



Judicial Appointments Board for Scotland Diversity Report 2018-2025

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Introduction

The Judicial Appointments Board for Scotland (“JABS”/ “the Board”) has a statutory requirement to make recommendations for judicial office based only on merit. JABS also has a statutory requirement to have regard to the need to encourage diversity in the range of individuals available for selection to be recommended for appointment to judicial office. However, the Act means that JABS cannot consider diversity when deciding which candidates are to be recommended for judicial office.



This is our first Diversity Report to provide diversity statistics covering a number of years. We will update the statistics annually and expect to be able to provide further analysis as more information on the diversity of the legal profession and the judiciary becomes available.

We will work with the legal profession and the Judicial Office for Scotland (JO) to undertake this analysis.

The Diversity Report provides a breakdown of diversity data for each individual court competition delivered by JABS from 2018/19 to 2024/25, and tribunal competitions for 2022-2024. The diversity data shows statistics on:

- Gender
- Ethnicity
- Disability
- Age
- Profession
- Solicitor advocate - extended rights
- Judicial office holders
- King’s Counsel (KC)

Encouraging diversity is at the forefront of our recruitment processes and we include this in our Values, Objectives and Aims.

This report also includes diversity data from our stakeholders, namely:

- The Law Society of Scotland (LSS)
- The Faculty of Advocates (FOA)
- The Judicial Office for Scotland (JO)

Statutory Obligations

The Board has a statutory duty under the Judiciary and Courts (Scotland) Act 2008 (“the Act”) to “have regard to the need to encourage diversity in the range of individuals available for selection to be recommended for appointment to judicial office”. However, the Act is clear that this is subject to our duty to make recommendations for a judicial office solely on merit.

The statutory obligation JABS has to encourage diversity differs from that of the statutory obligation for the Judicial Appointments Commission (JAC) and the Northern Ireland Judicial Appointments Commission (NIJAC).

More information on this can be found at Annex A.

Programme for Change

JABS Programme for Change review looks to ensure that diversity is considered in all elements of JABS work, from its approach to outreach and advertising, application format and content and interview processes.

The JABS Programme for Change has three strands.

These are:

- Attracting the Right Applicants - will consider diversity in the context of our future outreach and advertising programmes.
- Review of Application Documentation will consider whether our documentation is framed in a way that is equally accessible to all potential candidates.
- Approach to Assessment will consider amongst other things whether our assessment process gives candidates the best opportunity to succeed irrespective of their background.

JABS has created a Diversity Action Plan with a priority to understand the demographic makeup and diversity of Scotland, the legal professions, key professions and specialist areas and the judiciary.

This will inform and support current and future diversity, equity and inclusion planning by JABS and its key stakeholders.

To inform the Plan, the Board reached out to obtain the most up to date diversity statistics from JO, FOA and LSS. The most recent information can be found in this report under Stakeholder Diversity Data.

Diversity is at the heart of what we do, and we are consistently working to make sure our selection processes are fair and free from bias.

Our Corporate Plan of 2023-26, includes the encouragement of Diversity in our Mission, Core Values and Strategic Objectives going forward.

Major actions from that plan included:

- Working with the Scottish Government (SG) to support its approach to increasing diversity, equity and inclusion in the legal profession.



- Convening a new Judicial Appointments Diversity Reference Group
- Developing a more proactive approach to publishing diversity statistics.

Judicial Appointments Diversity Reference Group

The Judicial Appointments Diversity Reference Group (JDRG) will inform and support the work of the Board to ensure that diversity is considered appropriately in all elements of JABS work, including the identification, mitigation or removal of obstacles to diversity.

The JDRG aim is “to assist the Judicial Appointments Board for Scotland in considering ways of encouraging diversity in the range of individuals available for selection to be recommended for appointment to a judicial office”.

This will be actioned through:

- Identification of ways in which increased diversity of applicants applying for judicial office can be achieved.
- Practicable suggestions for increasing the proportion of people from under-represented groups who apply for judicial office.
- Identification of other bodies or groups that can contribute to advice on diversity issues:
- Identification, mitigation or removal of actual or perceived obstacles to diversity.
- Consideration of best practice in other jurisdictions (taking into account respective legal frameworks).
- Discussion of areas in which there could be a common programme of action between participating bodies.
- Providing a regular report to the Board covering the above issues.

The group will meet three times a year. The outputs from this group will feed into our Programme for Change.

Diversity Reference Group Membership

The following organisations and judicial office holders join JABS as members of the group:

- A Senator of the College of Justice
- A Chamber President of the First-tier Tribunal for Scotland
- The Judicial Office for Scotland
- The Scottish Government
- The Faculty of Advocates
- The Law Society of Scotland
- The Society of Solicitor Advocates (SSA)
- The Scottish Young Lawyers Association (SYLA)
- The Sheriffs and Summary Sheriffs Association (SSSA)
- Crown Office and Procurator Fiscal Service (COPFS)
- Scottish Ethnic Minorities Lawyers Association (SEMLA)
- The Fair Justice System for Scotland (FJSS)

Diversity Reference Sub-group

The judicial diversity reference sub-group was formed from stakeholders who have access to relevant data on the demography of the legal profession and the judiciary. Its purpose is to identify gaps in the diversity of those applying for judicial office when compared with those eligible and qualified to do so.

In endeavouring to do this, we recognise that stakeholders hold different information and data.

The following organisations join JABS as members of the diversity subgroup:

- The Judicial Office for Scotland
- The Crown Office and Procurator Fiscal Service
- The Law Society of Scotland

Current Progress and Challenges

Progress

Since early 2024, JABS has:

- Increased its focus on diversity issues, as part of our Programme for Change.
- Developed a new Diversity Action Plan.
- Set up a Judicial Appointments Diversity Reference Group.
- Begun a wider programme of engagement with key stakeholders who can help inform this work such as the Scottish Ethnic Minorities Lawyers Association and Fair Justice System for Scotland.
- Expanded and improved on outreach webinars to encourage applicants for judicial office from a wider range of backgrounds.
- Attended events and workshops, including the Future of the Legal Profession in Scotland working groups.
- Encouraged diversity by using social media and information videos on YouTube;

- Published in previous Annual Reports and in this Diversity Report anonymised information about the diversity of applicants and those recommended by the Board as suitable for appointment.

Challenges

JABS recognises several challenges:

- The need to better understand the scale of the key diversity challenges and issues.
- Understanding the demography and diversity of the legal profession (and others who may apply for non-legal roles in the Scottish Tribunals) as this will have a significant impact on those who are eligible and qualified to apply for judicial roles.
- The need to conduct appropriate and timely research to inform and support programmes of action.
- Identifying factors that may discourage applications and seeking to eliminate them.
- Implementing a communications and engagement plan that ensures we get the right messages to the right people at the right time and which addresses diversity issues.

JABS Diversity Data

Until now, we had not published Diversity statistics covering a multi-year period.

While gaps remain in the information currently available, we do have information on:

- Gender
- Ethnicity
- Disability
- Age
- Profession
- Solicitor Advocate Extended Rights
- Judicial Office Holders
- Kings Counsel

This data has been included to provide a clearer picture of the current situation, supporting the Board to consider realistic outcomes, which in turn will help define direction.

We have analysed the diversity statistics for competitions within the last seven years. Court competitions which did not conclude by 31 March 2025 will be included in the 2025/2026 Diversity Report. Tribunal and Parole Board for Scotland competitions have been included from 2022 and 2023.

There is significant variability in terms of the size and type of roles across the range of judicial competitions which makes it challenging to identify trends.

Further analysis and reporting will be undertaken once we have fuller comparative data and this will include any other diversity information as this becomes available. It is anticipated that we will add diversity data from earlier years.

Together, these additions will provide a longer and fuller run of diversity statistics from which trends will become easier to discern. However, our progress in this will be dependent on having the necessary resources available. Developing this report has taken a substantial amount of time and effort because of the need to ensure that the diversity information collected over the various competitions has been done so consistently.

How We Collect Diversity Data

Applicants are asked to complete a separate form which requests information about them, including diversity. Neither panel members nor the board are given access to any individual's diversity data. It is used to provide aggregated diversity information for competition panels, the Board and for our Annual Reports about the diversity of individual competitions.

Applicants are asked to complete the form but can answer 'prefer not to say' ("PNTS").

JABS Diversity Statistics 2018/19- 2024/5

The tables in this paper show diversity statistics for court and tribunal competitions over the period of 2018-2024.

Statistics Included in this Report

- Applicants who withdrew after application and reserve candidates who subsequently were appointed have been included. Applicants who were ineligible and were therefore not considered by a panel have not been included.
- The statistics include applicants who have selected PNTS.
- In some competitions the percentage of those who select this option is significant and limits the interpretation of the data.
- All percentages have been rounded to whole numbers.
- Diversity statistics on the Chair of the Land Court have not been included due to the small pool of applicants. Due to the small numbers, the statistics for three competitions for the Office of Sheriff Principal have been aggregated to enable publication.
- The statistics which are displayed under the 'Professions' sections for each competition include solicitors, solicitor advocates, advocates and salaried judicial office holders. Part time judicial office holders are counted under their professional role.
- The statistics which are displayed under the 'Judicial Office Holder Split' sections include part-time and full-time court judicial office. This demonstrates the percentage of applicants who were in a court judicial office at the time of applying.

Court, Tribunal and Parole Board - Diversity Data – Initial Analysis and Findings

Great care needs to be exercised when identifying trends from these tables.

The numbers involved are generally small, particularly when looking at the figures for recommendations for individual competitions. In future reports we will include information about the diversity of those who were interviewed.

At this stage we do not have the comparative data to properly compare JABS diversity outcomes against those of the profession who are eligible and qualified to apply for judicial office. We will be working with stakeholders to identify if this data will be available in future.

It is important that we also consider JABS information against the diversity data held by JO on the current judiciary in Scotland. However, this is currently limited to gender and age.

We expect to be able to include deeper interpretation on these comparisons in future diversity reports.

Gender

As can be seen from the tables below, the past seven years show a significant range in the gender balance of applications and in the proportion of females recommended for appointment.

These vary greatly between judicial offices. There does appear to be an upward trend in the proportion of applications from females.

Over the seven years, there were higher proportions of females applying for summary sheriff roles than for sheriff roles. It should also be noted that the proportions of applicants who recorded PNTS ranged over the years from 2% to 10% for summary sheriff and 1% to 12% for sheriff.

Only one competition was held for both part-time summary sheriff and part-time sheriff - both in 2021 - where the proportion of female applicants was respectively 37% and 31%. In the part-time summary sheriff competition 4% of applicants recorded PNTS.

It is interesting to note that the percentage of females who applied for part-time summary sheriff and part-time sheriff in 2021 were markedly lower than for full-time salaried shrieval competitions. These part-time roles were for all-Scotland floating sheriffs, which may be a reason for the lower percentage of applications from females.

It should be noted that only around a quarter of the members of the Faculty of Advocates are female. The proportion of females applying for sheriff principal and senator roles represented a quarter and above of the overall proportion of applicants, with 33% representation in some competitions.

At sheriff principal level, over two competitions, 33% of applicants were female, while 5% recorded PNTS. Over the four senator competitions, 24% of applicants were female, with PNTS being as high as 13% in 2020/2021. There is evidence of a slight increase in the proportion of female applicants for senator, with 33% applying in the 2023/2024 competition.

Across all court competitions, the percentage of female applicants falls no lower than 24%, rising to 45% for some roles. This is positive reflection of gender diversity at the application stage. At the recommendation stage, 36% of recommended candidates across all court competitions were female, slightly above the 34% of applicants who reported as female.

The Social Security Chamber (SSC) Tribunals competition showed 55% of applicants for legal member and 59% of those being recommended were female. For the disability member competition, 72% of applicants and 67% of those recommended were female.

In the medical member competition, 48% of the applicants were female, while 100% of the recommended candidates were female.

The available data for Parole Board for Scotland is limited to one competition. For both legal and general members 50% of those recommended were female compared with 43% of applicants for legal members and 52% of applicants for general members being female.

Ethnic Group

In general, only a very small proportion of applicants for court roles declare being from a minority ethnic background. Throughout the last seven years, the percentages of ethnic minority applicants as opposed to those recommended for appointment, do not show any pattern or trend.

Across the SSC Tribunals competition, the statistics show slightly higher proportions of applicants from ethnic minority backgrounds compared to the court competitions, with 7% and 6% of applicants for legal and disability members declaring as from ethnic minority backgrounds, with applicants for medical member being significantly higher at 18% of applicants.

For some competitions, the proportion of those who preferred not to declare their ethnicity is higher than the proportion who declared as being from an ethnic group. This limits the interpretation of this data.

Given the limitations of the current data, it is difficult to draw any further meaningful analysis from the statistics, however JABS will monitor and compare the data as more becomes available.

Disability

The percentage of applicants declaring they had a disability in Sheriff and Senator competitions was consistently below 5% pre-2021, but this has increased significantly over more recent years, with an increase to 21% in Summary Sheriff 2021/2022 and Sheriff 2023/2024 competitions.

The range of candidates then successful at interview and recommended is variable, but the figures do show a comparable correlation between percentage of applicants declaring a disability at application stage and at recommendation stage. For example, in the 2021/2022 Summary Sheriff competition 29% of recommended candidates had declared a disability, whilst in the Sheriff 2023/2024 competition, 22% of candidates recommended had declared a disability. Statistics on disability are not available for the sheriff principal, tribunal and Parole Board of Scotland competitions.

Age

To be eligible to apply, applicants for shrieval, upper tribunal and first tier tribunal roles require ten, seven and five years of legal experience, respectively. This limits the number of applications from those aged below 36 years, particularly for shrieval competitions.

As a reflection of this, less than 1% of applications across all shrieval competitions came from those aged below 36 years. By contrast, in the SSC Tribunal competition, the proportion of applicants aged under 36 for legal, disability and medical members were 6%, 12% and 9% respectively.

It should be noted that in 2021 the mandatory retirement age for the judiciary was raised from 70 to 75. Since 2021 there has been a very slight increase in the number of applicants in the 66-75 age range.

Otherwise, there are no discernible trends in the data for the age of applicants.

Professions

Over the past seven years, the proportion of solicitors applying for summary sheriff has gradually increased to well over half the applications. In sheriff competitions there is a roughly even split of applications from solicitors, solicitor advocates, advocates and judicial office holders.

A significantly higher proportion of judicial office holders are recommended than the proportion that applied. For solicitors, the proportion that are recommended is significantly lower than the proportion that applied.

For sheriff principal, most applications have been received from existing judicial office holders (86%), with 89% of those being existing sheriffs.

For senator, the proportion of applications have been split between advocates and judicial office holders, with the proportion of judicial office holders increasing slightly in recent years to around half of all applications. The proportion of KCs applying has declined, although still represents most applicants.

Court Competitions

The following court competitions have been included:

- The office of summary sheriff.
- The office of summary sheriff - part-time.
- The office of sheriff.
- The office of sheriff - part time.
- sheriff principal combined.
- office of senator of the College of Justice.

We have included diversity data on court competition in regard to:

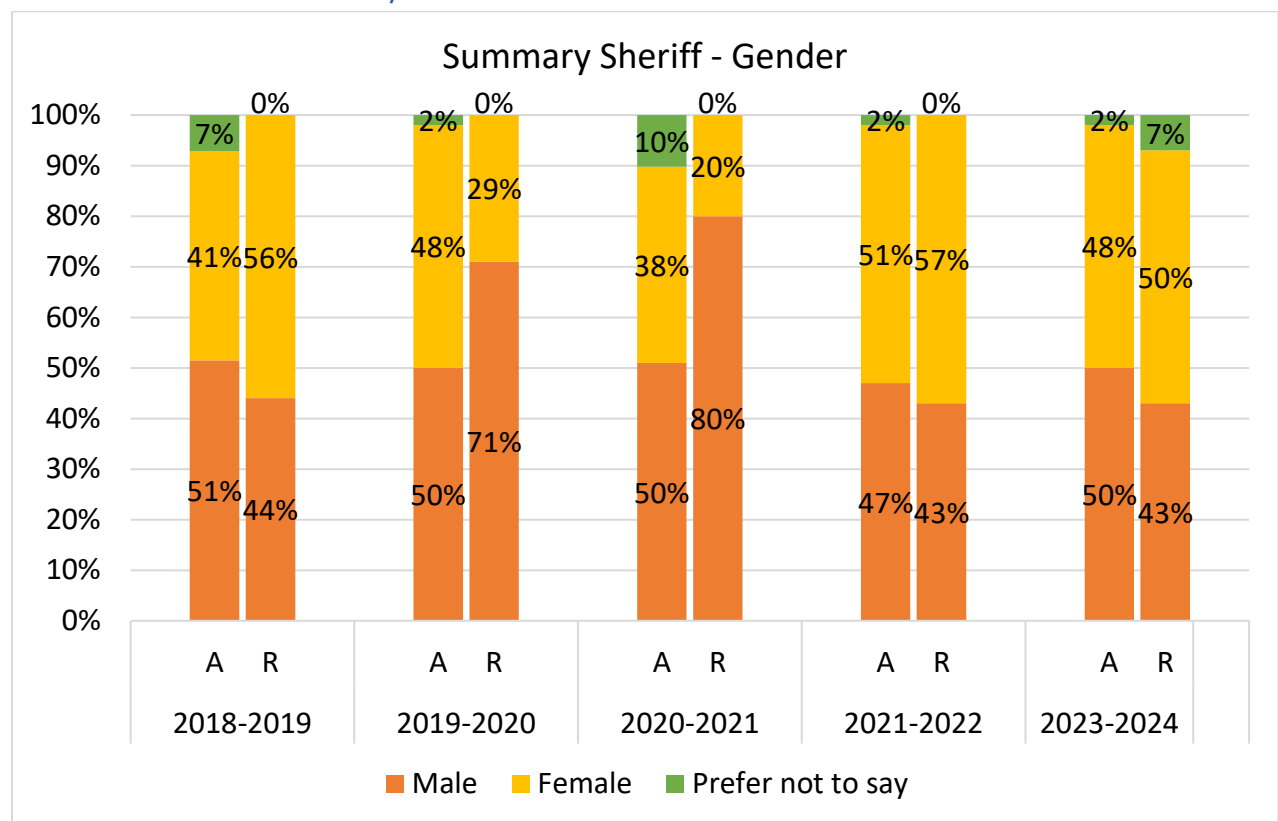
- Gender.
- Ethnicity.
- Disability.
- Age.
- Professions - non-salaried judicial office holders or tribunal members are recorded under their profession i.e. solicitor, solicitor advocate or advocate. Part-time summary sheriffs and part-time sheriffs are not included).

- Solicitor advocate - extended rights.
- Judicial office holders - includes non-salaried i.e. part time summary sheriff/sheriff.
- Kings Counsel.

The Office of Summary Sheriff – Overview

Year	Eligible Applications	Candidates Recommended
2018-2019	174	9
2019-2020	96	7
2020-2021	60	5
2021-2022	91	14
2022-2023	No Competitions	
2023-2024	132	14
Total	553	49

The Office of Summary Sheriff – Gender



A=Applied

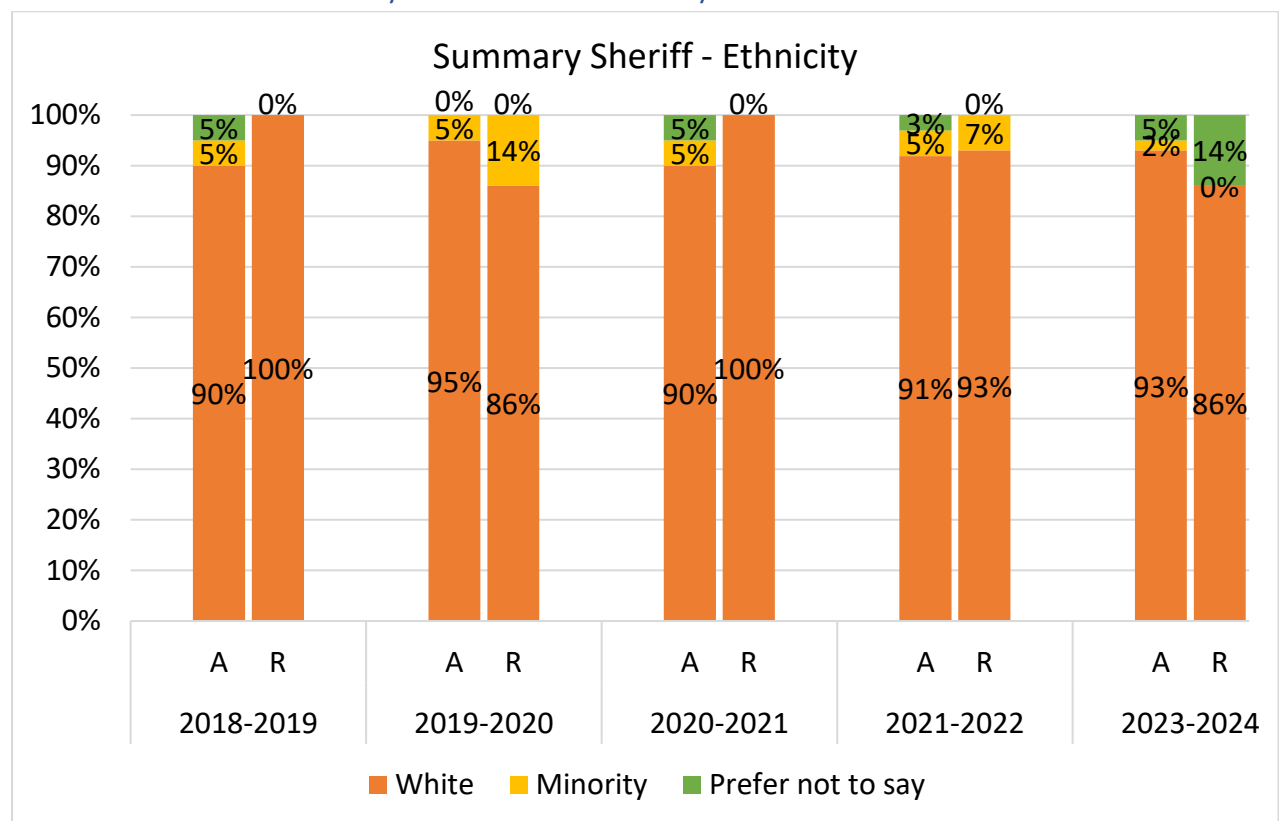
R=Recommended

The proportion of female applicants has varied over the 2018-24 period, with no discernible trend.

In terms of recommendations for appointment, the figures have fluctuated considerably. There are two years with a higher proportion of females, two years with a significantly higher proportion of males, and for the most recent year the proportions of males and females were equal.

Over the five competitions, 51% recommended were males and 47% were females. 2% of those recommended preferred not to declare their gender.

