - 2014
- 2015 - 2016

**3. How long have you been in your current judicial post (ie, the post you indicated in Question 1)?**

- Less than 1 year
- 1-5 years
- 6-10 years
- 11-15 years
- 16-20 years
- 21-25 years
- 26-30 years
- Over 30 years

**4. Are you:**

- Full-time salaried judge
- Part-time salaried judge
- Other (please specify in the box below)

**5. On 1 April 2012, what was your age in YEARS and MONTHS?**

On 1 April 2012, my age was  years and  months.

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## 2016 Judicial Attitude Survey

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### Working Conditions

6. How would you rate working conditions in the judiciary compared with 2 years ago?

- Significantly worse  
 Worse  
 About the same  
 Better  
 Significantly better  
 Not applicable to me (I was not in the judiciary 2 years ago)

7. Please provide an assessment of the following working conditions at the main court or tribunal where you work:

	Poor	Adequate	Good	Excellent
Amount of administrative support	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Quality of administrative support	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Morale of court or tribunal staff	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Physical quality of the building	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Maintenance of the building	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Physical quality of your personal work space	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Space to meet and interact with other judges	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Security at your court or tribunal	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

8. How would you assess your case workload over the last 12 months?

- Too high  
 Manageable

Too low

9. How would you assess your judicial workload that does not include your casework over the last 12 months?

Too high

Manageable

Too low

I do not have any judicial work outside of my casework

10. To what extent do you feel the following are important to you?

	Important	Not sure	Not important
Opportunities for flexible working hours	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Opportunities to work part-time	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Time to discuss work with colleagues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Opportunities to sit in other jurisdictions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Opportunities for career progression	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Support for dealing with stressful conditions at work	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

11. Please assess the availability of each of the following in your current judicial post:

	Non-existent	Poor	Adequate	Good	Excellent
Opportunities for flexible working hours	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Opportunities to work part-time	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Time to discuss work with colleagues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Opportunities to sit in other jurisdictions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Opportunities for career progression	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Support for dealing with stressful conditions at work	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**12. Are you ever concerned about your personal security as a result of your judicial role?**

*(Please select as many options as apply to you)*

- Yes, sometimes when I am in court
- Yes, sometimes outside of court
- Yes, sometimes on social media
- No

Please feel free to comment about your personal security as a judge

**13. If you have a declared disability, have you requested that reasonable adjustments be made at your court or tribunal to enable you to do your job to the best of your ability?**

- Yes
- No
- Not applicable to me

If you answered YES, please indicate in the box below if the adjustments requested have been made to your satisfaction:

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## 2016 Judicial Attitude Survey

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### Salary and Pensions

14. The following explores your views on salary, pension provisions and your income options.

*(If possible please provide a response to each statement)*

	Strongly Disagree	Disagree	Not sure	Agree	Strongly Agree
I am paid a reasonable salary for the work I do.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have had a loss of net earnings over the last 2 years.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The judicial salary issue is affecting my morale.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The judicial salary issue is affecting the morale of judges I work with.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The change in pension entitlements has affected me directly.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The change in pensions has affected my morale.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The change in pensions has affected the morale of judges I work with.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I accept that some changes to pension provisions have to be made.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My pay and pension entitlement does not adequately reflect the work I have done and will do before retirement.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The amount of out of hours work required to do the job is affecting me.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If I felt that leaving the judiciary was a viable option I would consider	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

doing so.

If I could earn additional income through out of court work I would pursue this option.



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## 2016 Judicial Attitude Survey

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### Judicial Resources & the New Digital Programme

15. Please provide an assessment of the following resources available to you at the main court or tribunal where you work:

	Poor	Adequate	Good	Excellent
Standard of IT equipment provided for you personally to use (ie, laptop, desktop computer)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Standard of IT equipment used in your court or tribunal (eg, video playback and video link equipment, tele-conferencing)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Internet access	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
IT support	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you answered "Poor" for any of the questions please feel free to provide further details

16. Are you regularly required to use electronic files and bundles (eg, Digital Case System "DCS" or other forms of electronic working)?

- Yes
- No (if No please skip to Question 19)

17. **If you answered Yes to Question 16**, please rate the "usability" of the DCS (or other form of electronic working that you use)

- Poor
- Adequate



- Good
- Excellent

Please feel free to provide further details about the usability of DCS

18. **If you answered Yes to Question 16** please assess the training you received on how to use DCS (or other form of electronic working that you use).