The Office of Summary Sheriff – Ethnicity



A=Applied

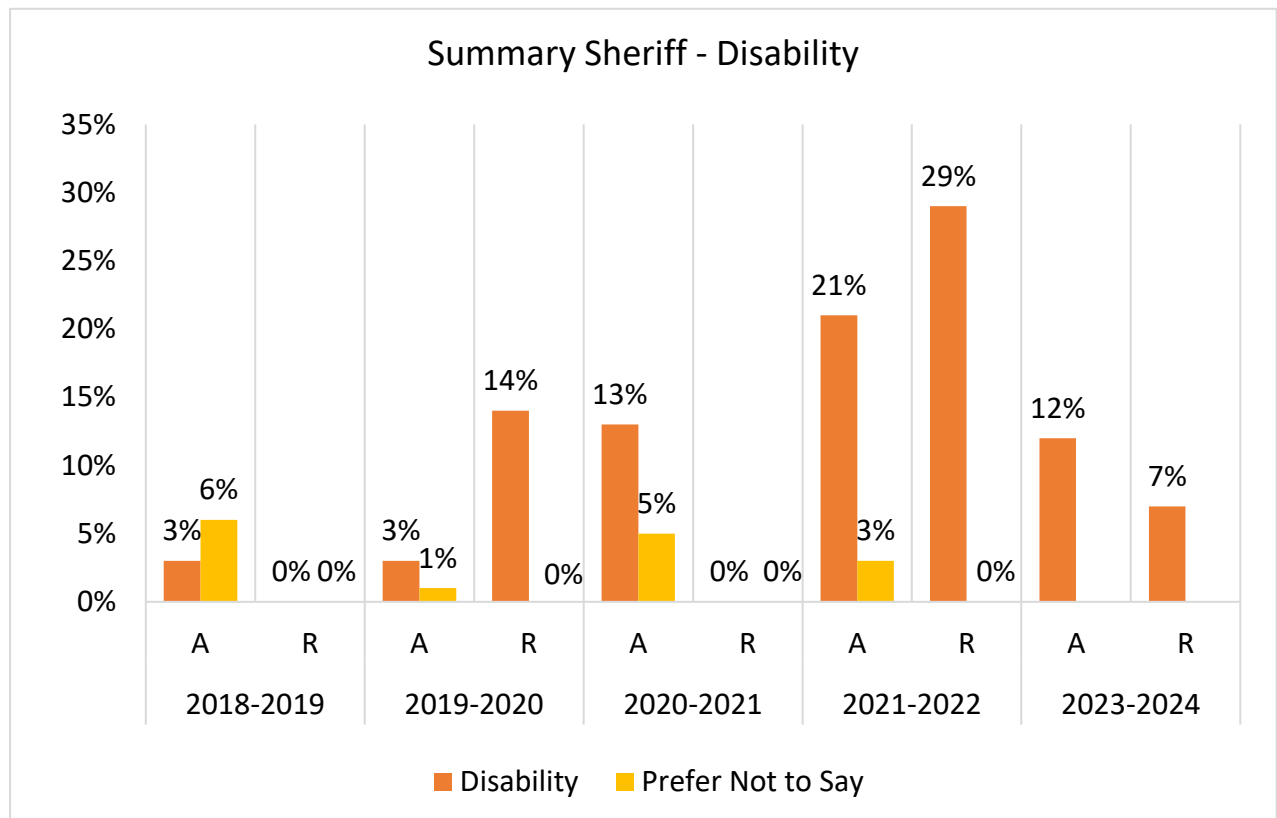
R=Recommended

From 2018-2022 applications from those declaring themselves to be in a minority ethnic group stayed consistent at 5% until 2023-24 where it fell to 2%.

With the exception of 2019-20 applicants who PNTS with regard to ethnicity were around 5%.

Over the period of these statistics, the proportion of those applying who declared they were from an ethnic group was consistent with those who were recommended for appointment. 4% of applicants declared themselves to be in a minority ethnic group (24 individuals) and 4% (two individuals) were recommended. 4% of applicants PNTS and 4% who did not declare their ethnicity were recommended.

The Office of Summary Sheriff – Disability



A=Applied

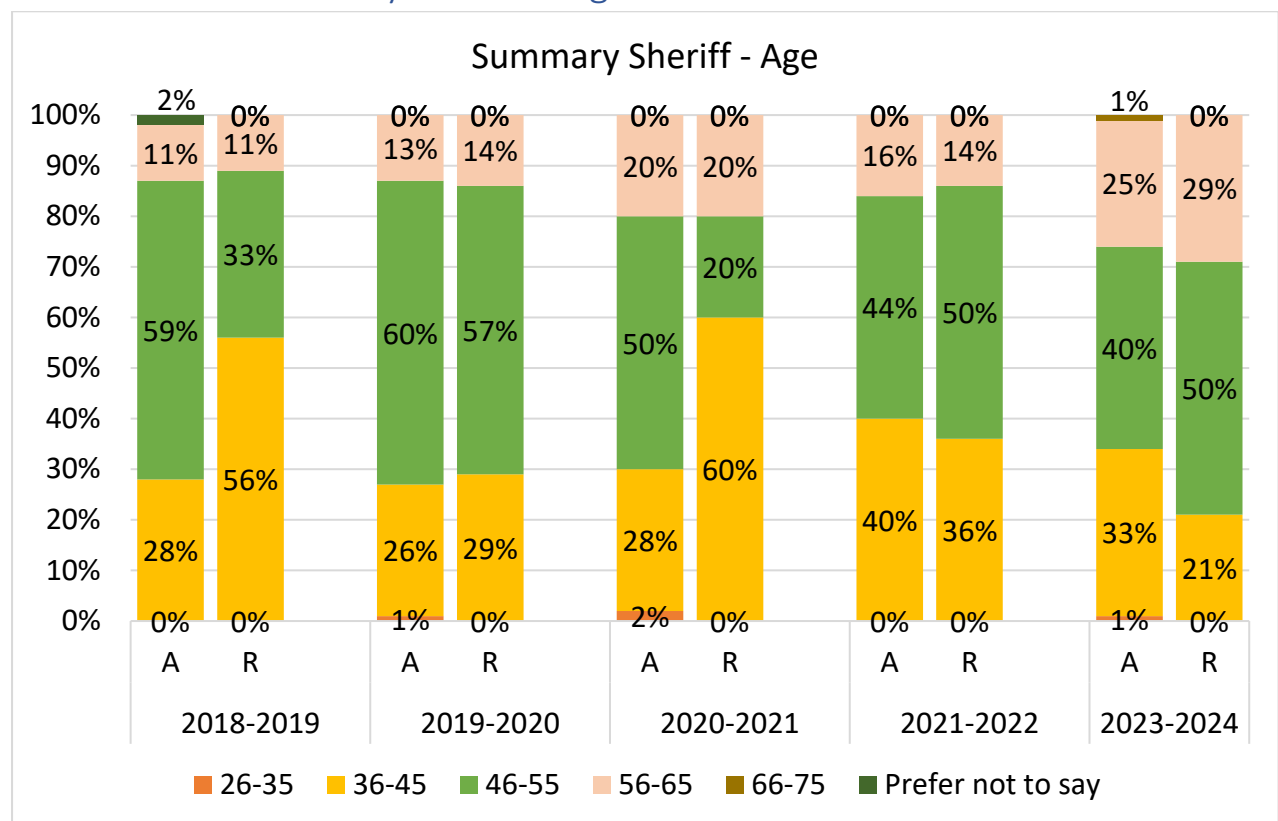
R=Recommended

The three most recent competitions have a significantly higher percentage of applicants declaring a disability than the previous two years.

Over these competitions, 52 candidates declared a disability out of the total of 553 which is 9% of applicants.

For 2023-2024, the option to PNTS was not included. However, 4% out of the total applications over the previous years between 2018-2022 chose PNTS.

The Office of Summary Sheriff – Age



A=Applied

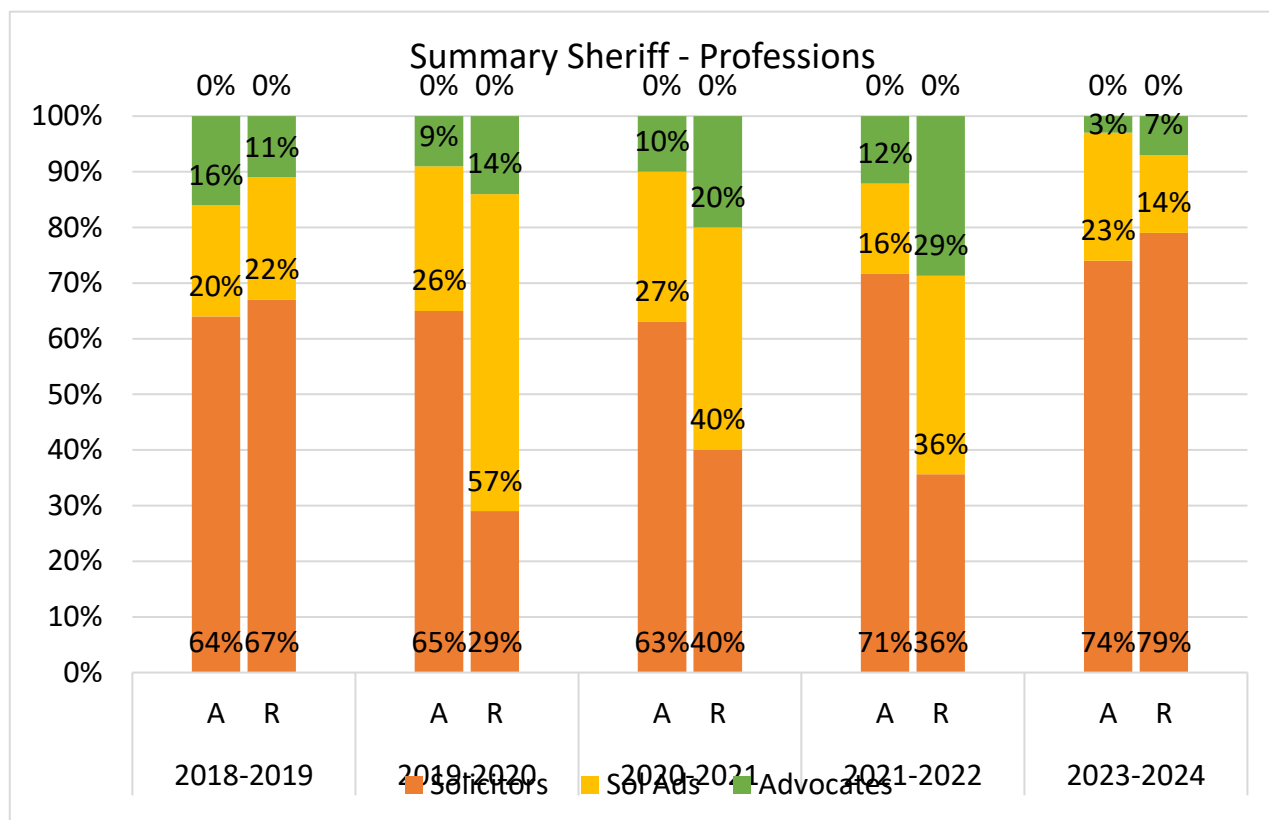
R=Recommended

Over the period 2018-2024, the proportion of applicants from each age range has varied, with a slight increase in applications from the 36-45 age range and a decrease in applications from the 46-55 age range.

Over the five competitions, only one application has been received from an individual aged 66-75. This was in 2023-24 which is after the mandatory retirement age for judicial office holders was increased from 70 to 75.

Over the five competitions, out of those recommended, 0% were aged 26-35, 37% were aged 36-45, 45% were 46-55, 18% were 55-65 and 0% were 66-75.

The Office of Summary Sheriff – Professions



A=Applied

R=Recommended

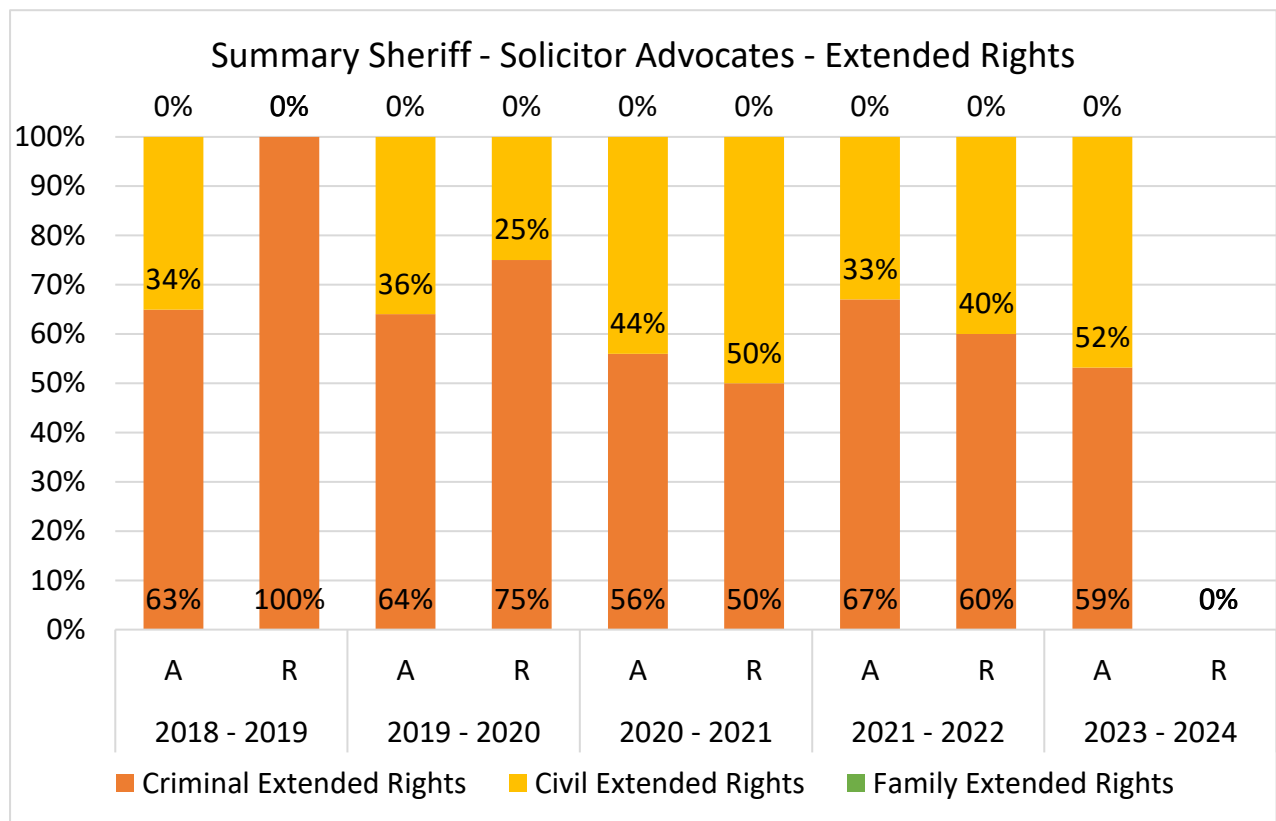
Over the 2018-24 period the numbers of solicitors applying has gradually increased, although there is no obvious trend for applications from solicitor advocates and advocates.

Over these five competitions, solicitors were 68% of those who applied and 53% of those recommended.

Over these five competitions, solicitor advocates were 22% of those who applied and 31% of those recommended.

Over these five competitions, advocates were 10% of those who applied and 16% of those recommended.

Office of Summary Sheriff – Solicitor Advocate Type of Extended Rights



A=Applied

R=Recommended

No solicitor advocates applied who had both criminal and civil extended rights.

The Office of Summary Sheriff – Part-time Judicial Office Holders

Over these competitions, 11 applicants were part-time summary sheriffs and in 2023 we received one application from a part-time sheriff. The total percentage of applications from part-time judicial office holders over these competitions is 2%.

Seven part-time judicial office holders have been appointed over these competitions. This equates to 14% of the total recommended.

The Office of Summary Sheriff – KCs

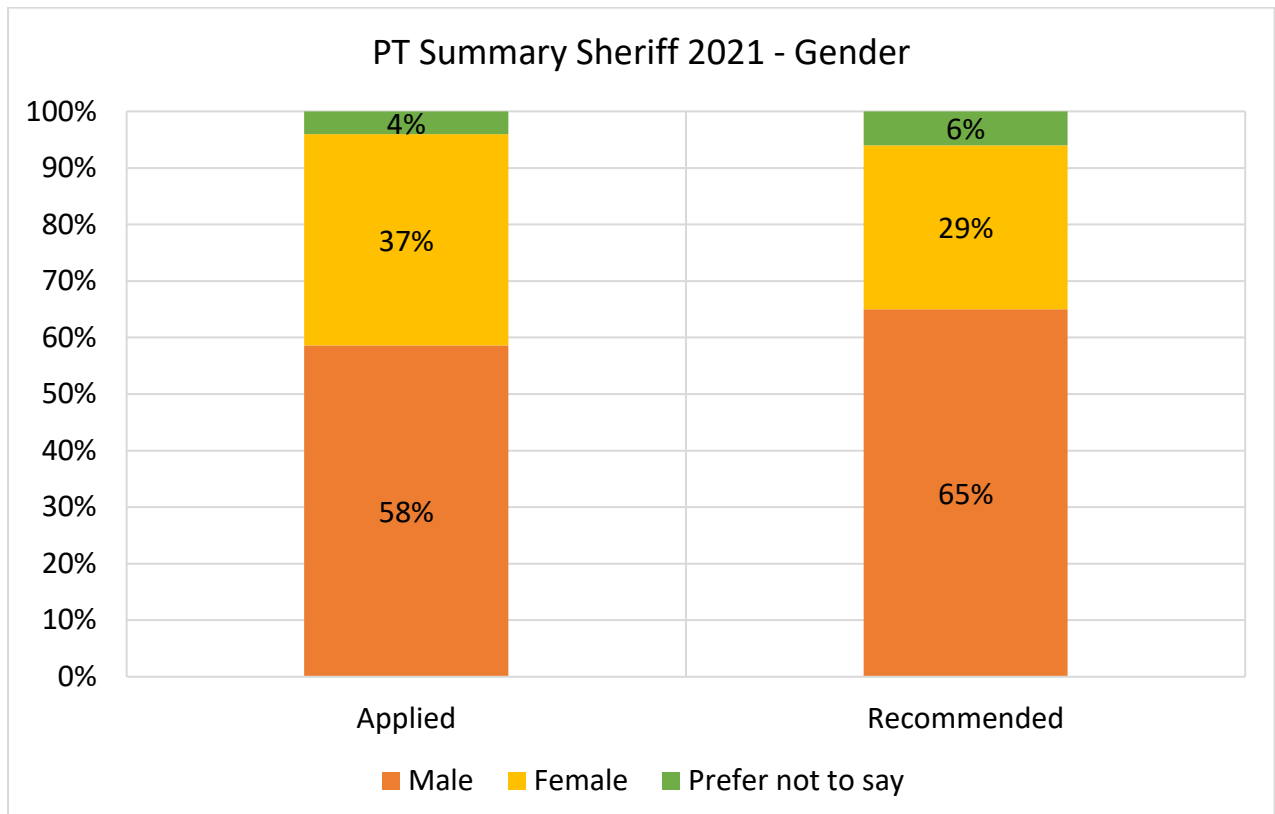
Over the period of the report only one KC applied and was not recommended.

The Office of Summary Sheriff 2021 (Part Time) – Overview

Over the period of 2018 to 2024 JABS was requested to undertake one competition for Part-time Summary Sheriffs. This was held in 2021-2022 with the following outcome:

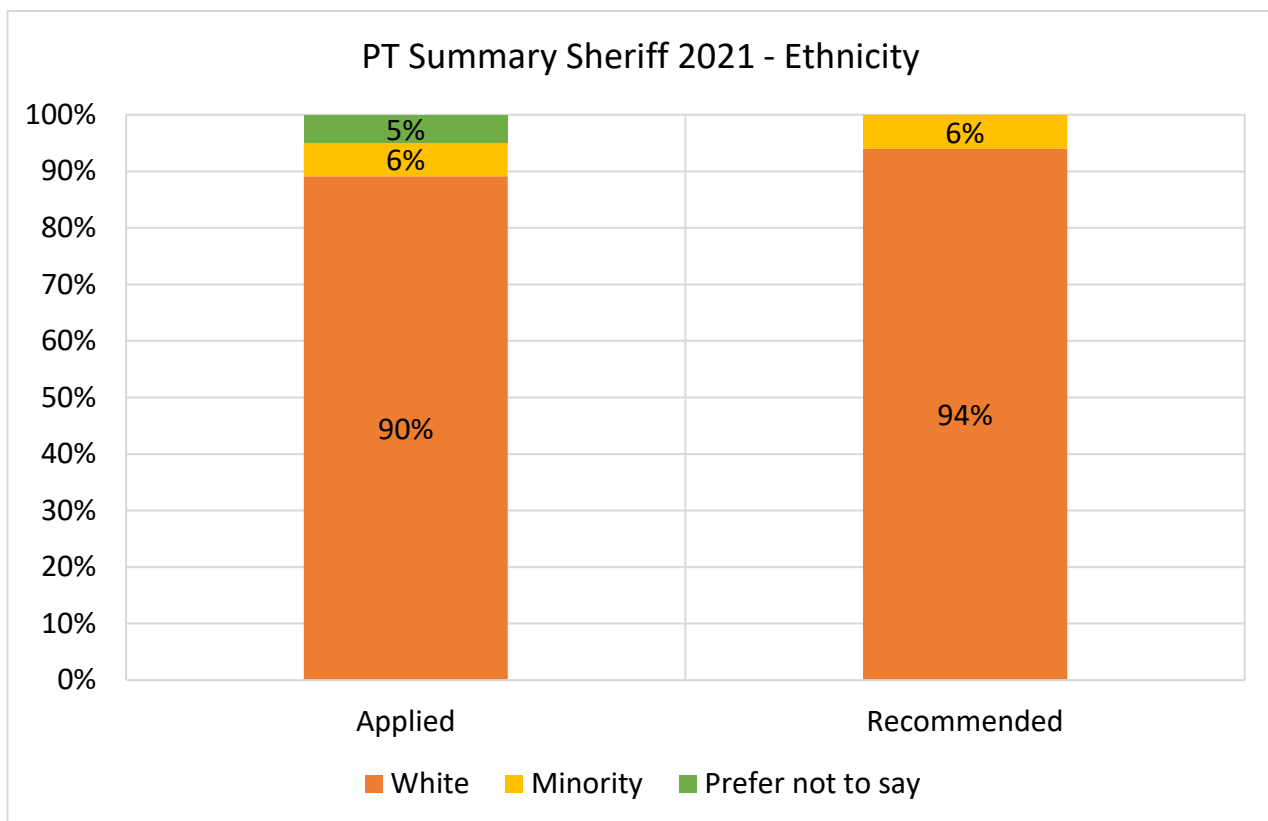
Eligible Applications	Candidates Recommended
106	17

The Office of Summary Sheriff 2021 (Part Time) – Gender



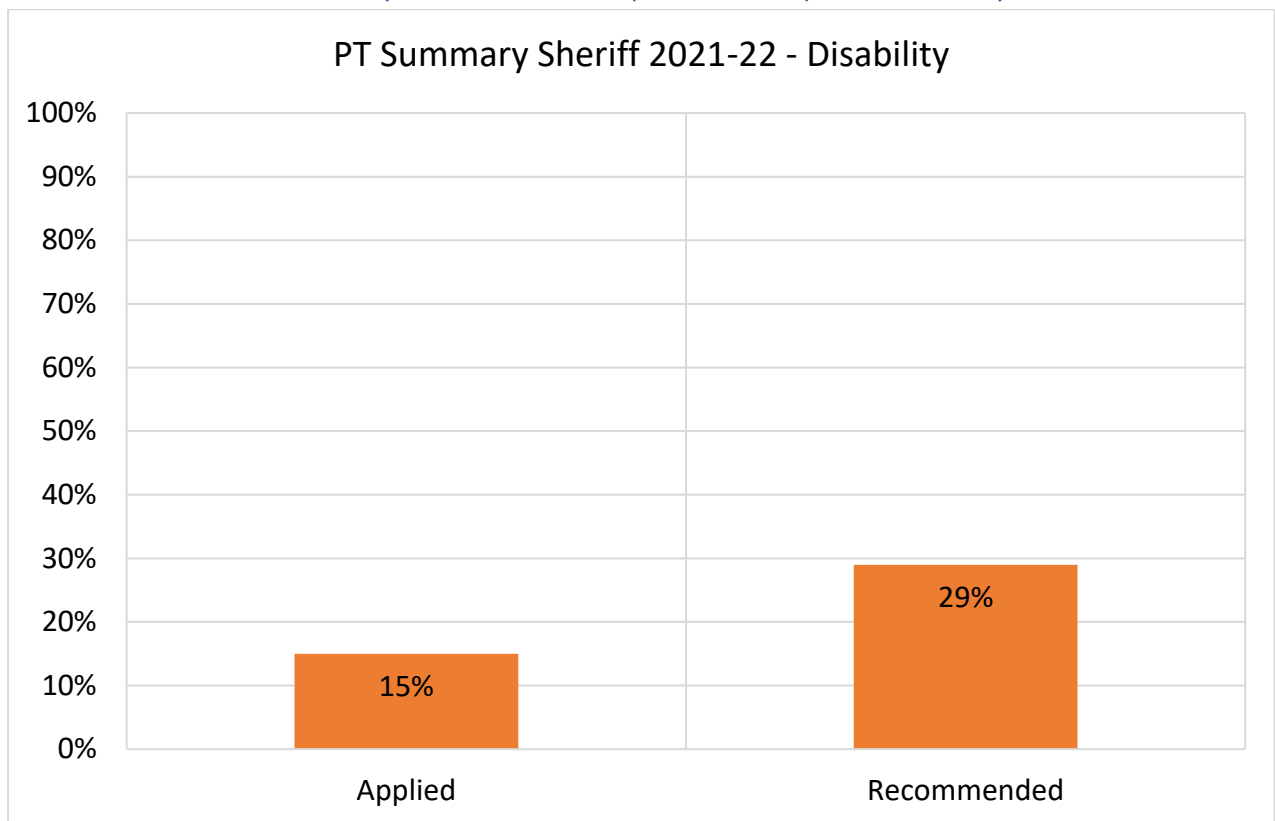
The percentage of females recommended was lower than the percentage of females who applied.

The Office of Summary Sheriff 2021 (Part Time) – Ethnicity



The percentage of individuals who declared as from minority ethnic groups stayed consistent at 6% from application to recommendation stage.

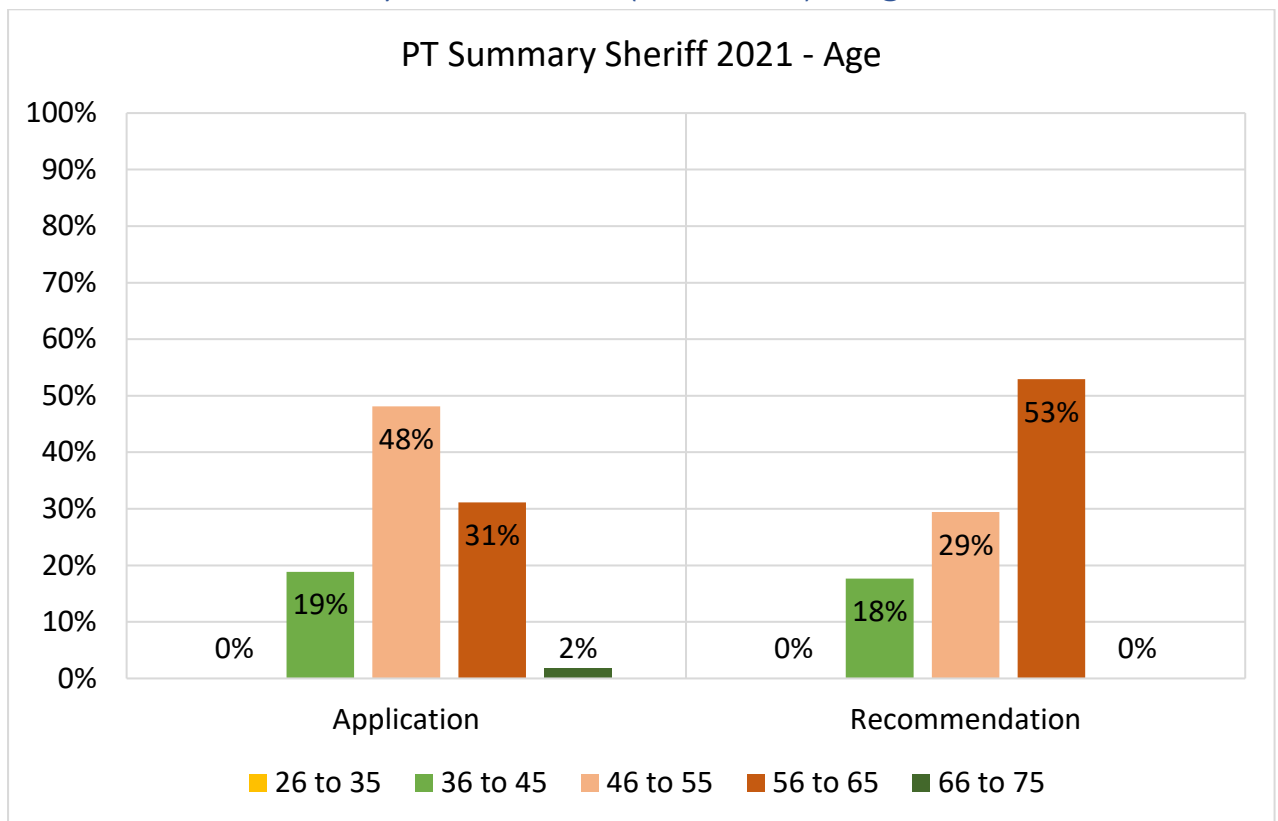
The Office of Summary Sheriff 2021 (Part Time) – Disability



The percentage of applicants who declared having a disability was higher in the pool of recommended candidates than in those applying.

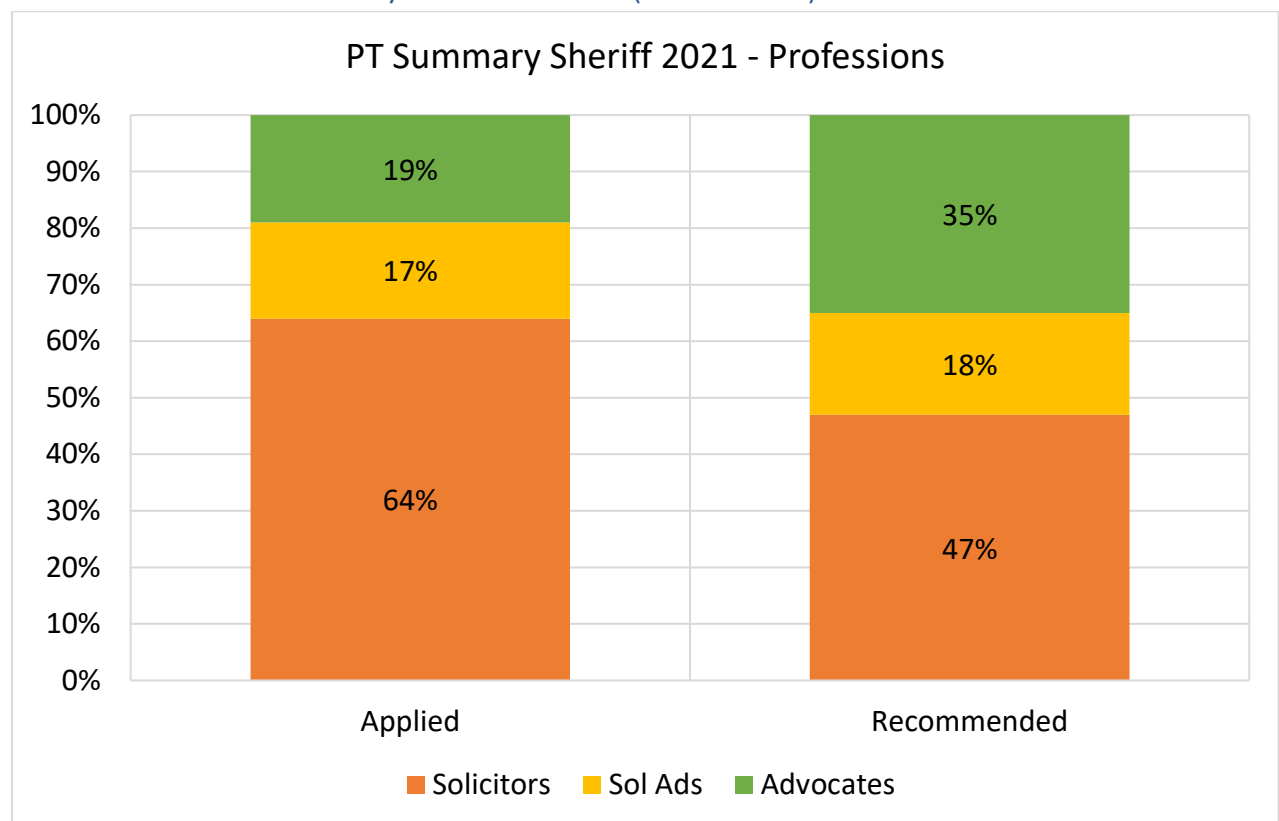
PNTS was not an option for this question.

The Office of Summary Sheriff 2021 (Part Time) – Age

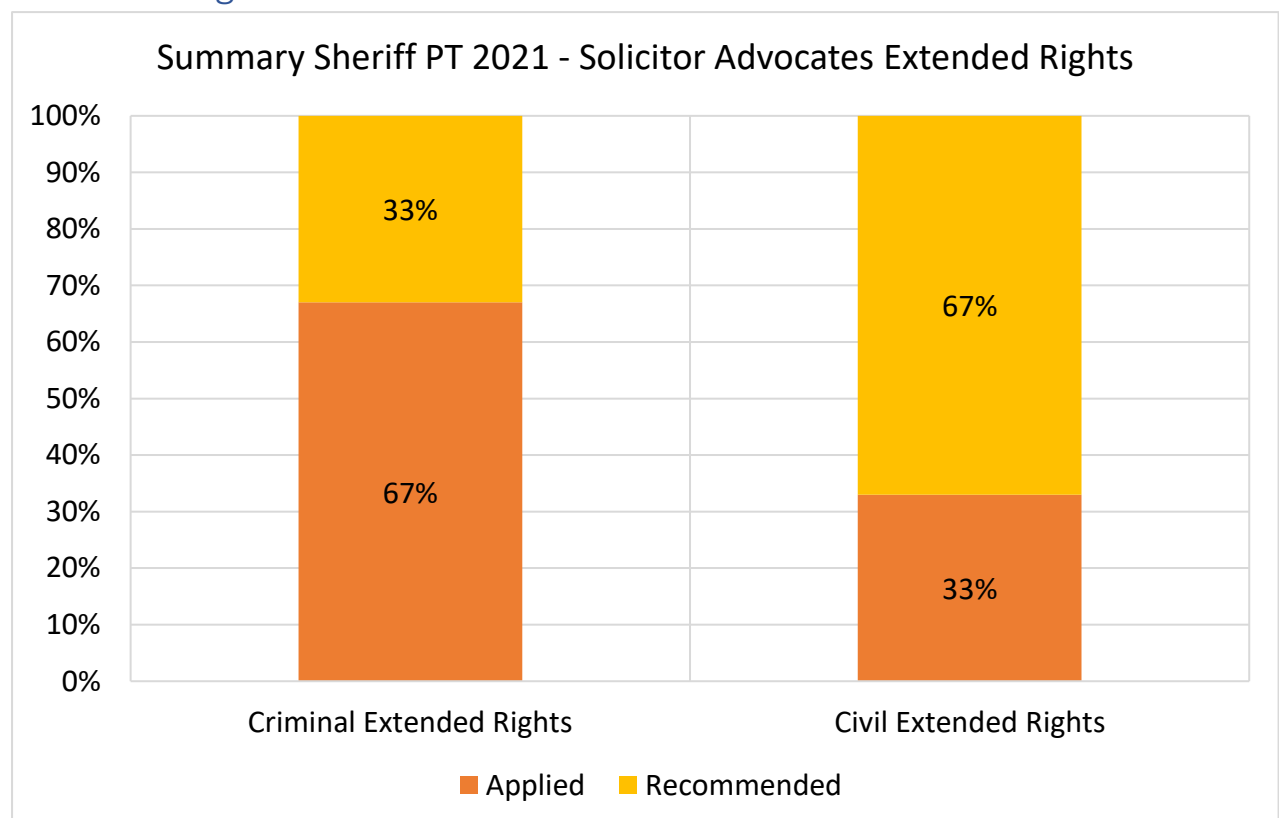


PNTS was not an option for this question.

The Office of Summary Sheriff 2021 (Part Time) – Professions



The Office of Summary Sheriff 2021 (Part Time) – Solicitor Advocate-Extended Rights



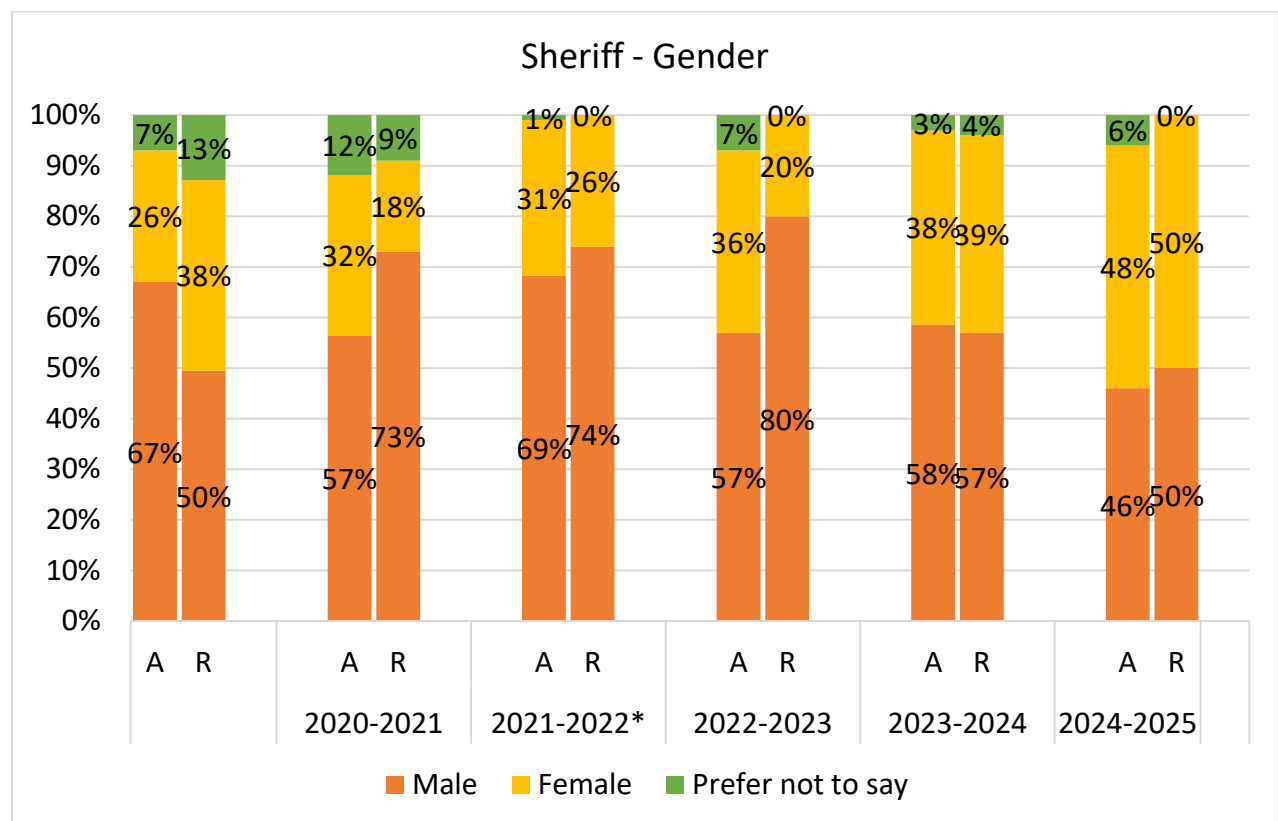
The Office of Summary Sheriff 2021 (Part Time) – KCs
No KCs applied for this competition.

The Office of Sheriff – Overview

There were two sheriff competitions in 2021-2022. *Sheriff 21 – All Locations* and *Sheriff 21 - Dumfries and Dunoon*. The analysis below shows the combined figure for both:

Year	Eligible Applications	Candidates Recommended
2019-2020	46	8
2020-2021	92	11
*2021-2022 – General	114	19
*2021-2022 – D & D	40	4
2022-2023	83	10
2023-2024	120	23
2024-2025	65	4
Total	560	79

The Office of Sheriff – Gender



A=Applied

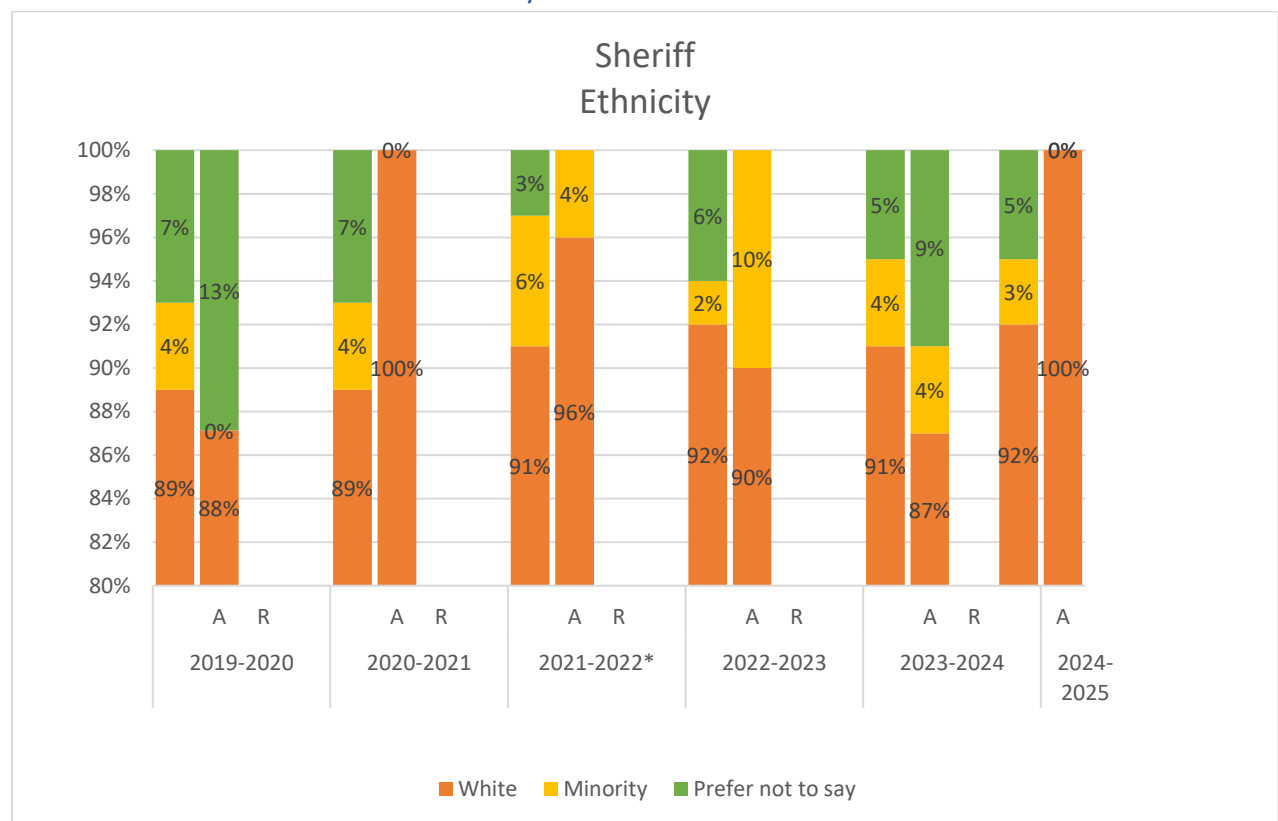
R=Recommended

There has been a gradual increase in the proportion of females applying for the office of sheriff – reaching 48% in 2024-25.

For 2019-20, 2023-24 and 2024-25, the proportion of female candidates recommended was about the same or higher than the proportion who applied. Other years saw a significantly lower number between the proportion who were recommended compared with the proportion who applied.

Over the period of these competitions, 60% of applicants and 66% of recommendations were male, 35% of applicants and 30% of recommendations were female, and 5% of applicants and 4% of recommendations were from candidates who PNTS.

The Office of Sheriff – Ethnicity



A=Applied

R=Recommended

Between 2019-20 and 2024-25, the proportion of applicants from minority ethnic backgrounds fluctuated between 2% and 6%.

In 2019-20, 2020-21 and 2023-24, no applicants who declared as being from minority ethnic groups were recommended. It is worth noting only four candidates were recommended in 2024-2025.

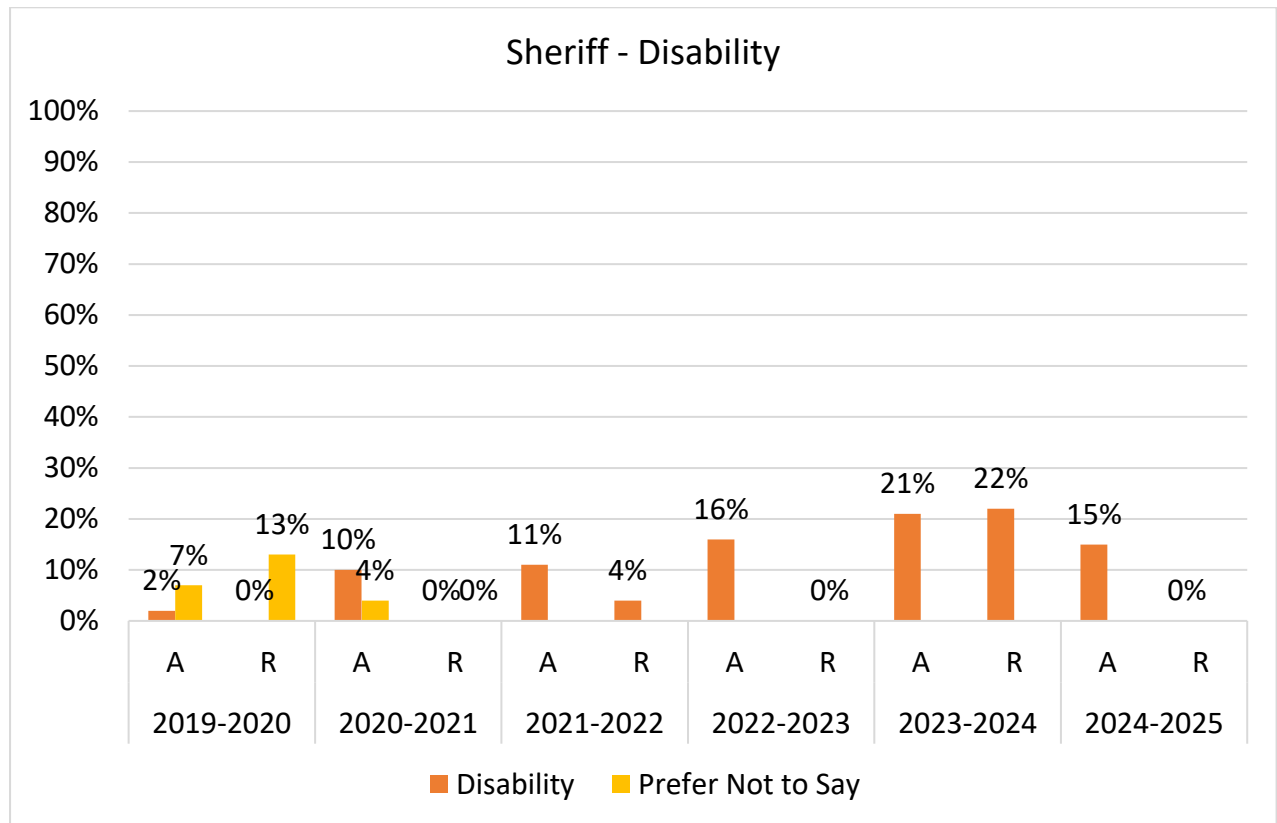
In 2023-24, the percentage of recommendations of individuals from minority ethnic groups was proportionate to the percentage applied.

In most years, the percentages of those applying who PNTS their ethnicity was higher than those declaring as from a minority group.

13% of those recommended in 2019-20 and 9% of those recommended in 2023-24 PNTS regarding ethnicity.

Over these competitions, 5% of applicants and 4% of recommendations were individuals who PNTS regarding ethnicity. 4% of applicants and 4% of those recommended were candidates from a minority ethnic group. 4% of those recommended equates to three individuals out of a total of 75.