- I did not receive any training on how to use DCS (or other electronic system)
- Training provided to me on DCS (or other system) was Poor
- Training provided to me on DCS (or other system) was Adequate
- Training provided to me on DCS (or other system) was Good
- Training provided to me on DCS (or other system) was Excellent

Please feel free to provide any further comments on DCS training

19. **Are you on e-Judiciary?**

- Yes
- No (if No please skip to Question 21)

20. **If you answered Yes to Question 19**, please rate the quality of e-Judiciary.

- Poor
- Adequate
- Good
- Excellent

Please feel free to provide further details about your experience of e-Judiciary

21. Is there Wifi available in you court?

- Yes
- No (if No please skip to Question 23 in the next section)

22. **If you answered Yes to Question 21**, please rate the quality of the Wifi service in your court.

- Poor
- Adequate
- Good
- Excellent

Please feel free to provide further details about the Wifi in your court

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## 2016 Judicial Attitude Survey

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### Training and Personal Development

23. In my judicial role I am encouraged to use my talents to the full.

Strongly Disagree      Disagree      Not sure      Agree      Strongly Agree

24. To what extent are you satisfied with the following:

	Not satisfied at all	Could be better	Satisfied	Completely satisfied
Opportunities for personal development	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Range of judicial training available	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Quality of judicial training available	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Time available to undertake judicial training	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sense of achievement in the job	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Challenge of the job	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Variety of work	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please feel free to provide any further comments on these specific issues

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## 2016 Judicial Attitude Survey

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### Change in the Judiciary

25. To what extent do you feel that your job as a judge has changed since you were first appointed to a salaried post?

- It has not changed at all
- It has only changed a very small amount and this does not affect me
- There has been some change which affects me
- There has been a large amount of change
- It has changed completely

26. The following statements explore your view of changes in your job as a judge.

*(If possible please provide a response to each statement)*

	Strongly Disagree	Disagree	Not sure	Agree	Strongly Agree
The judiciary manages change well.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Too much change has been imposed on the judiciary in recent years.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Some change is needed in the judiciary.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The amount of change in recent years has brought judges to breaking point.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The judiciary needs to have control over policy changes that affect judges.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Despite any reservations I may have about changes in the judiciary I still	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

enjoy being a judge.

**27. What changes in the judiciary concern you most?**

*(Please select as many options as apply to you)*

- Court closures
- Increase in litigants in person
- Staff reductions
- Introduction of digital working in court
- Fiscal constraints
- Loss of experienced judges
- Personal safety for judges
- Judicial morale
- Reduction in face-to-face hearings
- Ability to attract the best people into the judiciary
- Loss of judicial independence
- Stressful working conditions
- Other (please specify in the box below)

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## 2016 Judicial Attitude Survey

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### Future Planning

28. Might you consider leaving the judiciary in the next 5 years other than by reaching full retirement age?

- Yes
- No
- I am currently undecided about this
- I will reach full retirement age in the next 5 years

29. Which of the following factors would make you more likely to leave the judiciary before full retirement age?

*(Please select as many options as apply to you).*

- Increase in workload
- Lack of promotion
- Limits on pay awards
- Reduction in pension benefits
- Reduction in administrative support
- Further demands for out of hours working
- Lack of stimulating work
- Increase in litigants in person
- Stressful working conditions
- Requirement to sit in a location too far from home
- Court closures
- Inability to work more flexible hours
- Introduction of the Digital Programme

- HMCTS Reform Programme
- Other (please specify in the box below)

Please feel free to provide a further comment:

**30. Which of the following factors would make you more likely to remain in the judiciary until full retirement age?**

*(Please select as many options as apply to you).*

- Promotion to a higher post
- Change of work location
- Higher remuneration
- Better administrative support
- Reduction in workload
- Increased flexibility in working hours
- Greater variation in work
- Greater leadership responsibilities
- Settled position on pension entitlements
- Support for dealing with stressful working conditions
- Opportunity for sabbatical
- Opportunity to work part-time
- Reduction in litigants in person
- Introduction of the Digital Programme
- HMCTS Reform Programme
- Other (please specify in the box below)

Please feel free to provide a further comment:

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## 2016 Judicial Attitude Survey

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### Being a Member of the Judiciary

31. As a judge I feel valued by:

*(Please select as many options as reflect your view)*

- Public
- Government
- Legal profession
- Parties in cases that appear before me
- Court staff
- Media
- Judicial colleagues at my court
- Senior leadership in the judiciary