The Office of Sheriff – Disability



A=Applied

R=Recommended

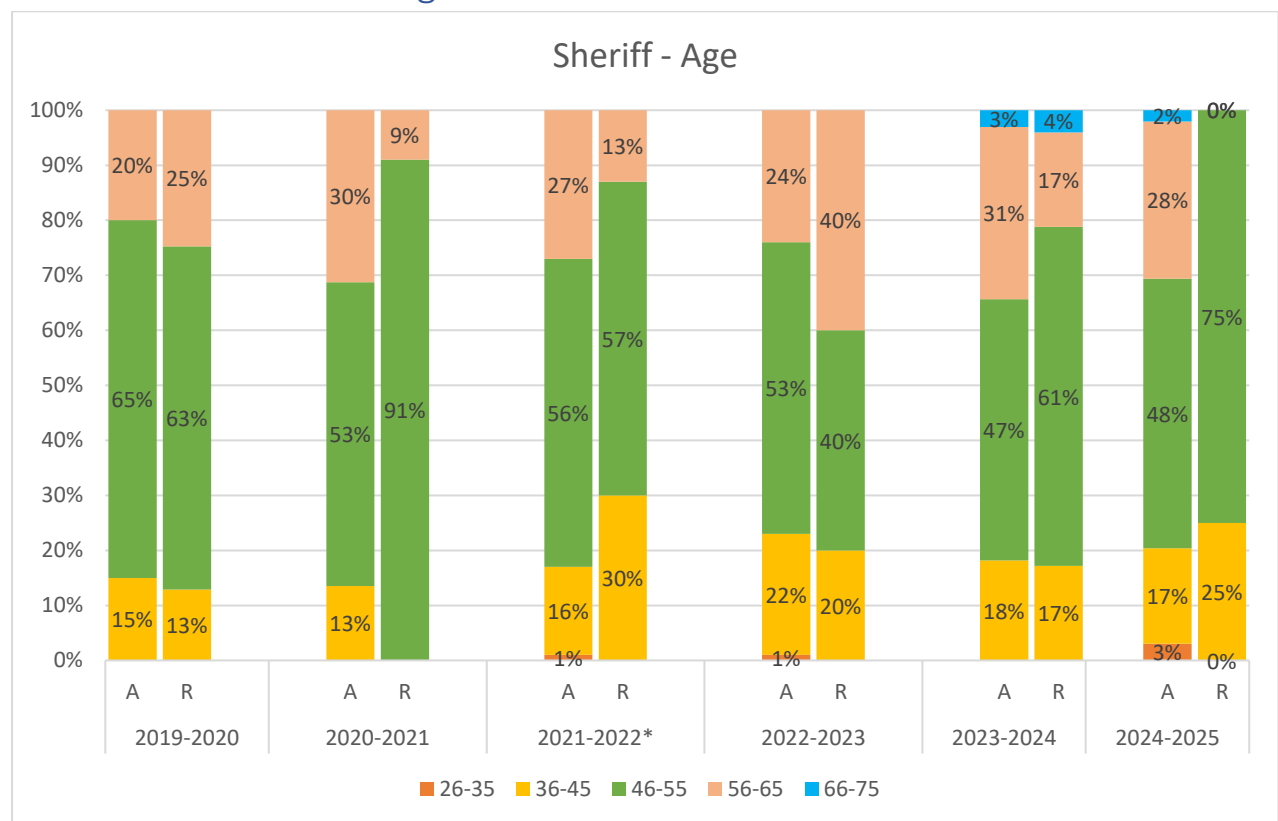
There has been a general increase in the percentage of candidates declaring they have a disability.

2023-2024 saw a substantial increase in the proportion of candidates declaring a disability who were appointed.

The option to prefer not to declare disability was not included for the competitions between 2021 – 2024. Data on PNTS has been included for the years 2019-20 and 2020-21 but due to the limited data we cannot include meaningful analysis for this category at this time.

Over these competitions 13% of applicants and 18% of recommendations were from candidates who declared having a disability. Over the years 2019-20 and 2020-21 5% of applicants and 5% of recommendations were from candidates who preferred not to declare having a disability.

The Office of Sheriff – Age



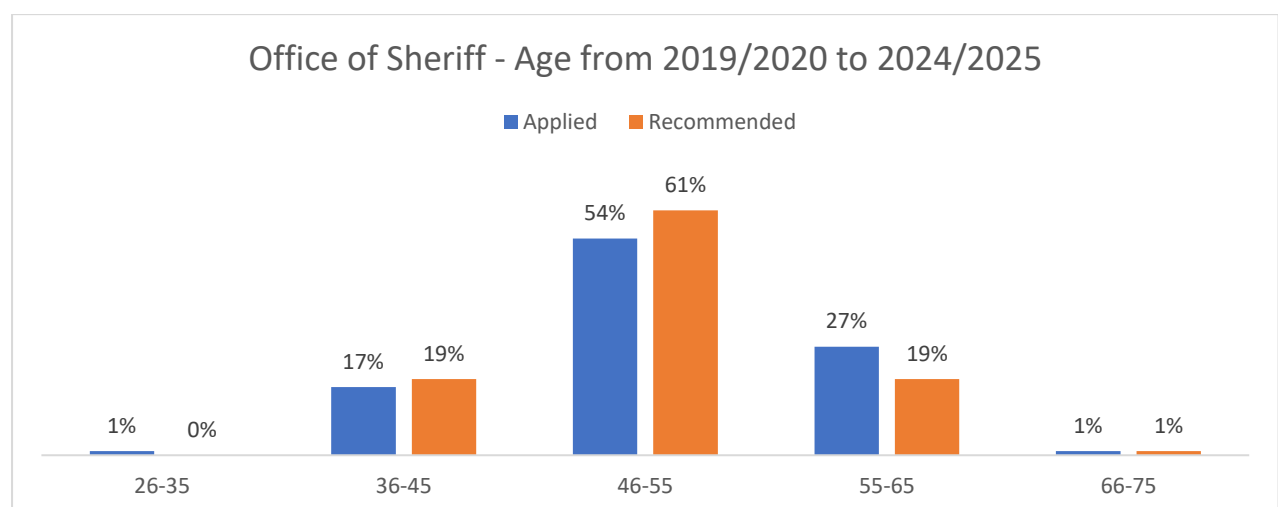
A=Applied

R=Recommended

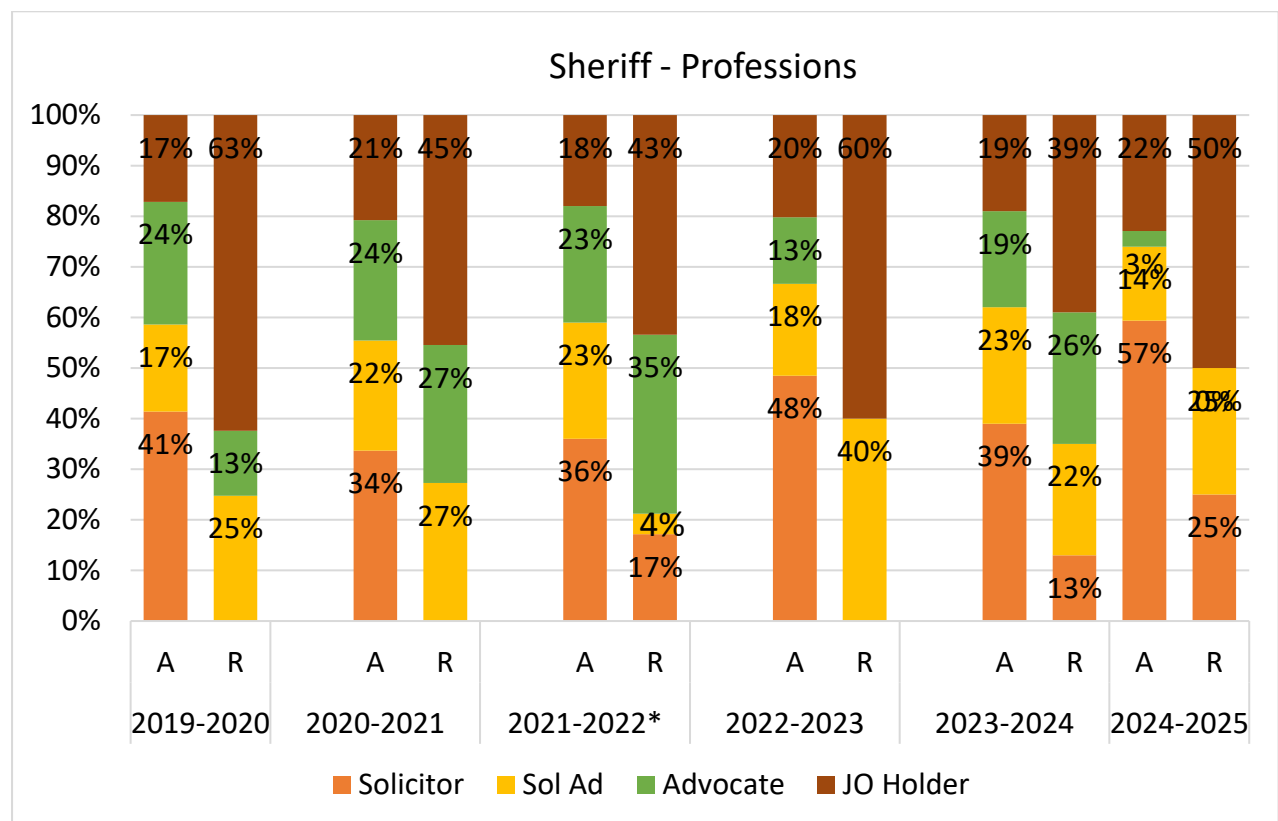
The mandatory retirement age for judicial office holders changed on 10 March 2022 from 70 to 75. This may explain the small increase in applications for the 66-75 age group in 2023-2024.

Across all the competitions for sheriff, applicants aged 46-55 form the largest group with 53% of applications.

The 46-55 age group form the largest proportion for those recommended.



The Office of Sheriff – Professions



A=Applied

R=Recommended

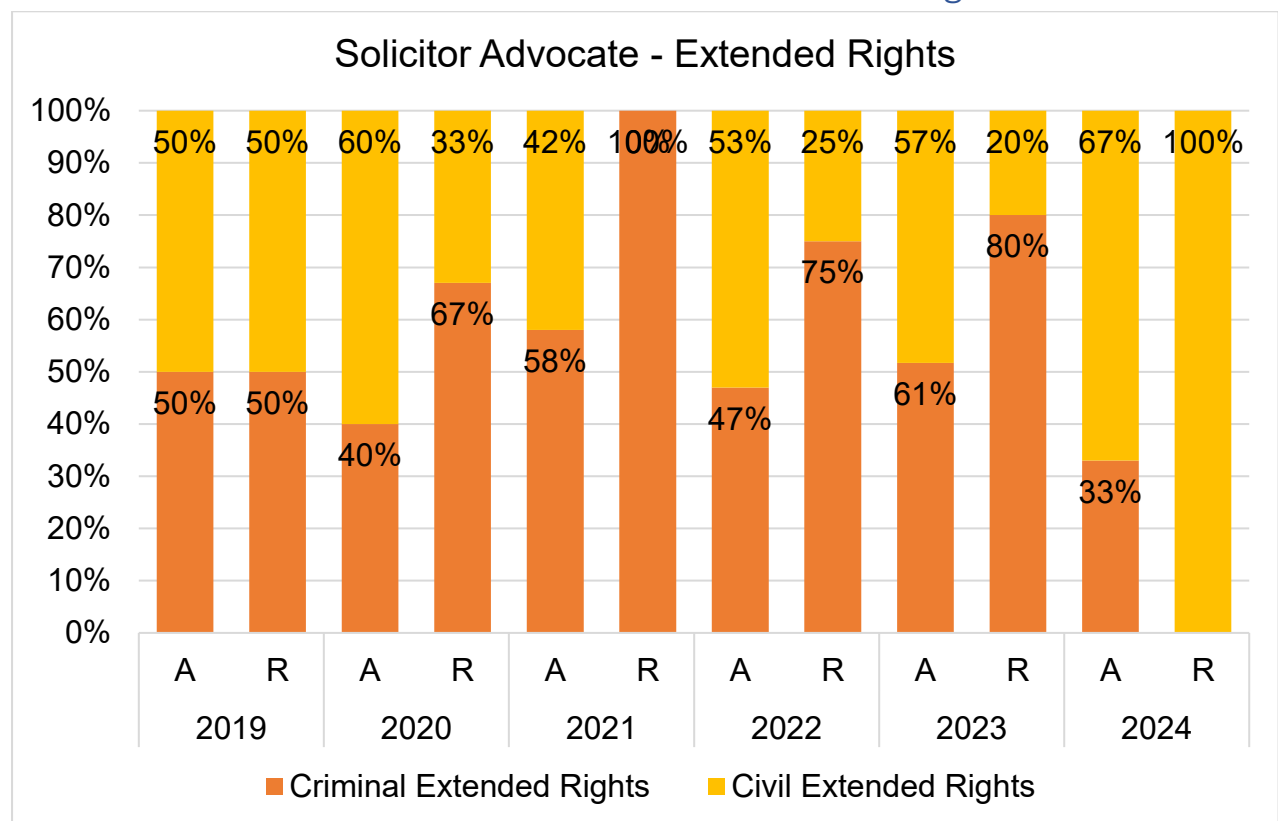
*The category 'JO Post Holders' are salaried only (no part-time summary or summary sheriff posts)

A significantly higher proportion of judicial office holders are recommended than the proportion that applied.

For solicitors, the proportion that is recommended is significantly lower than the percentage who applied.

Over the five competitions, 39% of applicants and 9% of recommendations were solicitors, 21% of applicants and 20% of recommendations were solicitor advocates, 21% of applicants and 24% of recommendations were advocates and 19% of applicants and 47% of recommendations were salaried judicial office holders.

The Office of Sheriff – Solicitor Advocate – Extended Rights

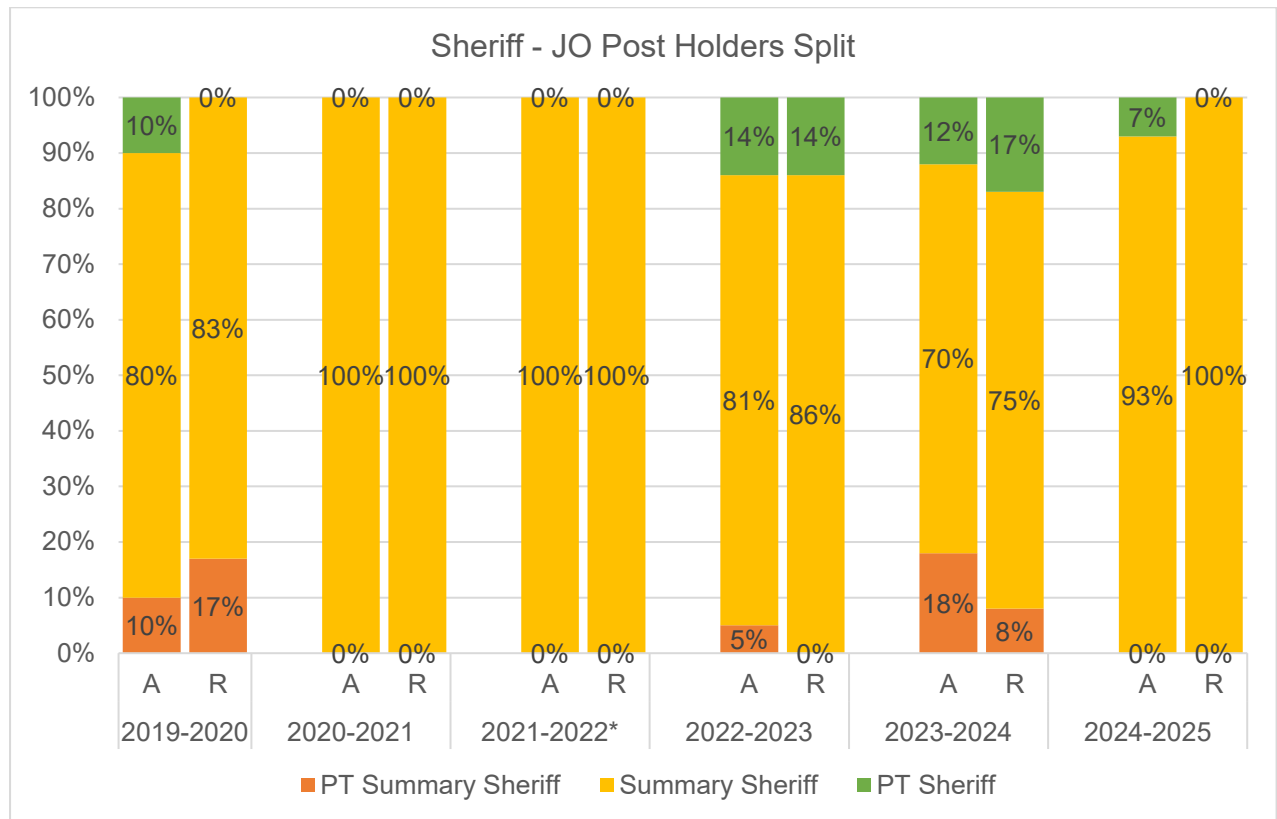


A=Applied

R=Recommended

No solicitor advocates applied who had both criminal and civil extended rights.

The Office of Sheriff – Judicial Office Holder Split



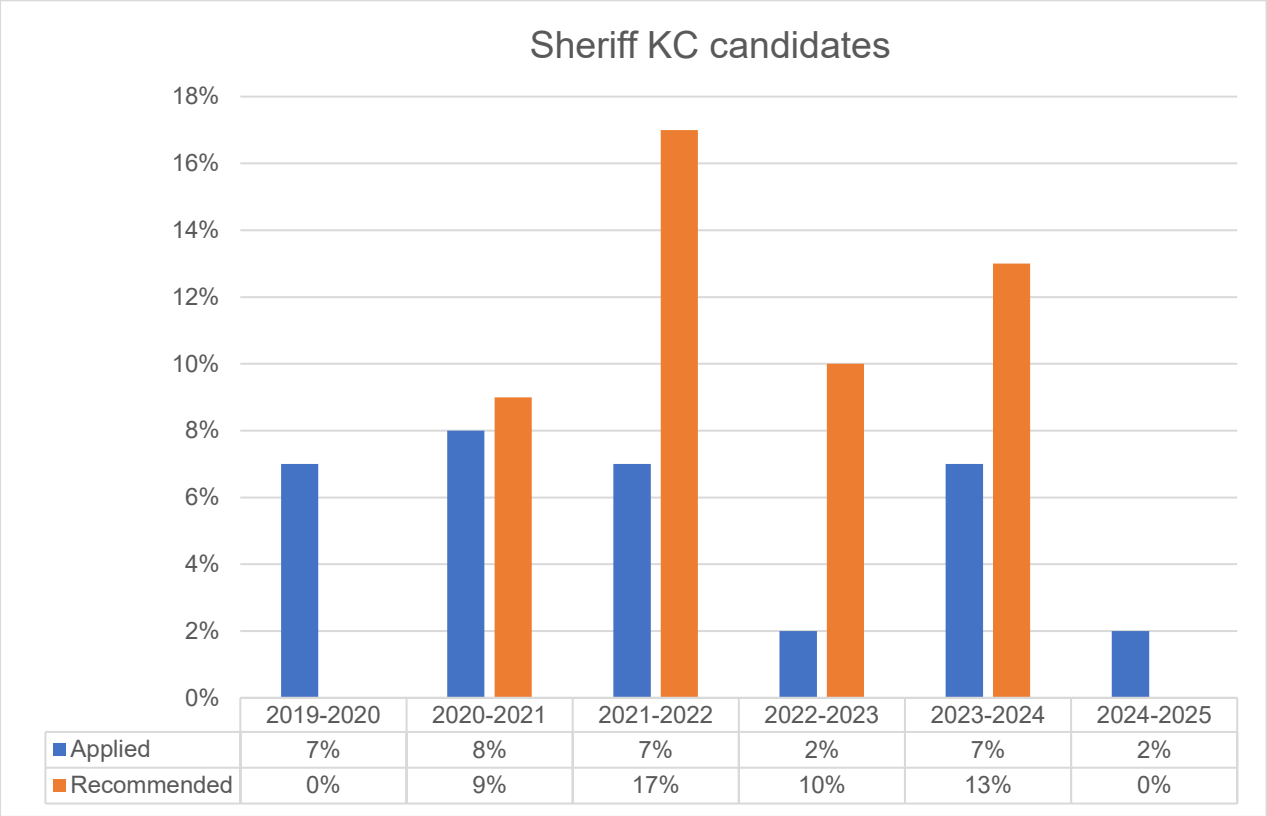
A=Applied

R=Recommended

Most existing judicial office holders who were recommended were previously salaried summary sheriffs.

Over these competitions, when looking at candidates who held a judicial office post at the time of application, 7% of these applications and 5% of these recommendations were from part-time summary sheriffs. 85% of these applicants and 88% of these recommendations were summary sheriffs, 7% of these applicants and 8% of these recommendations were part-time sheriffs.

The Office of Sheriff – KCs



From 2020-2024 KCs have had a higher proportion of recommendations compared to applications.

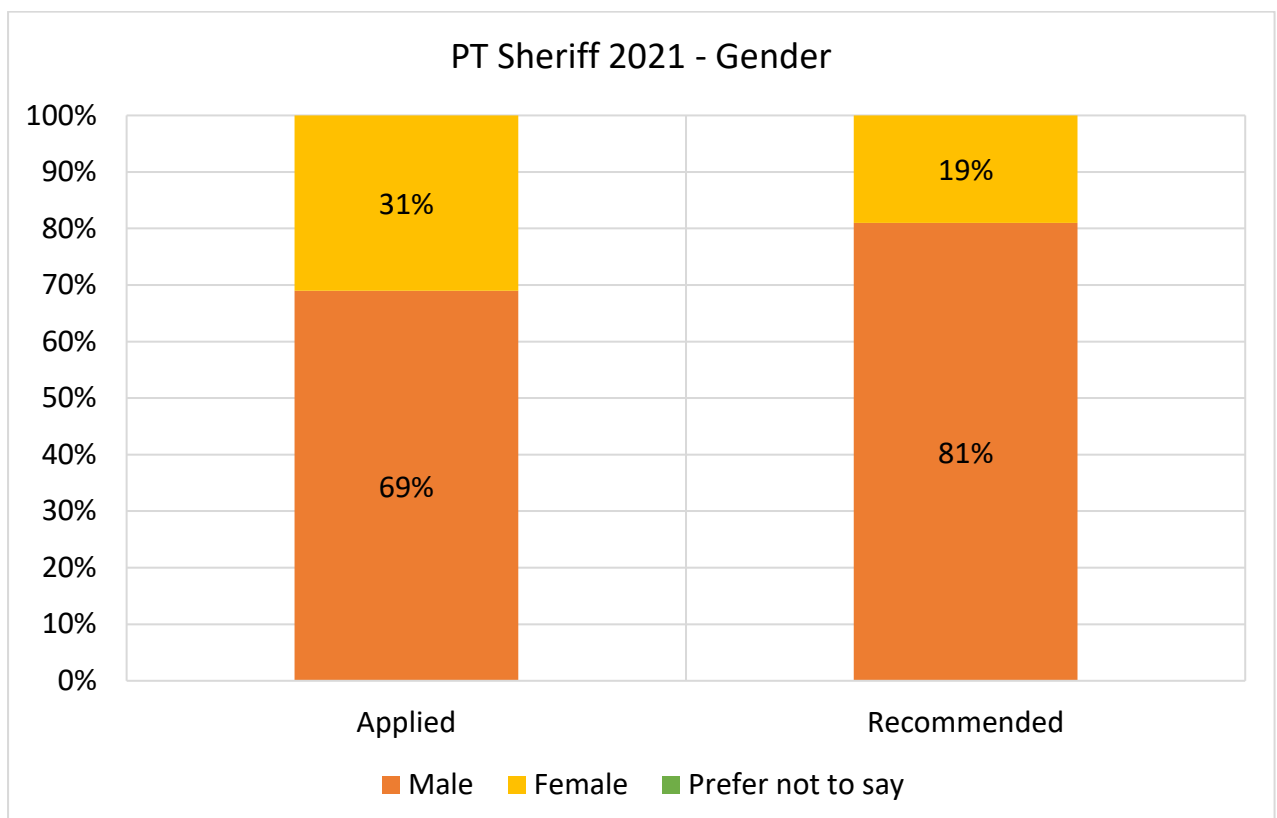
The Office of Sheriff 2021 (Part Time) – Overview

Over the period of 2018 to 2024, JABS was requested to undertake one competition for Part-time Sheriffs between in 2021-2022.

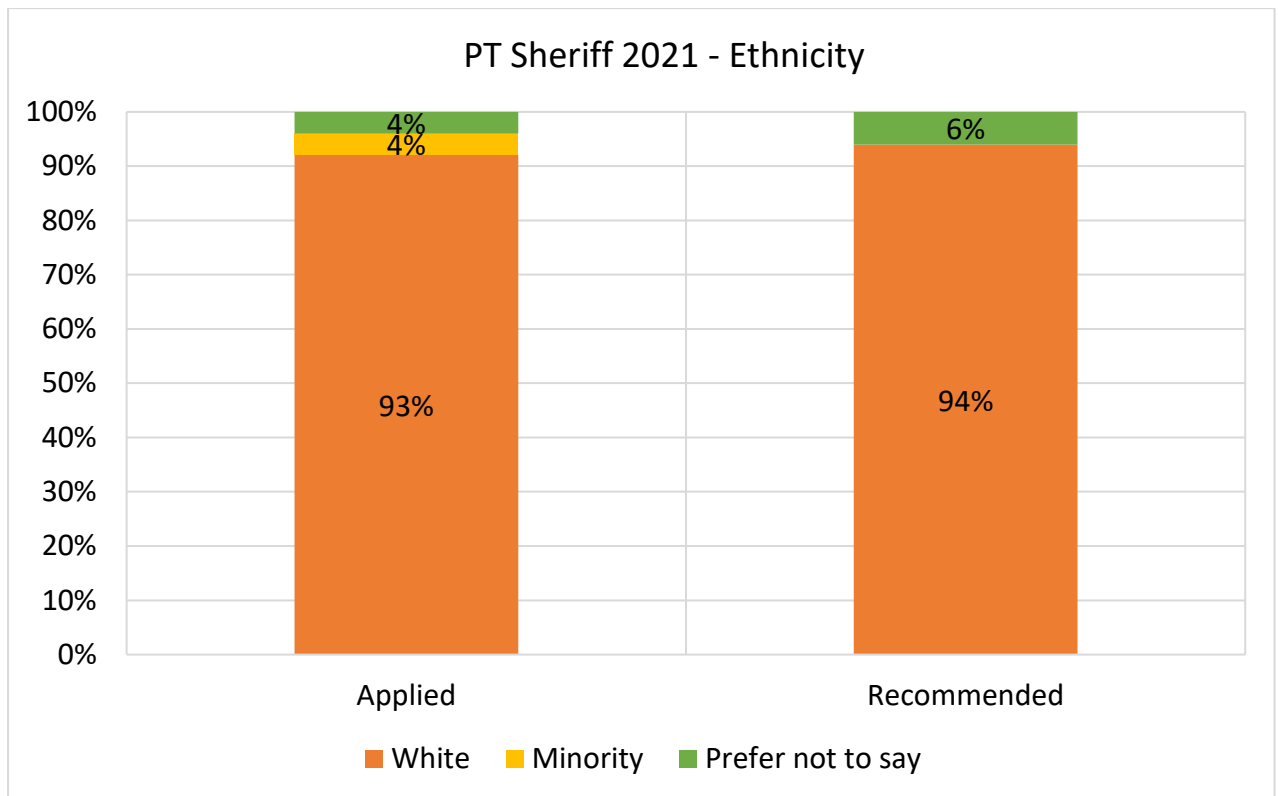
Comparisons with other years cannot be made at this time and therefore we have provided limited analysis. Part-time roles are floating posts across Scotland. This may have an impact on the gender balance.

Year	Eligible Applications	Candidates Recommended
2021-2022	54	16

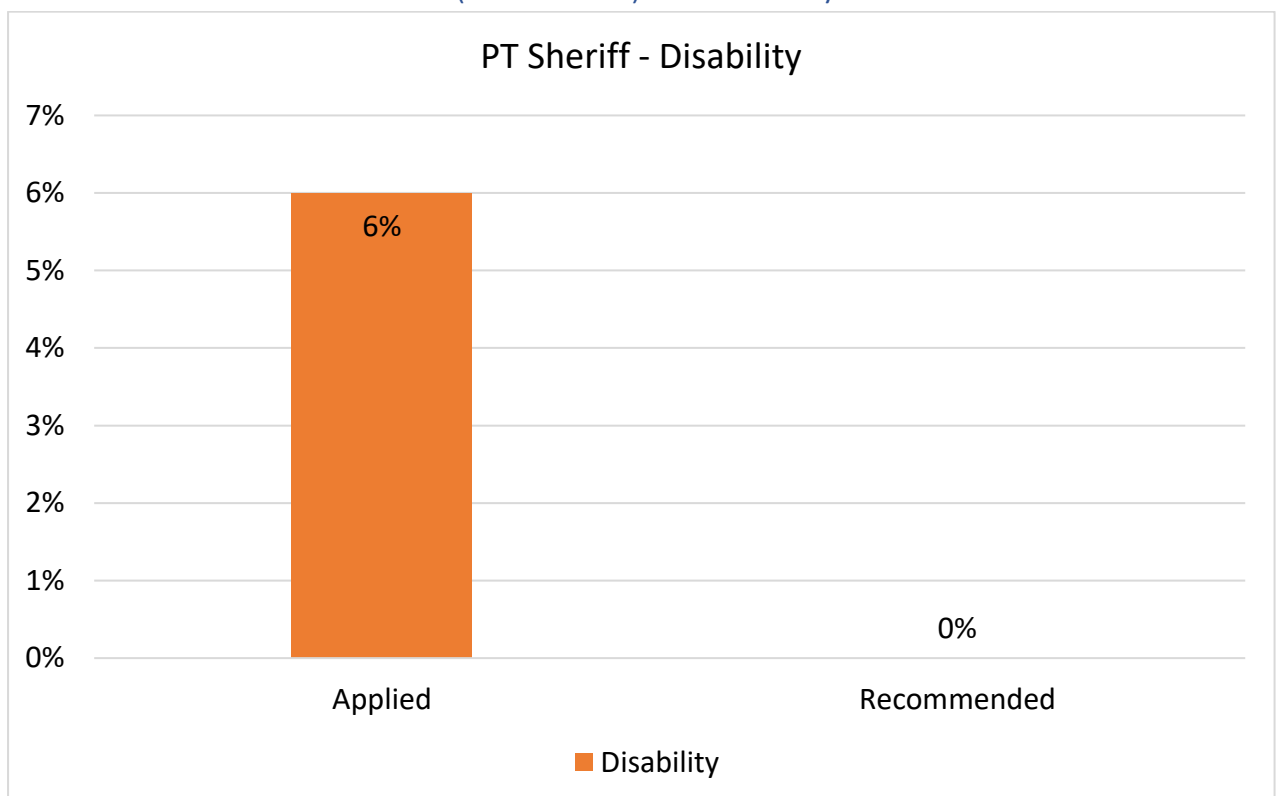
The Office of Sheriff 2021 (Part Time) – Gender



The Office of Sheriff 2021 (Part Time) – Ethnicity

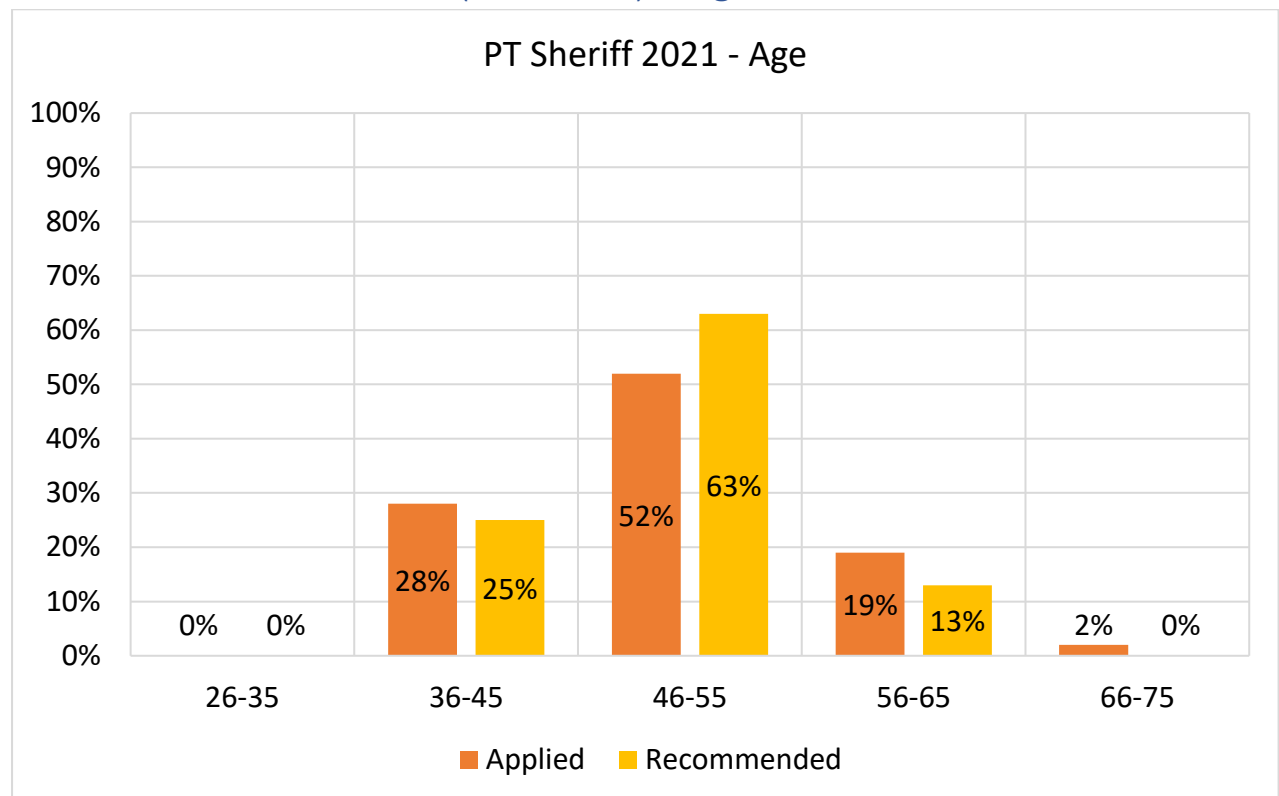


The Office of Sheriff 2021 (Part Time) – Disability



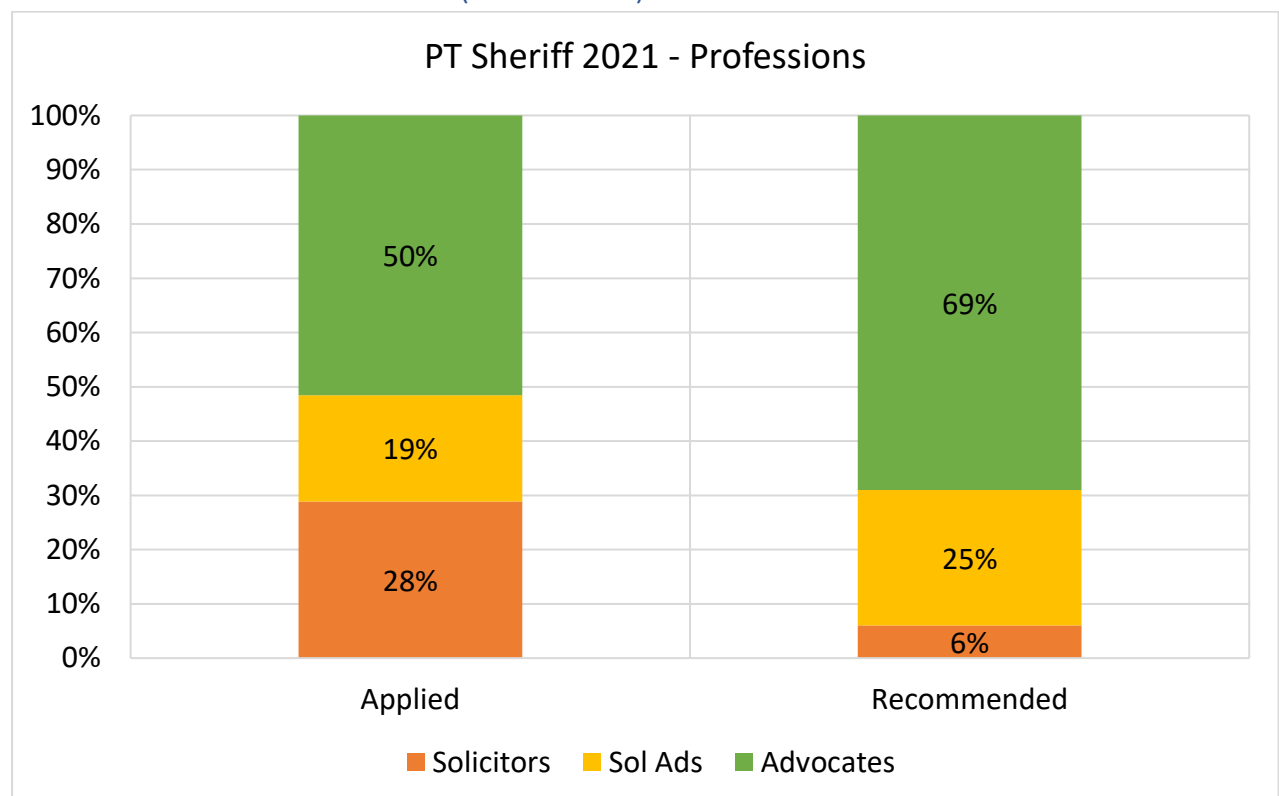
PNTS was not an option for this question.

The Office of Sheriff 2021 (Part Time) – Age

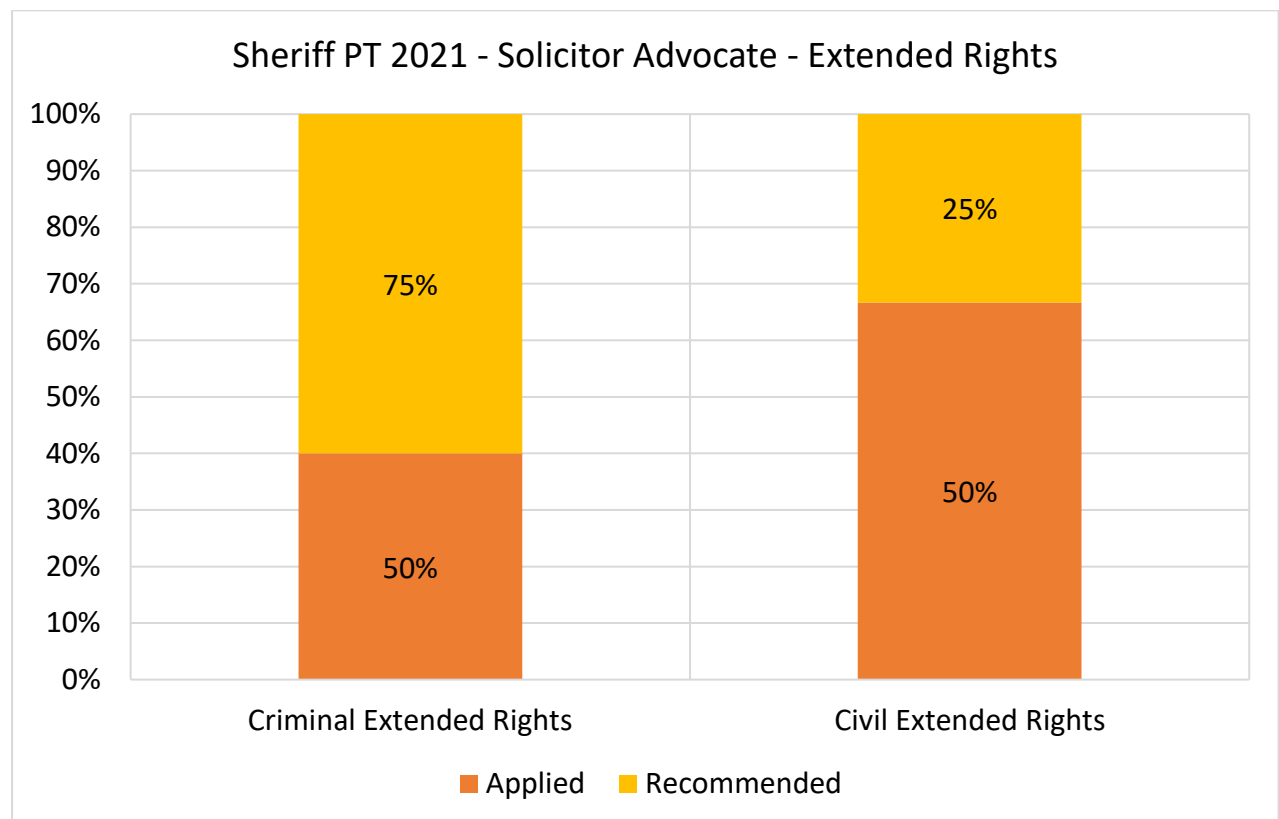


PNTS was not an option for this question.

The Office of Sheriff 2021 (Part Time) – Professions



The Office of Sheriff 2021 (Part Time) – Solicitor Advocates- Extended Rights



There were no solicitor advocates who applied that had both civil and criminal extended rights.

The Office of Sheriff 2021 (Part Time) – Judicial Office Holder Split

The competitions for both office of part-time summary sheriff and part-time sheriff were held in the same year. This was the first time we have recruited for part-time posts, meaning there would have been no existing Part-Time Summary Sheriffs eligible to apply.

The Office of Sheriff 2021 (Part Time) – KC Candidates

13% of candidates who applied and 25% of those recommended were KCs.

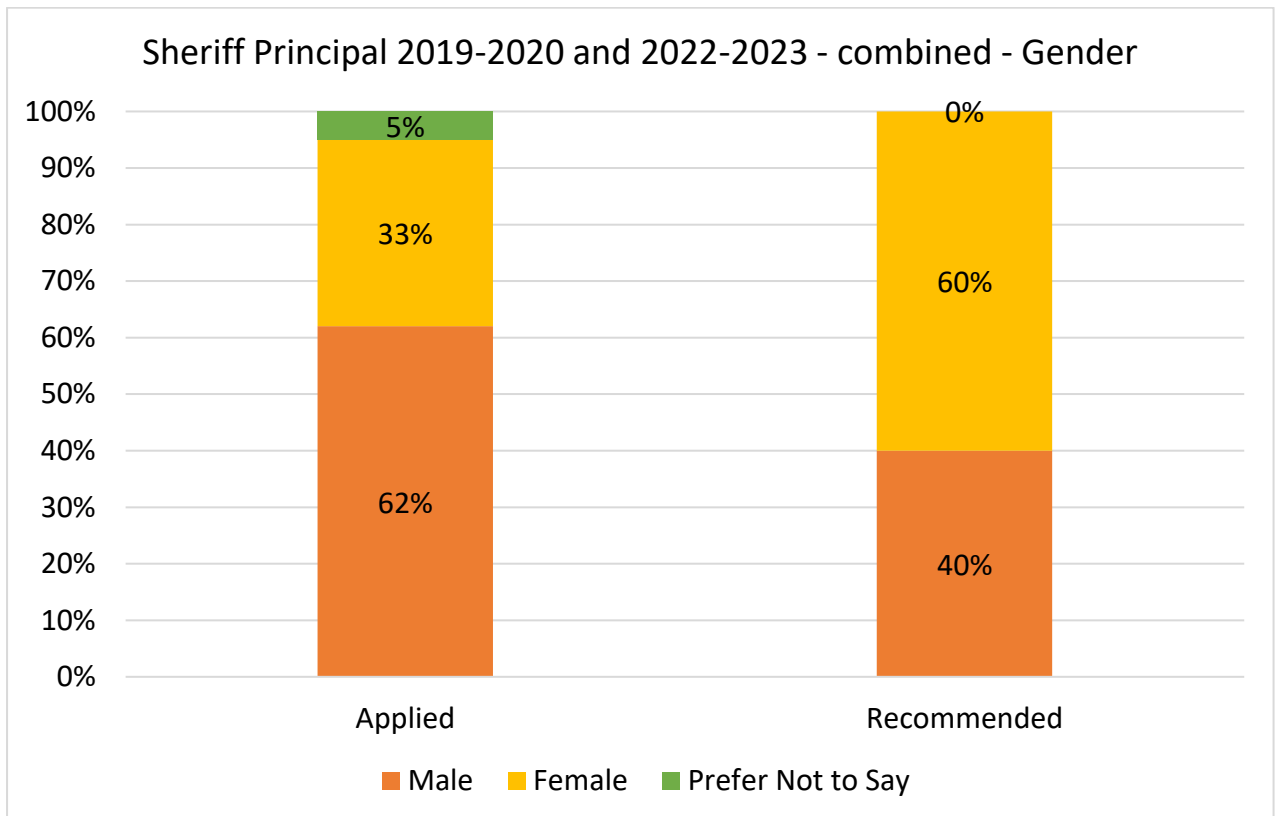
The Office of Sheriff Principal – Overview

Between 2018 to 2024 JABS made recommendations for the office of sheriff principal in both 2019-2020 and 2022-2023.