32. As a judge I feel I provide an important service to society.

- |                       |                       |                       |                       |                       |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly<br>Disagree  | Disagree              | Not sure              | Agree                 | Strongly<br>Agree     |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

33. I feel a strong personal attachment to being a member of the judiciary.

- |                       |                       |                       |                       |                       |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Strongly<br>Disagree  | Disagree              | Not sure              | Agree                 | Strongly<br>Agree     |
| <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

34. I feel I have an important job that I am committed to doing as well as I possibly can.

- |                      |          |          |       |                   |
|----------------------|----------|----------|-------|-------------------|
| Strongly<br>disagree | Disagree | Not sure | Agree | Strongly<br>Agree |
|----------------------|----------|----------|-------|-------------------|



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## 2016 Judicial Attitude Survey

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### Joining the judiciary

35. Knowing what you know now about your job as a judge would you still have applied?

- Yes
- No
- Not sure

36. Would you encourage suitable people to apply to join the judiciary?

- Yes
- No
- Not sure

37. The reasons I would encourage suitable people to apply to join the judiciary are:

*(Please select as many options as reflect your view)*

- Challenge of the work
- Sense of collegiality
- Job security
- Intellectual satisfaction
- Salary
- Public service
- Respect in the community
- Pension

- Administrative support
- Less pressurised environment than practice
- Prestige of the job
- Chance to contribute to justice being done
- Other (please specify in the box below)

Please feel free to provide a further comment:

**38. The reasons I would discourage suitable people from applying to join the judiciary are:**

*(Please select as many options as reflect your view)*

- Isolation of the job
- Constant policy changes
- Lack of variety in the work
- Likelihood of further reduction in pension entitlements
- Lack of personal control over working time
- Rigid hierarchical work environment
- Reduction in income
- Lack of administrative support
- Poor quality of physical work environment
- Feeling of being an employee or civil servant
- Too much out of hours work required to do the job
- Too few opportunities for promotion
- Increase in litigants in person
- Digitisation of the court process

Other (please specify in the box below)

Please feel free to provide a further comment:

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## 2016 Judicial Attitude Survey

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### Leadership

39. Do you hold a leadership position in the judiciary (e.g., Resident or Regional Judge, President or Deputy/Vice President, Head of Division, Presider, etc.)?

Yes

No

40. Do you undertake any additional responsibilities as a judge that are not formal leadership roles (e.g., Chair of a judicial committee, Judicial College duties etc.)?

Yes

No

41. Would you be interested in taking on more leadership responsibilities in your judicial role?

Yes

Yes but there are none available in my jurisdiction

No

No because I have enough leadership responsibilities already

Not sure

Not at the present time

42. Do you feel that judicial leadership roles are allocated fairly?

Yes

No

I do not know enough about how it is done to say

43. If you hold a formal leadership position or have any informal leadership responsibilities would you welcome any executive training in any of the following areas?

- Media communications
- Managing colleagues
- Working with government policy makers
- Other issues related to my leadership role (please specify in the box below)

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## 2016 Judicial Attitude Survey

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### General Information

44. Before being appointed to the judiciary what type of legal employment were you in?

*(Please tick as many answers as apply to you)*

- Barrister
- Employed lawyer
- Legal academic
- Legal executive
- QC
- Solicitor
- Other (please specify in the box below if you would like to)

45. Do you have children you support financially?

- Yes
- No

46. Do you have caring responsibilities for a family member(s)?

- Yes
- No

47. Are you:



- Male
- Female

**48. What is your ethnic group?**

- White - English
- White - Welsh
- White - Scottish
- White - Irish
- White - Other
- Mixed - White and Black Caribbean
- Mixed - White and Black African
- Mixed - White and Asian
- Mixed - any other mixed background
- Asian - Indian
- Asian - Pakistani
- Asian - Bangladeshi
- Asian - any other Asian background
- Black - Caribbean
- Black - African
- Black - any other Black background
- Chinese
- Any other ethnic group

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# 2016 Judicial Attitude Survey

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## The Survey

49. This survey was:

- Too long
- About the right length
- Not long enough

50. How long did it take you to complete this survey?

- Less than 5 minutes
- Less than 10 minutes
- Less than 20 minutes
- Less than 30 minutes
- 30 minutes or longer

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# 2016 Judicial Attitude Survey

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Thank you for taking part in the 2016 Judicial Attitude Survey. Your answers have been received.

Your participation has been extremely valuable and very much appreciated.

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