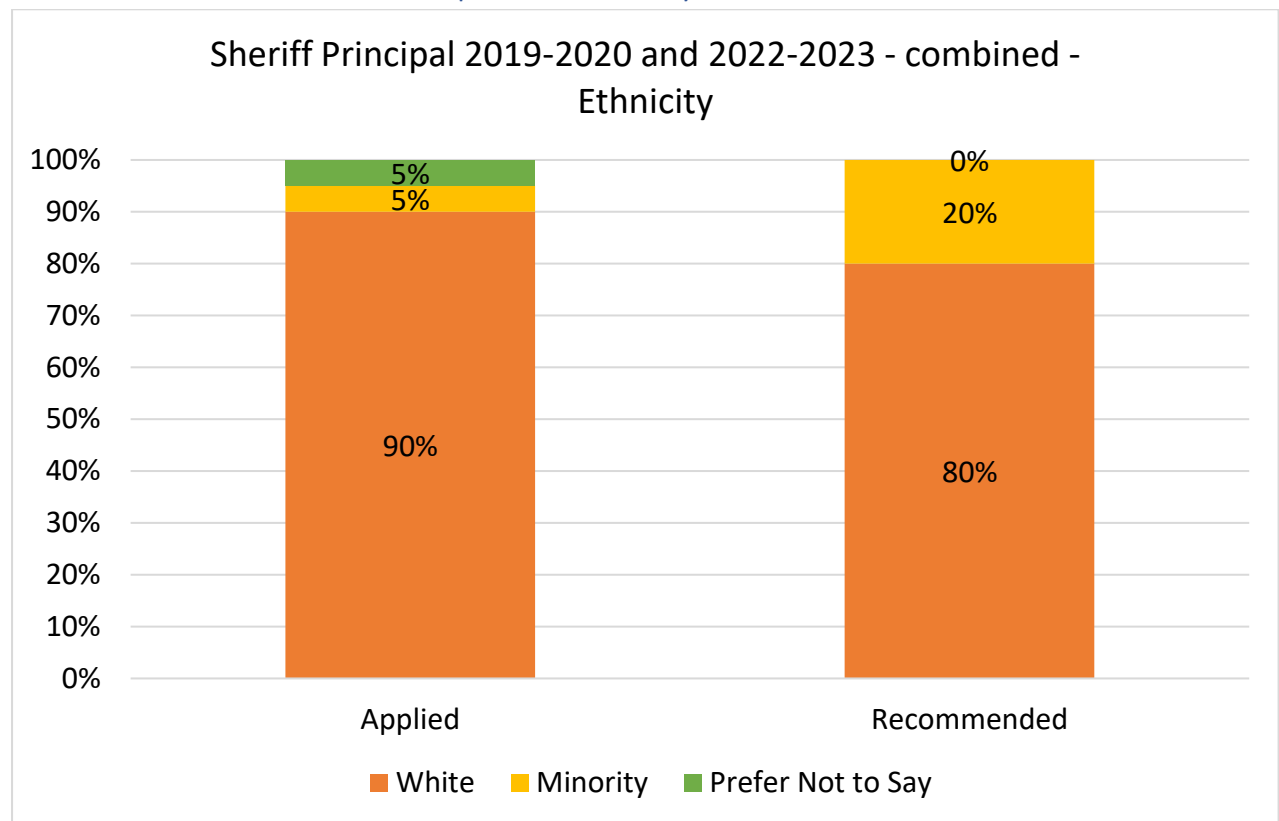
In 2022, there were two competitions for sheriff principal. Due to the small number of applicants and recommendations, we have combined the figures for analysis for these competitions:

Year	Eligible Applications	Candidates Recommended
2019-2020	7	1
2022-2023	4	1
2022-2023	10	3
Total	21	5

The Office of Sheriff Principal – Gender



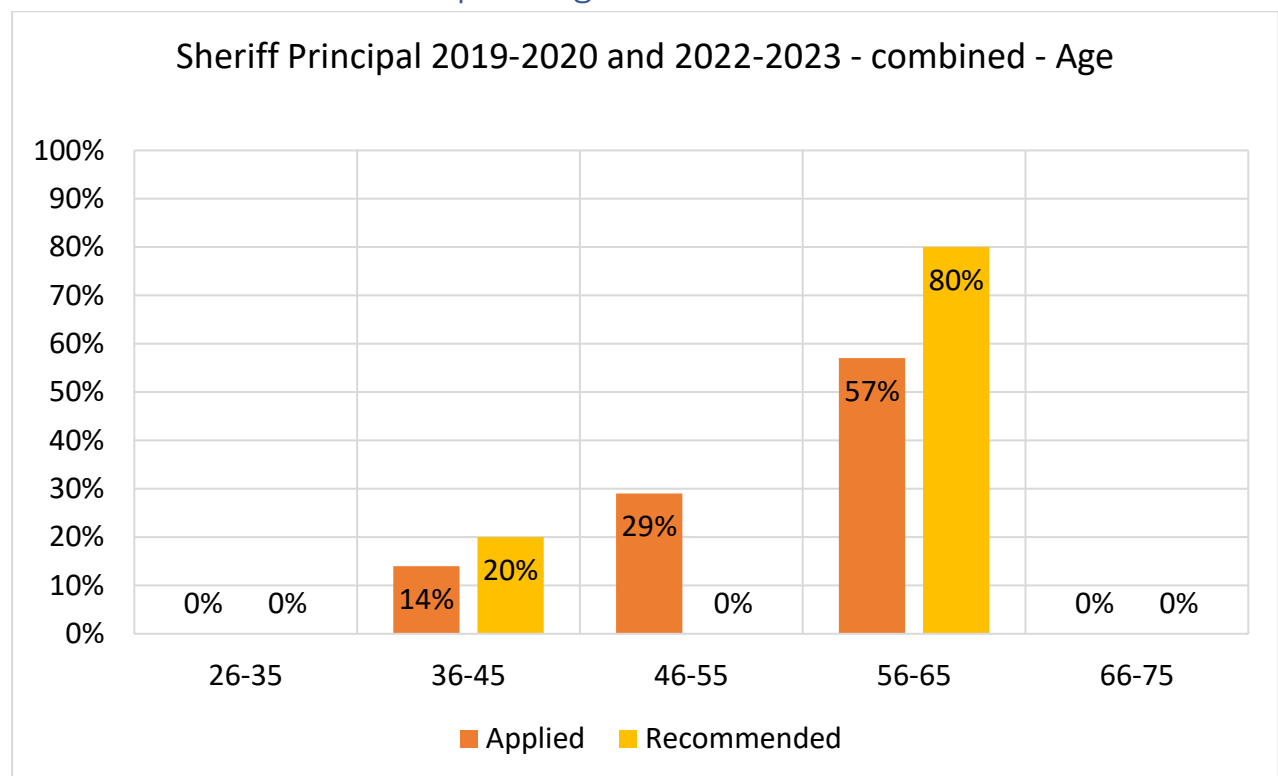
The Office of Sheriff Principal – Ethnicity



The Office of Sheriff Principal – Disability

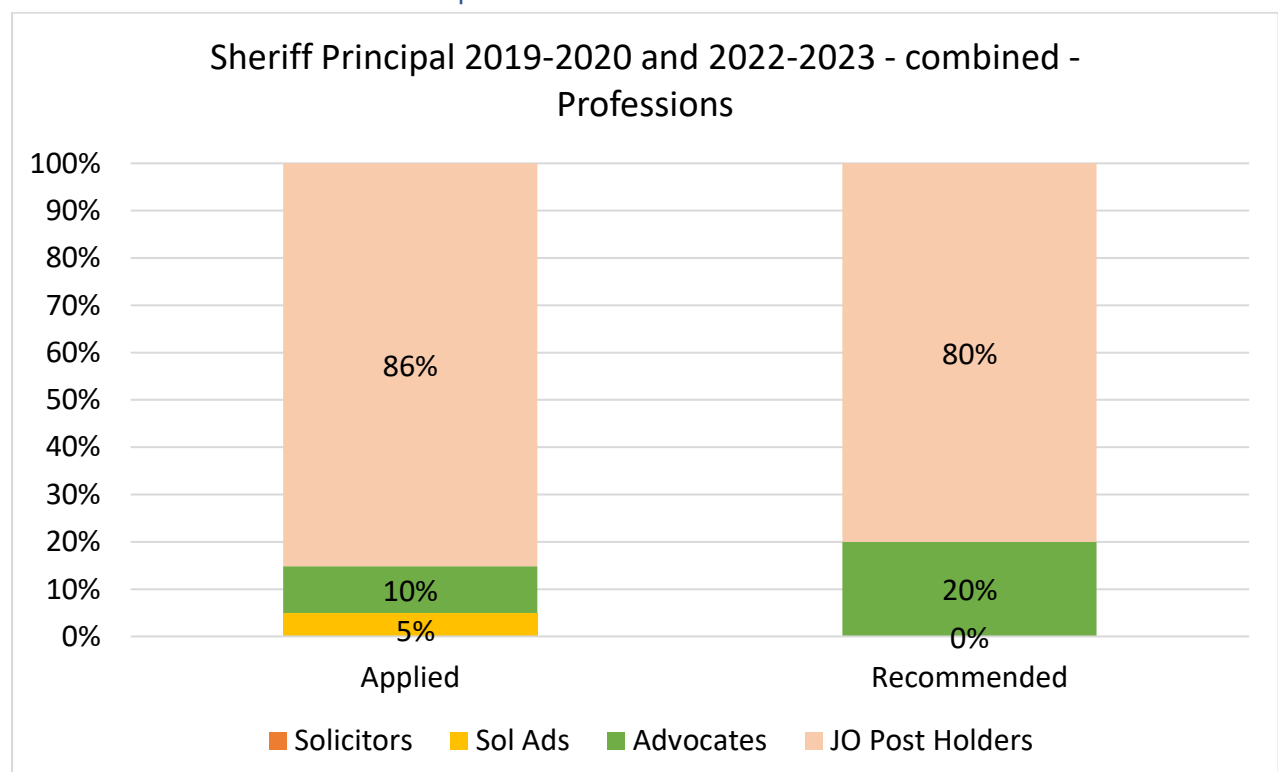
The standard diversity questions were not included in the 2022 competitions. The statistics from Sheriff Principal 2019 are not available for publication due to the size of the pool.

The Office of Sheriff Principal – Age



PNTS was not an option for this question.

The Office of Sheriff Principal – Professions

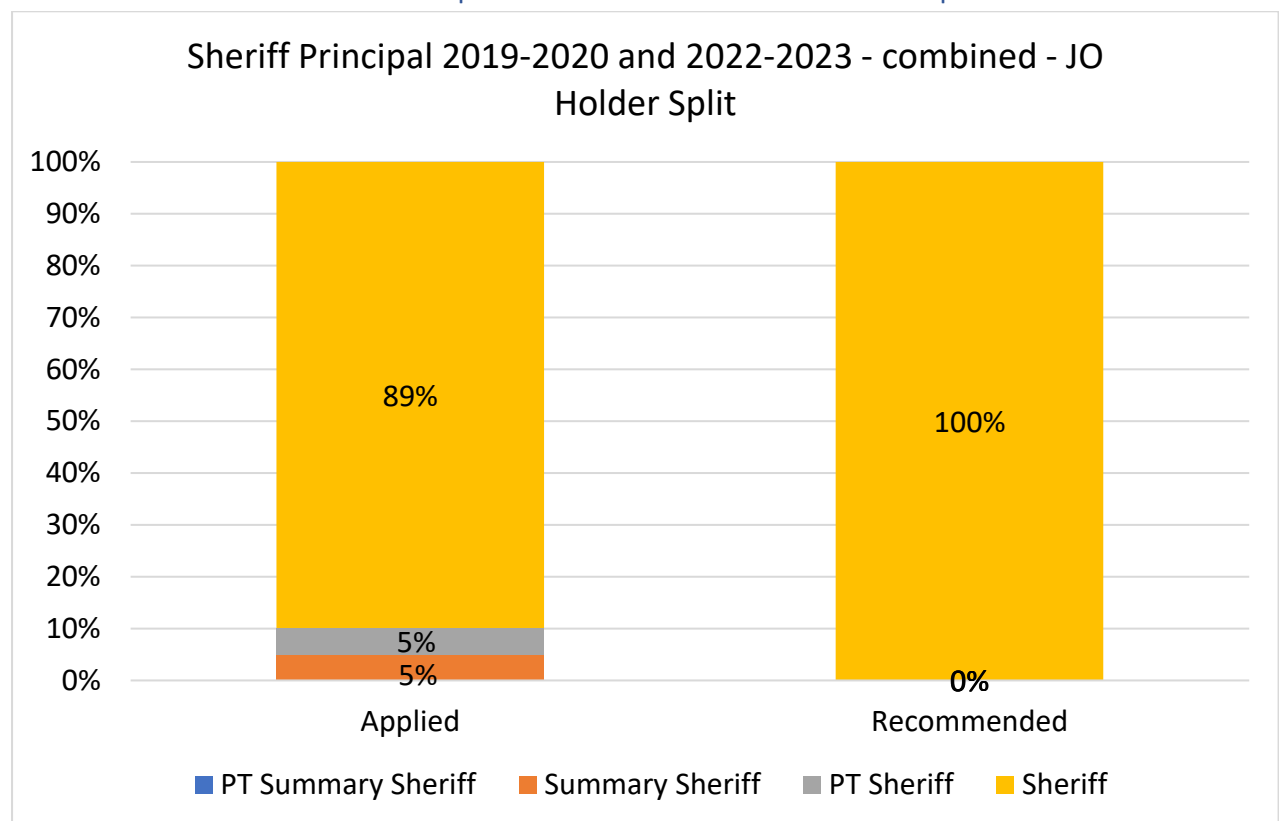


*The category 'JO Post Holders' are salaried only (no part-time summary sheriff or sheriff posts)

The Office of Sheriff Principal – Solicitor Advocates- Extended Rights

Over the course of these competitions, one solicitor advocate with criminal extended rights applied and was not recommended.

The Office of Sheriff Principal – Judicial Office Holder Split



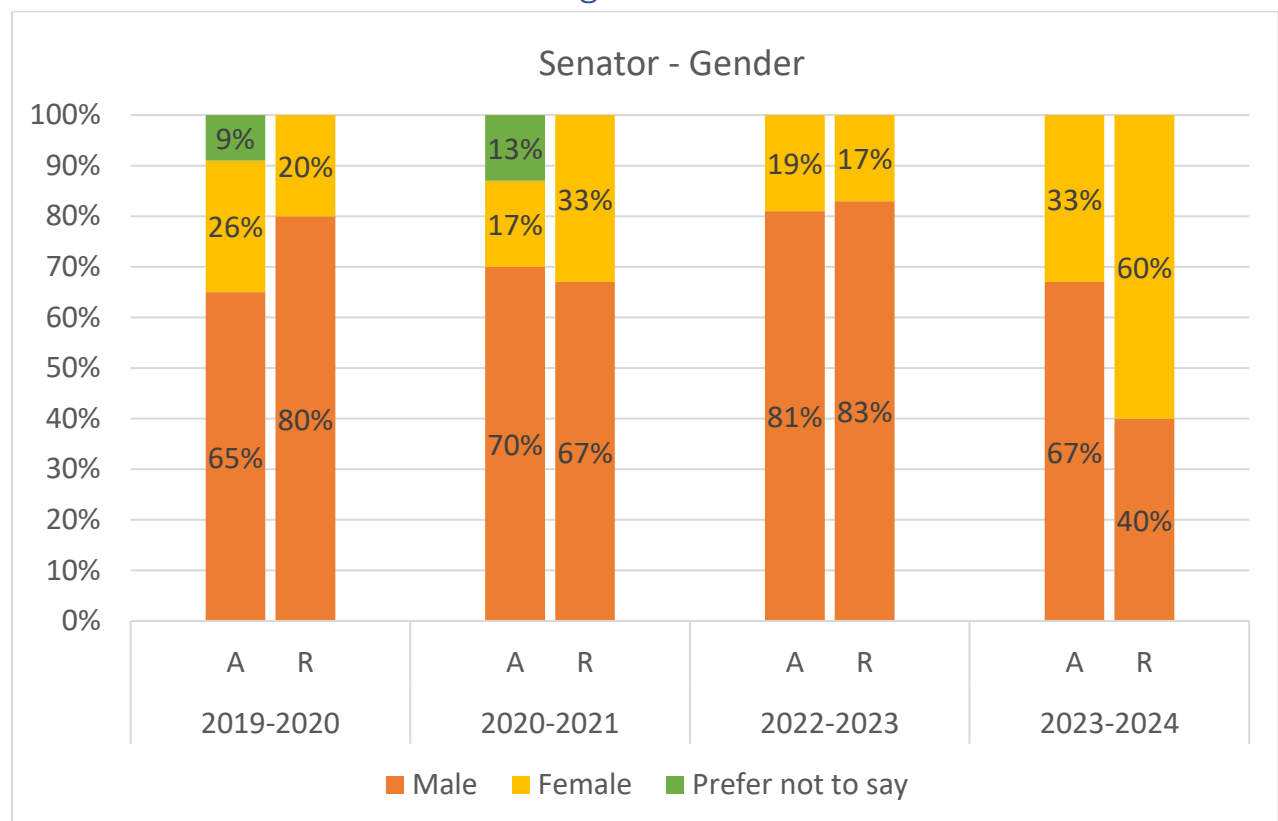
The Office of Sheriff Principal – KC Candidates

24% of candidates who applied for these roles and 60% of candidates who were recommended were KCs.

The Office of Senator of the College of Justice – Overview

Year		Eligible Applications	Candidates Recommended
2019-2020		23	5
2020-2021		23	3
2021-2022	No Competition		
2022-2023		16	6
2023-2024		18	5
Total		80	19

The Office of Senator of the College of Justice – Gender



A=Applied

R=Recommended

There is no discernible trend in the number of applications from females, although there was an increase in 2023-24 to 33%.

Over the period of these competitions, 70% of applicants and 68% of recommendations were male, 24% of applicants and 32% of recommendations were female.

Over the period of these competitions, 6% of applicants PNTS with regard to gender. None of those candidates were recommended for appointment.

The Office of Senator of the College of Justice – Ethnicity



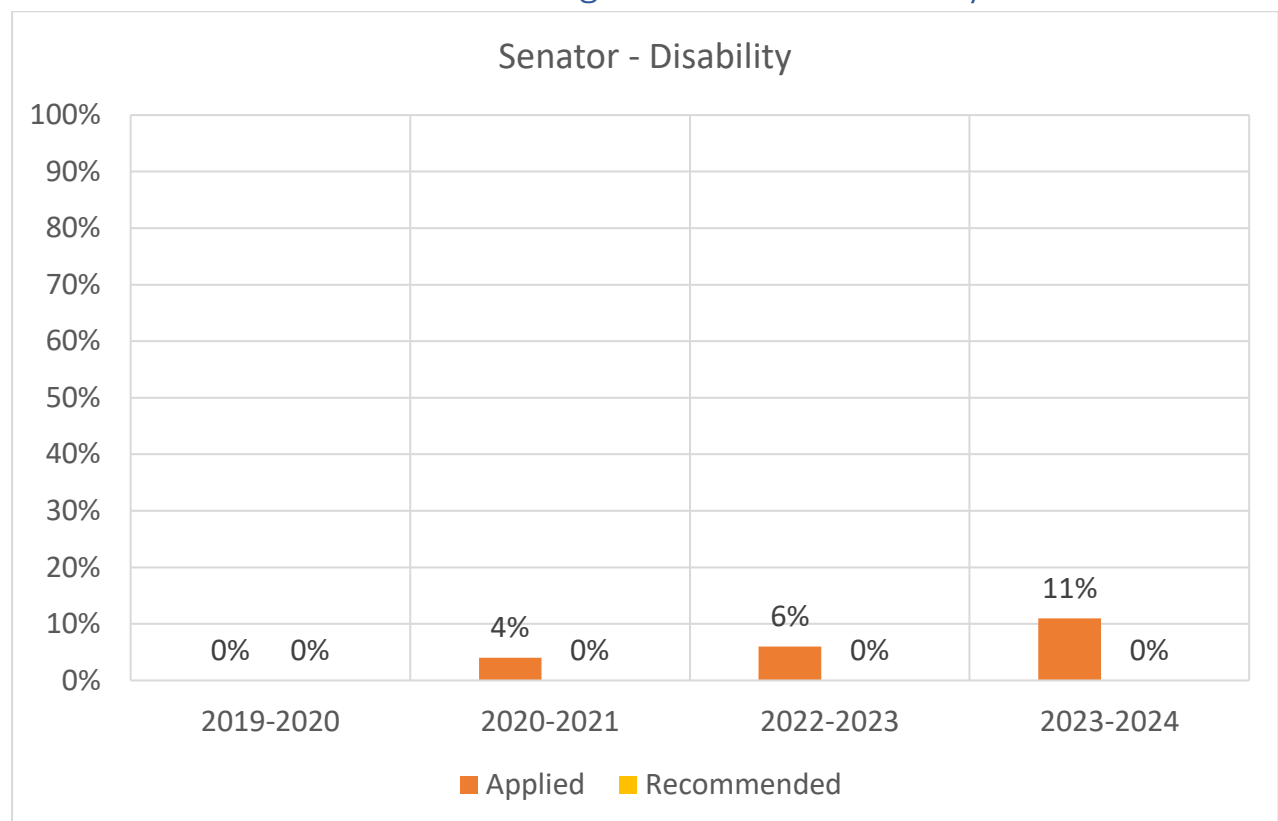
A=Applied

R=Recommended

Only one application has been received from a candidate identifying as from a minority ethnic group over the past four competitions.

Over these competitions, 13% of applicants and 11% of recommendations were individuals who preferred not to declare their ethnicity.

The Office of Senator of the College of Justice – Disability



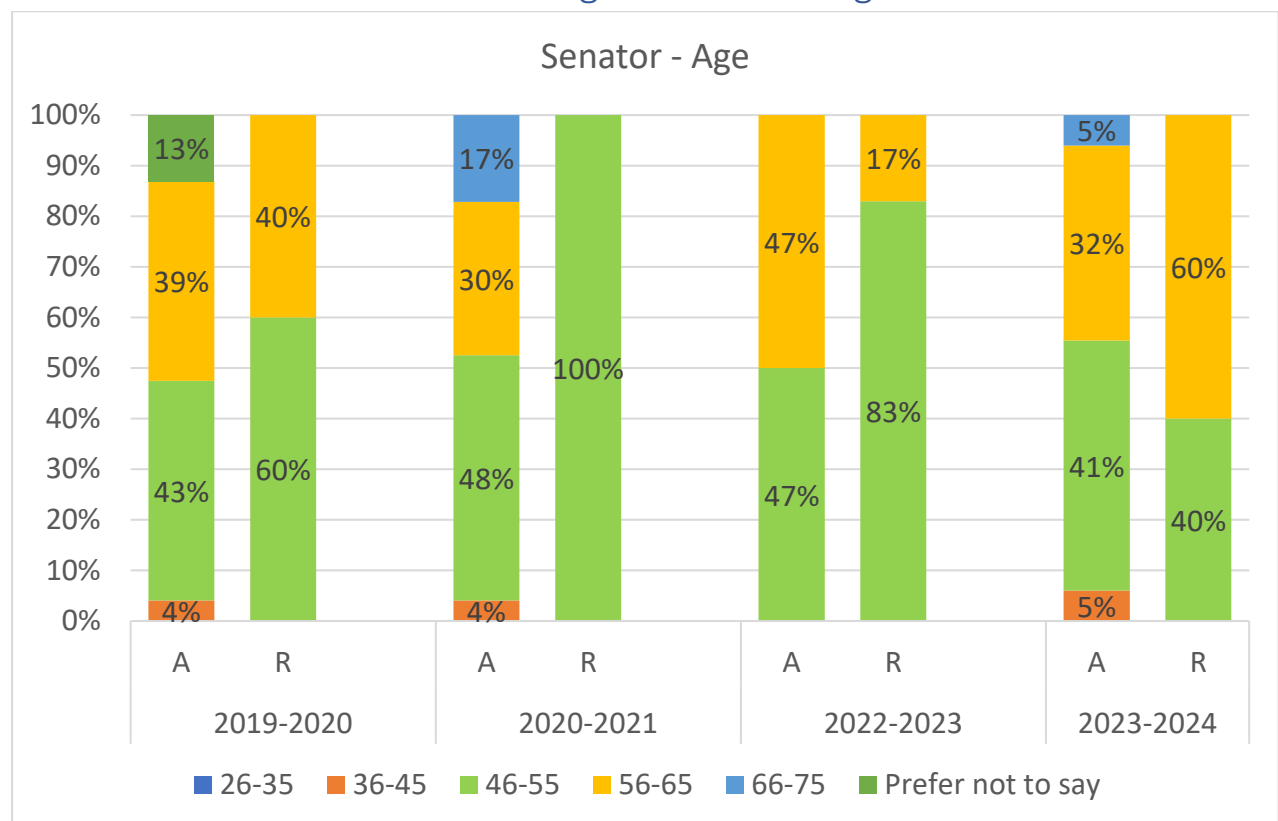
There has been a general increase in the percentage of candidates declaring they have a disability.

The option to prefer not to declare disability was not included for the competitions between 2020-23. Data on the answer PNTS was included for the year 2019-20.

In 2019-20 17% of applicants and 20% of recommendations were candidates who PNTS with regard to having a disability. Due to the limited data, we cannot undertake meaningful analysis for this category at this time.

Over these competitions 5% of applicants were from candidates who declared having a disability, and no recommendations were made.

The Office of Senator of the College of Justice – Age



A=Applied

R=Recommended

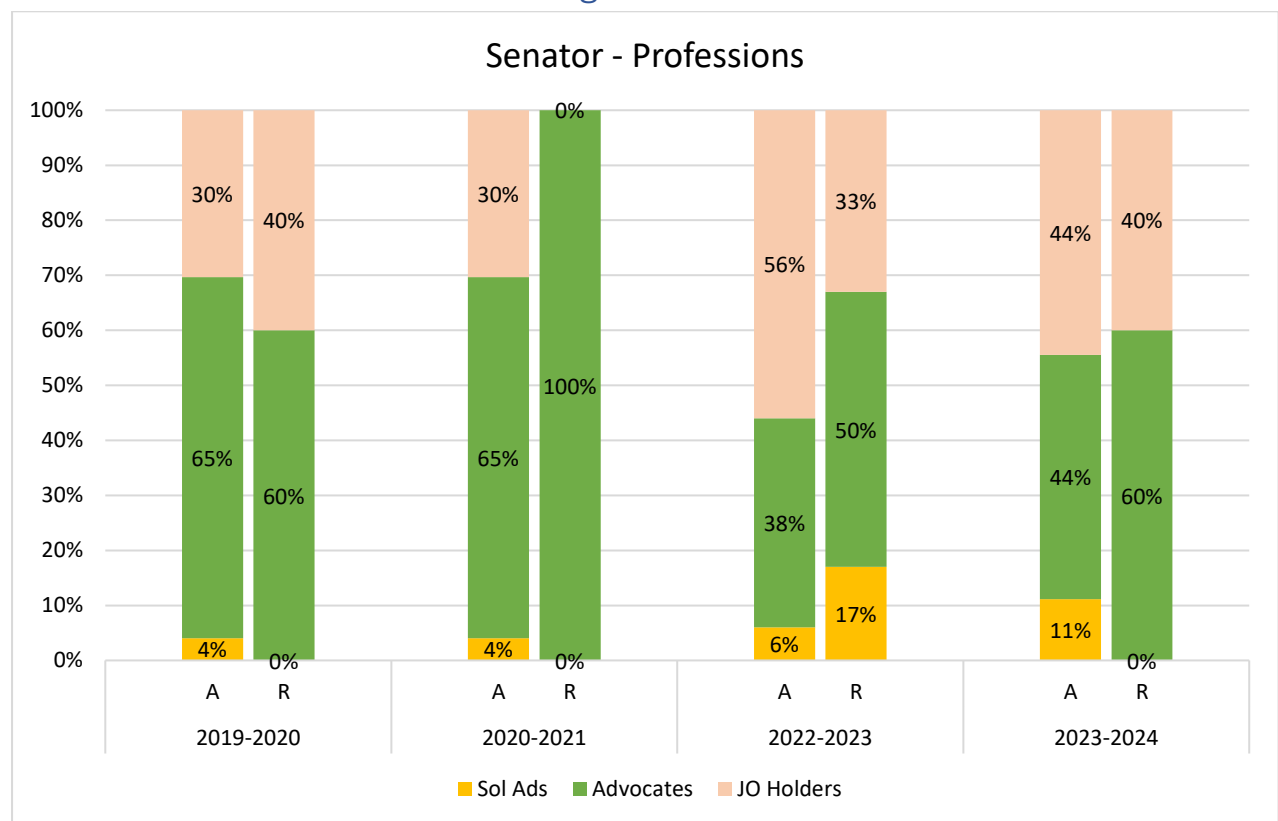
The mandatory retirement age for judicial office holders changed on 10 March 2022 from 70 to 75. This may explain the slight increase in applications for the 66-75 age group in 2023-2024.

Across all the competitions for Senator, applicants aged 46-55 form the largest group ranging from 41 - 48% of applications.

The 46-55 age group form the largest proportion for those recommended for the years 2019-20, 2020-21 and 2022-23. However, in the most recent competition in 2023-24 the age group 56-65 formed the highest proportion of those recommended.

Over these competitions 4% of applicants and 0% of recommendations PNTS in regard to their age.

The Office of Senator of the College of Justice – Professions



A=Applied

R=Recommended

*The category 'JO Post Holders' are salaried only (no part-time summary sheriff or sheriff posts)

Over the 2019-2024 period, there has been a slight decline in the proportion of advocates applying, whilst the proportion of judicial office holders applying has increased.

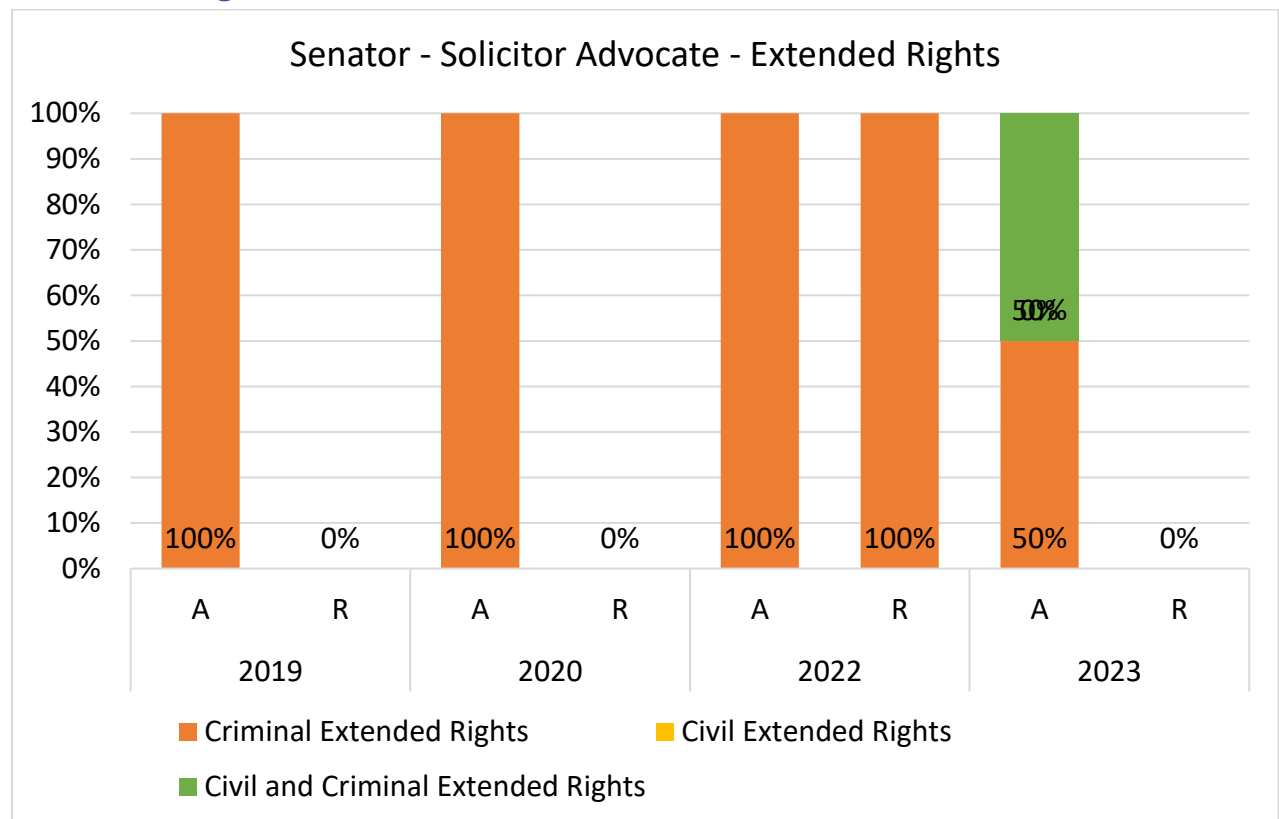
For the past two competitions, judicial office holders have represented the largest proportion of applications than in previous years.

Between 2019-2024, advocates tend to have a higher proportion in those recommended for Senator.

Over the period outlined above, one solicitor advocate was recommended.

All salaried judicial office holders who applied were sheriffs or sheriffs principal.

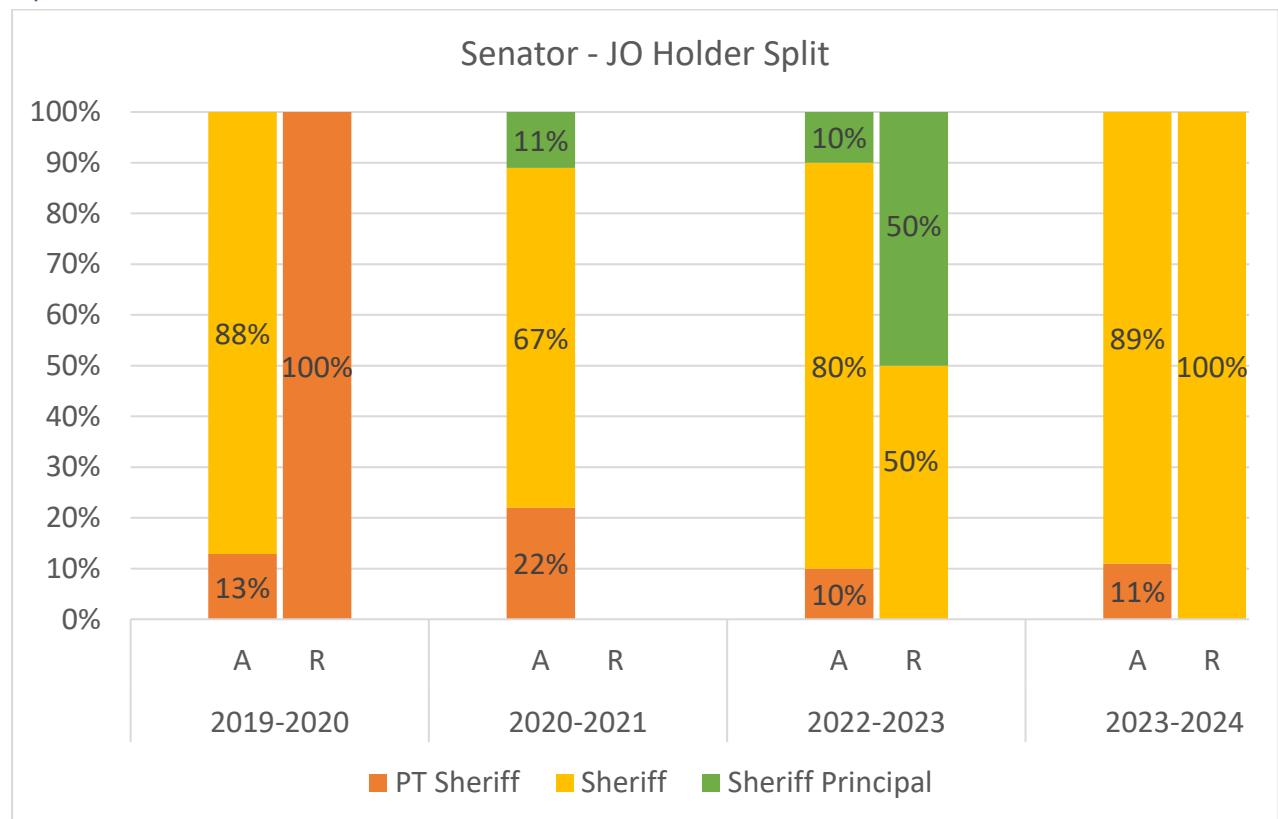
The Office of Senator of the College of Justice – Solicitor Advocates- Extended Rights



A=Applied

R=Recommended

The Office of Senator of the College of Justice – Judicial Office Holder Split



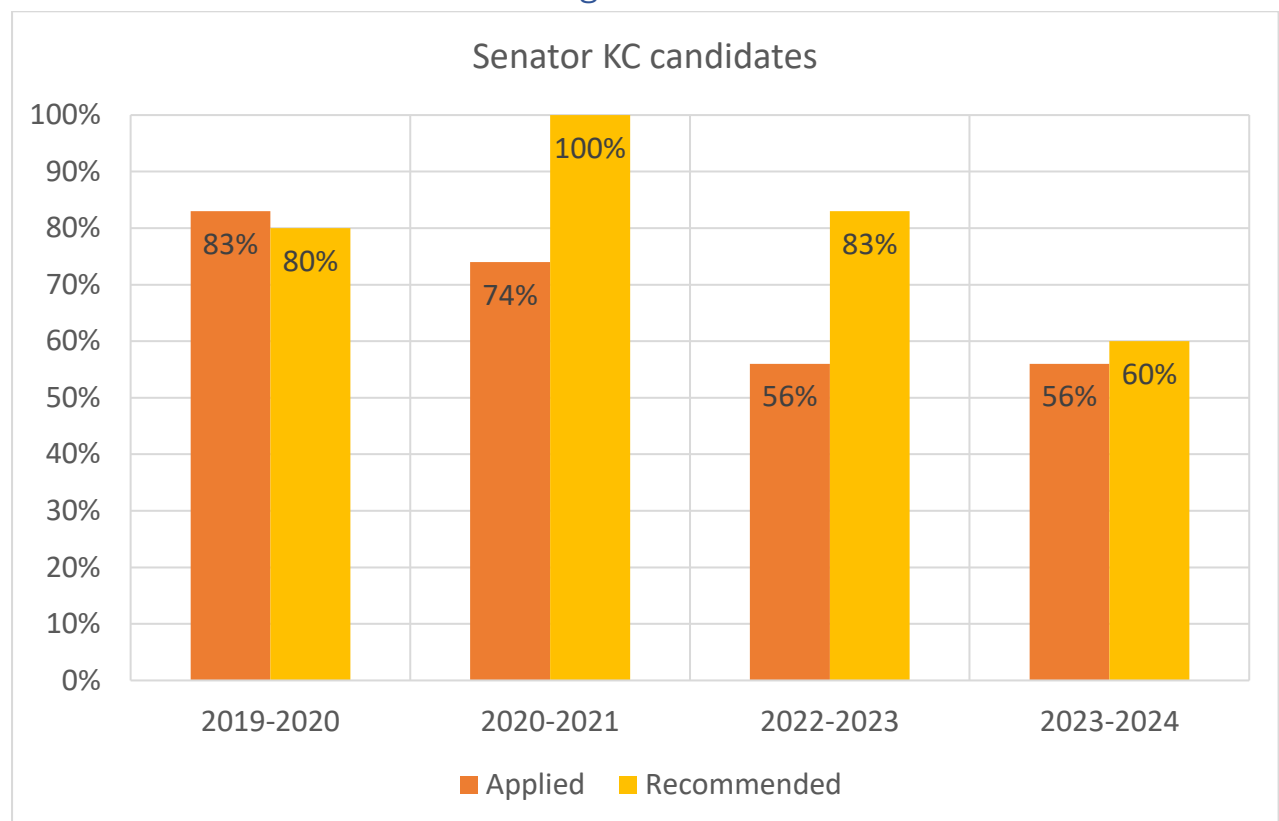
A=Applied

R=Recommended

Most existing judicial office holders who were recommended for senator were previously salaried sheriffs.

Over these competitions, when looking at candidates who held a judicial office post at the time of application, 0% of these applications were from part-time summary sheriffs or summary sheriffs, 6% of applicants and 0% of recommendations were from part-time sheriffs, 36% of applicants and 26% of those recommended were sheriffs and 3% of applicants and 5% of recommended were sheriffs principal.

The Office of Senator of the College of Justice – KC Candidates



A=Applied

R=Recommended

Over the last three reporting years for senator competitions, the proportion of KCs applying has declined, although the proportion at recommendation stage is higher than that of application stage.

Across these competitions 69% of candidates who applied and 79% of candidates who were recommended were KCs.

Scottish Tribunal Competitions

The competitions included are:

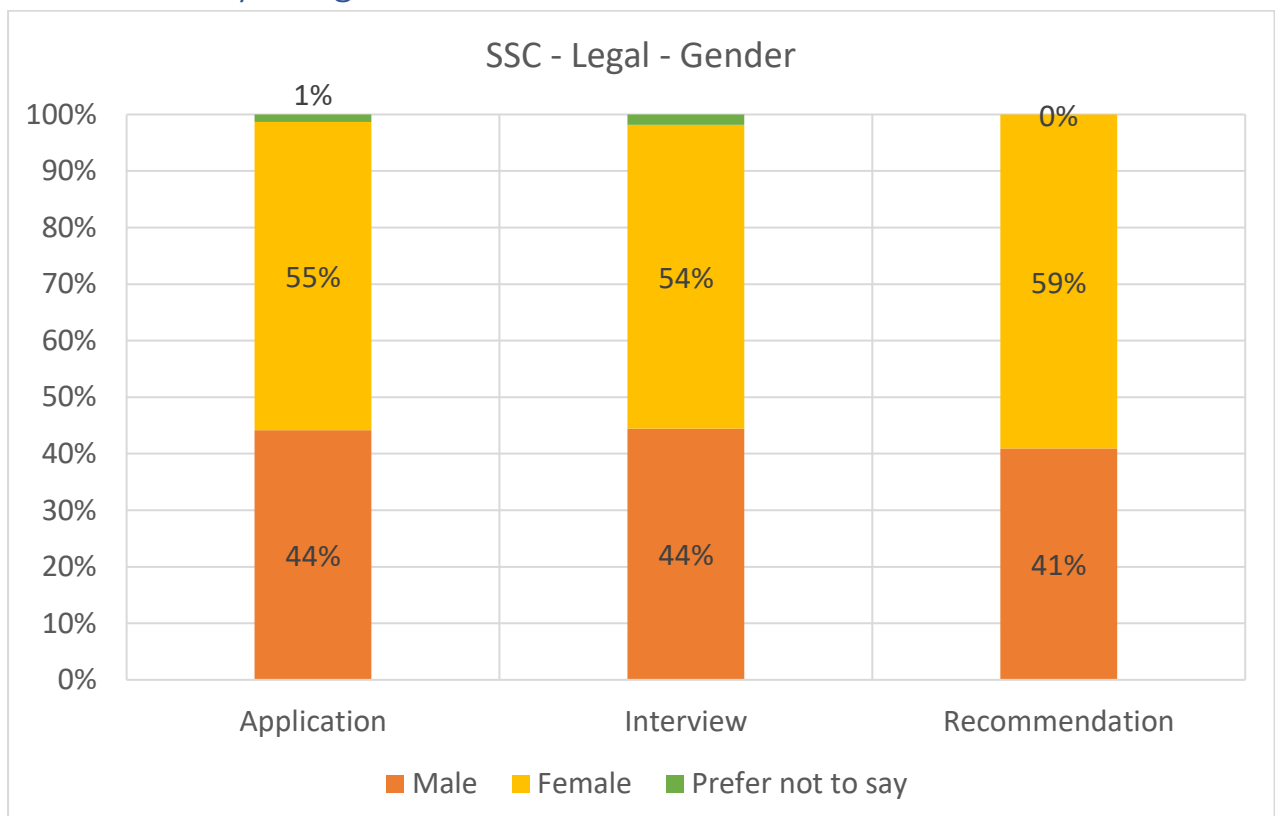
- Social Security 2023 – Legal Members
- Social Security 2023 – Disability Members
- Social Security 2023 – Medical Members

Tribunal	Eligible Applications	Candidates Recommended
SSC - Legal Members	77	44
SSC - Disability Members	59	27
SSC - Medical Members	11	4
Total	147	75

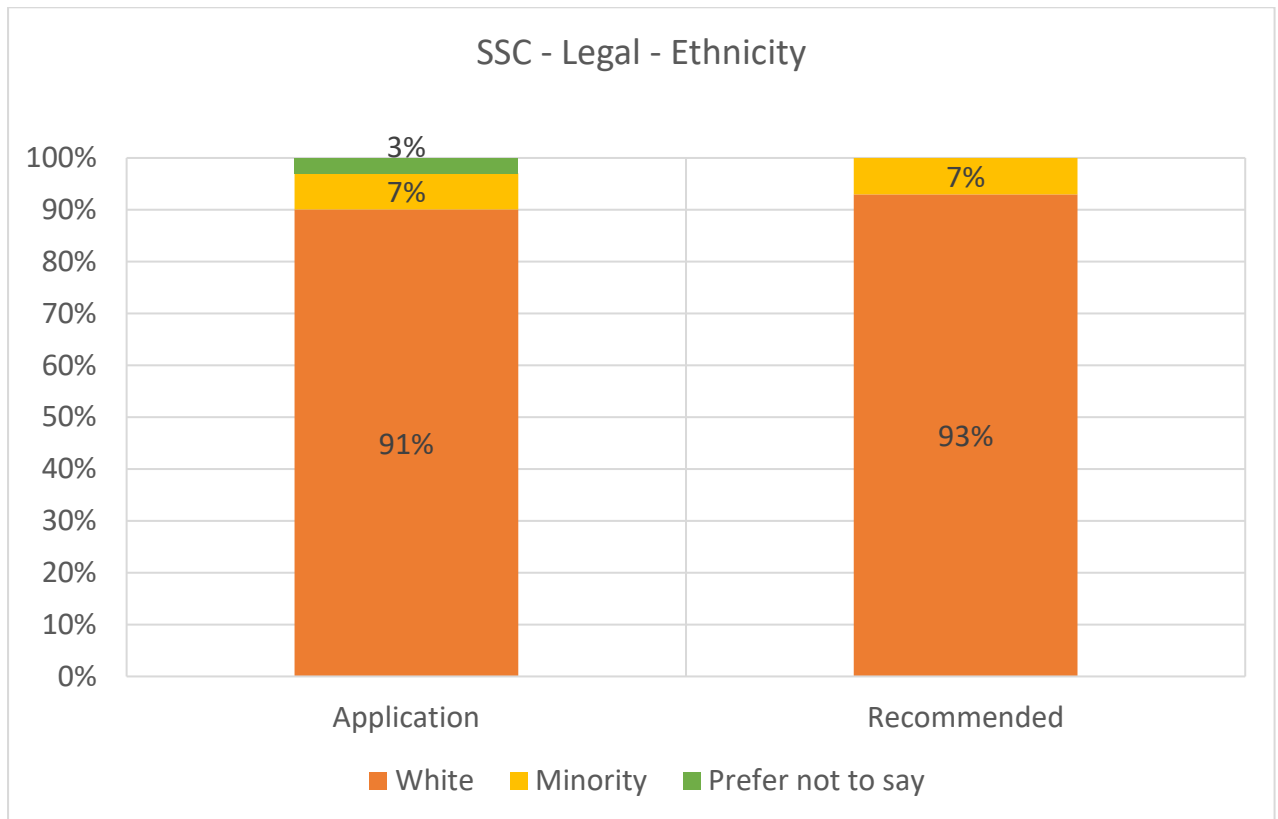
For tribunal competitions we have analysed the data for:

- Gender
- Ethnicity
- Age

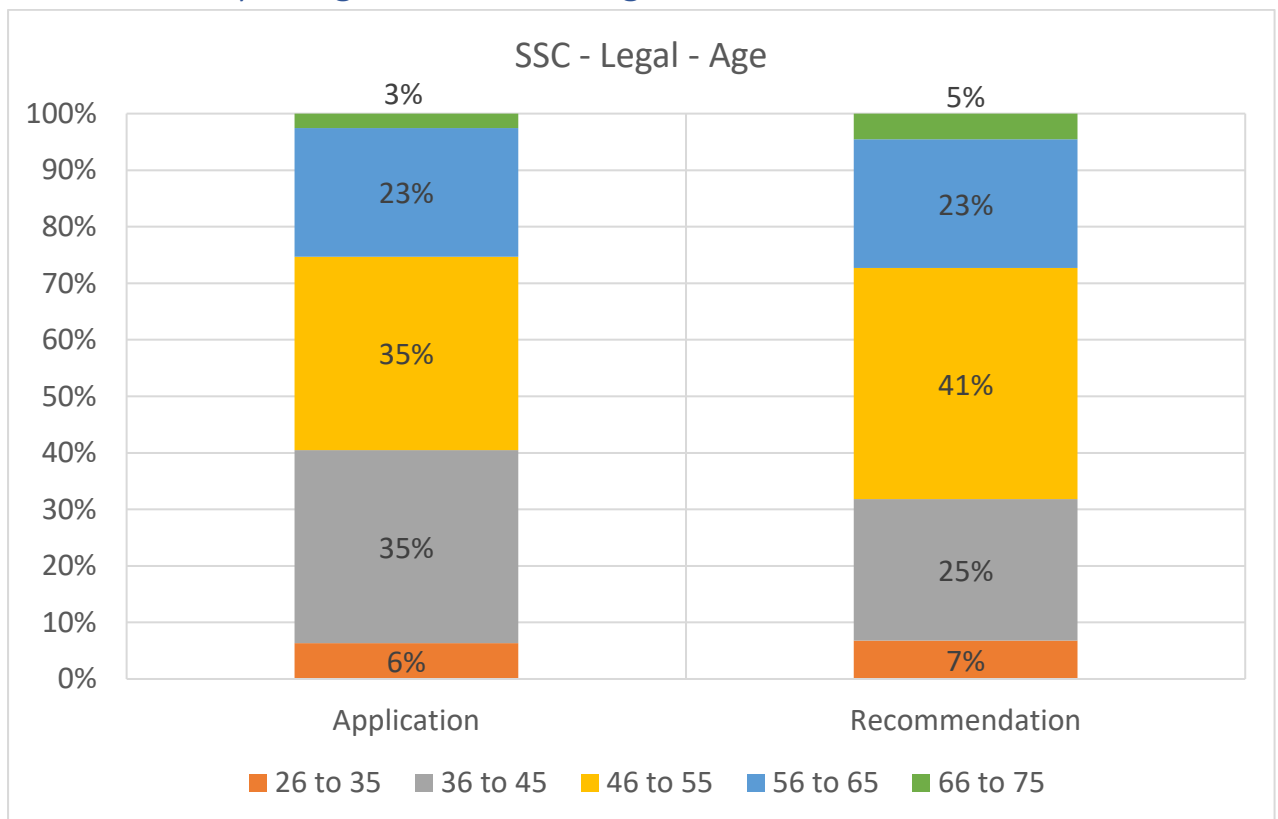
Social Security – Legal Members – Gender



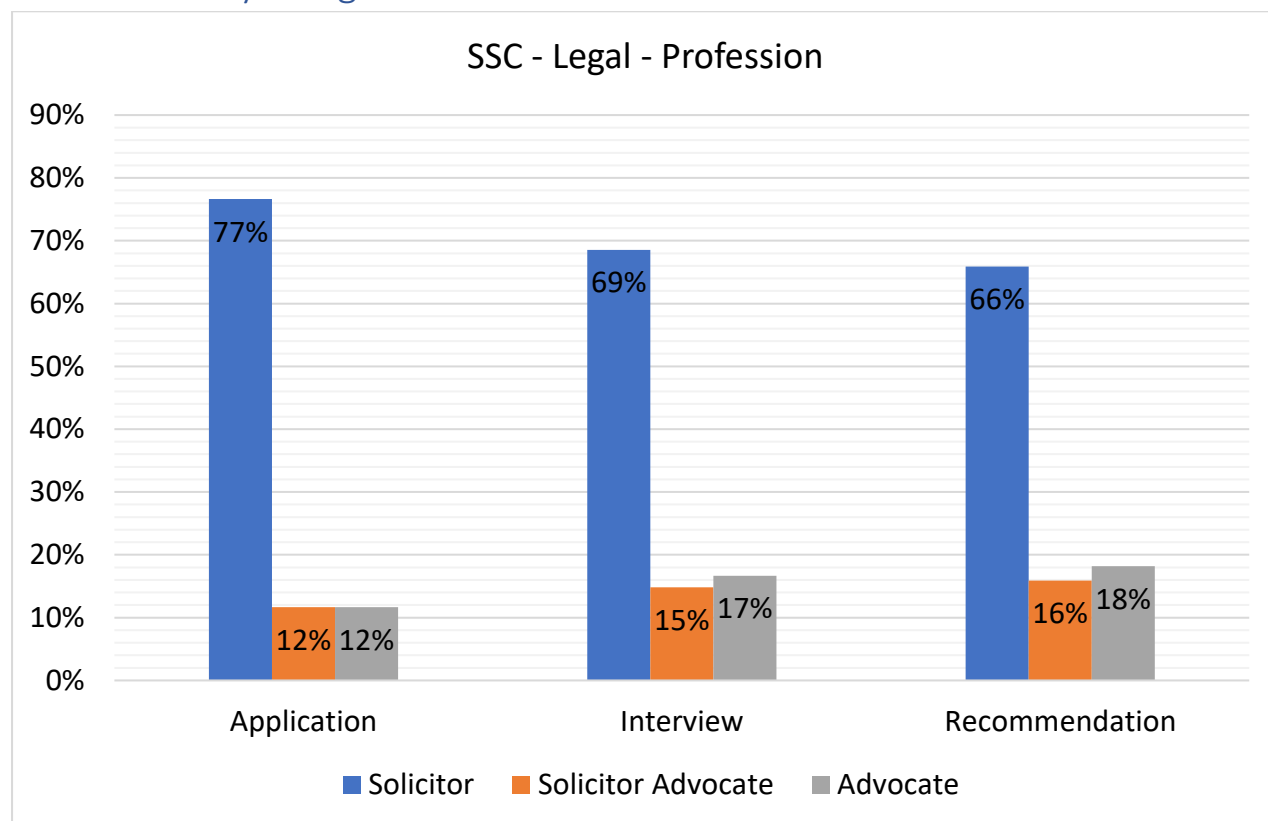
Social Security – Legal Members – Ethnicity



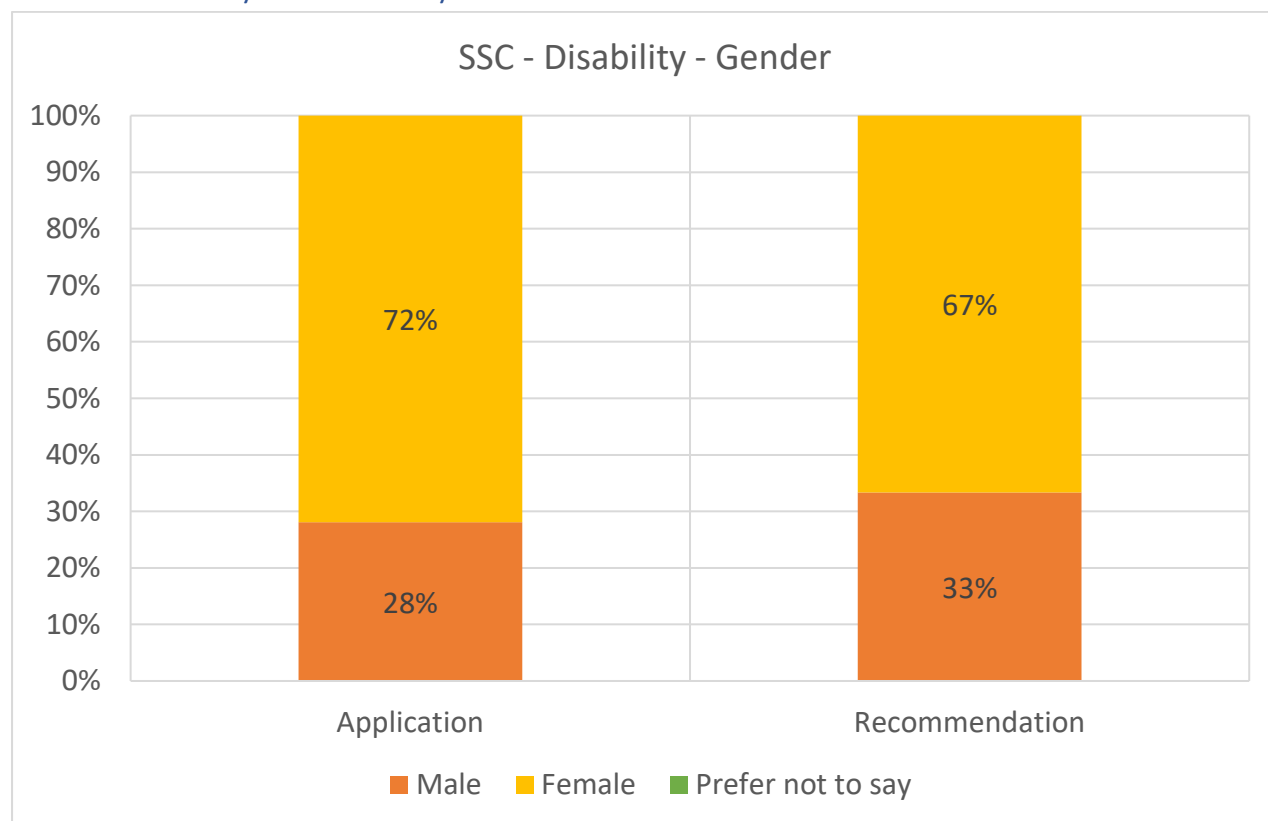
Social Security – Legal Members – Age



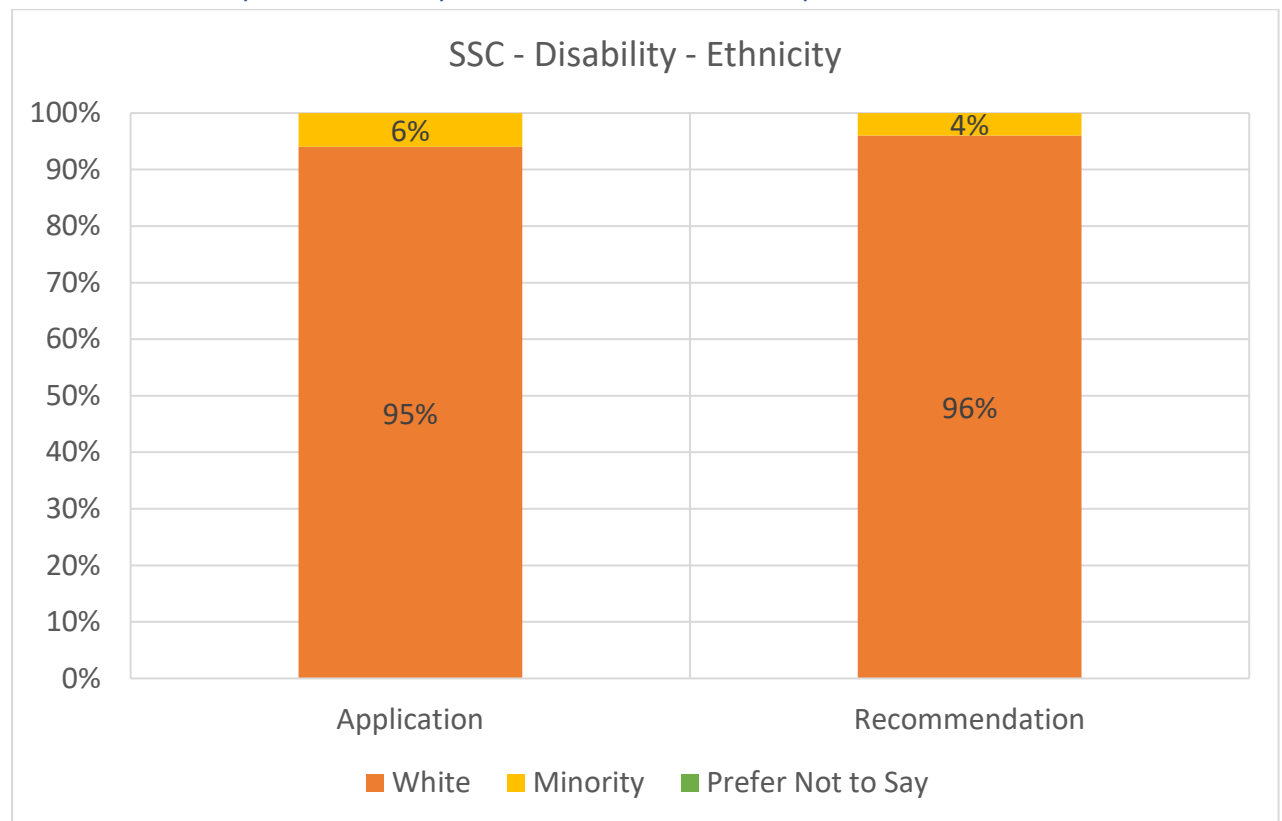
Social Security – Legal Members – Profession



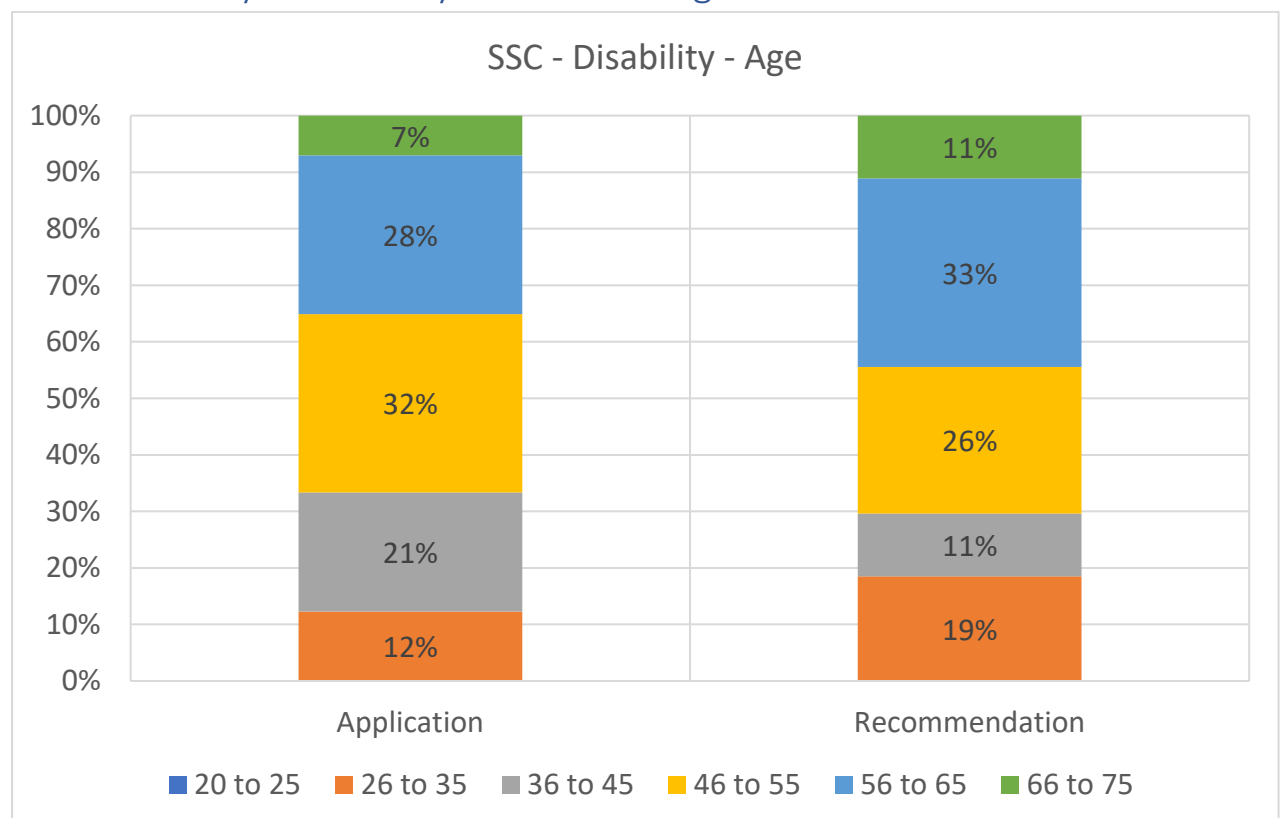
Social Security – Disability Members – Gender



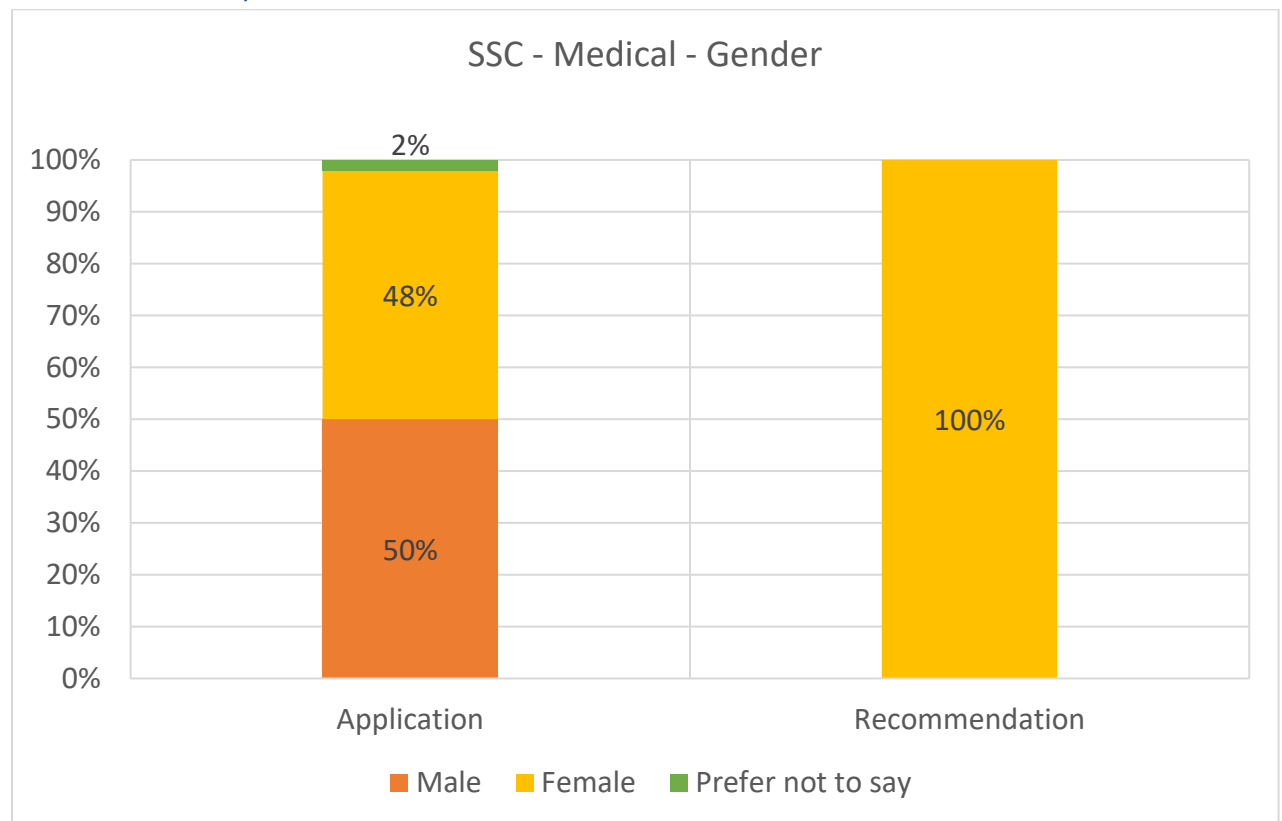
Social Security – Disability Members – Ethnicity



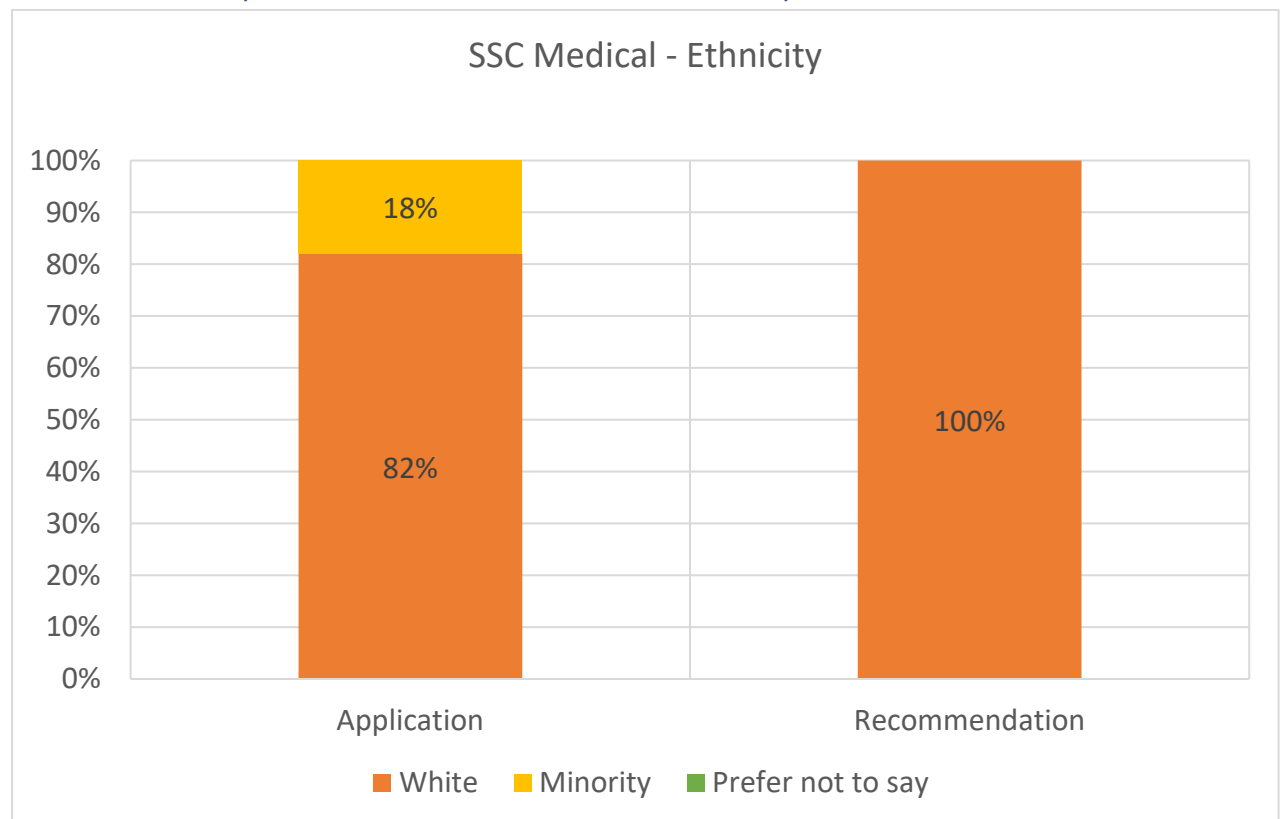
Social Security – Disability Members – Age



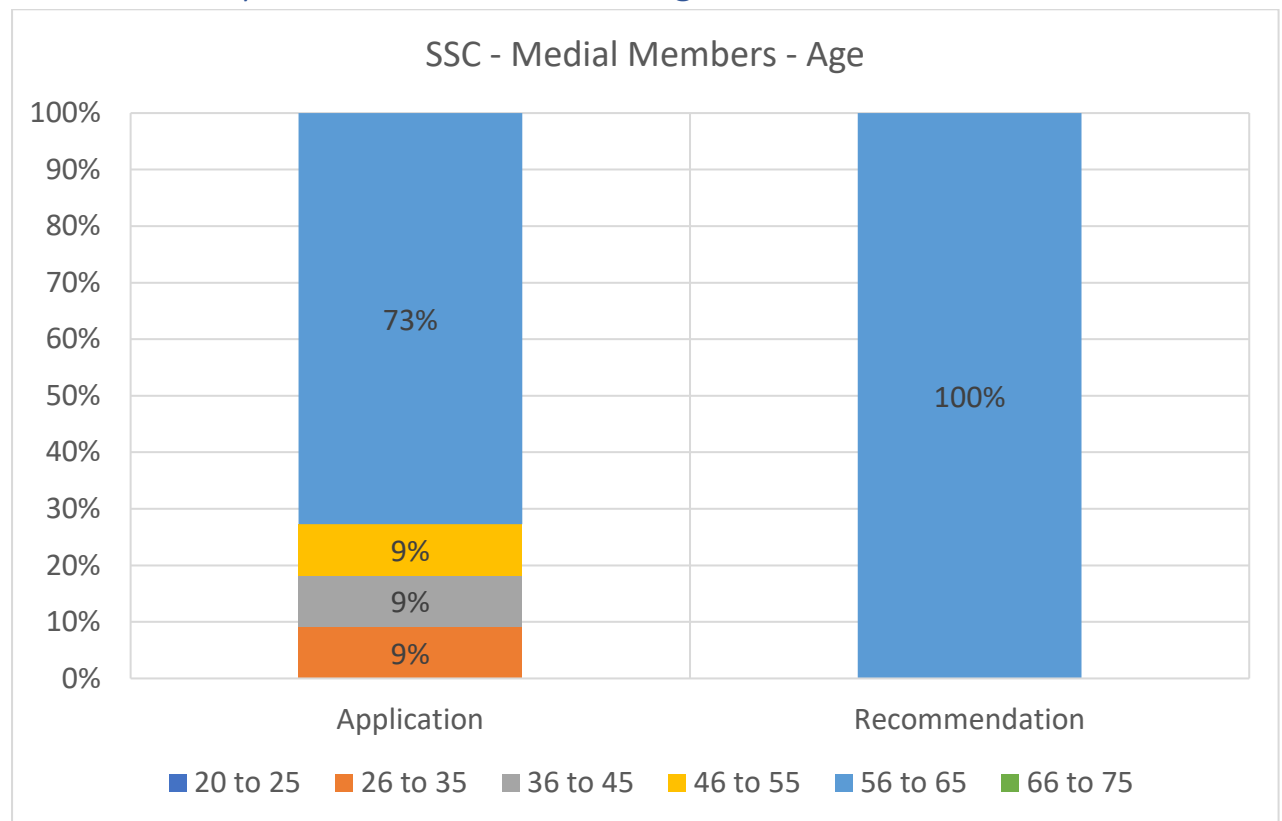
Social Security – Medical Members – Gender



Social Security – Medical Members – Ethnicity



Social Security – Medical Members – Age



Parole Board Competitions

The following competitions are included:

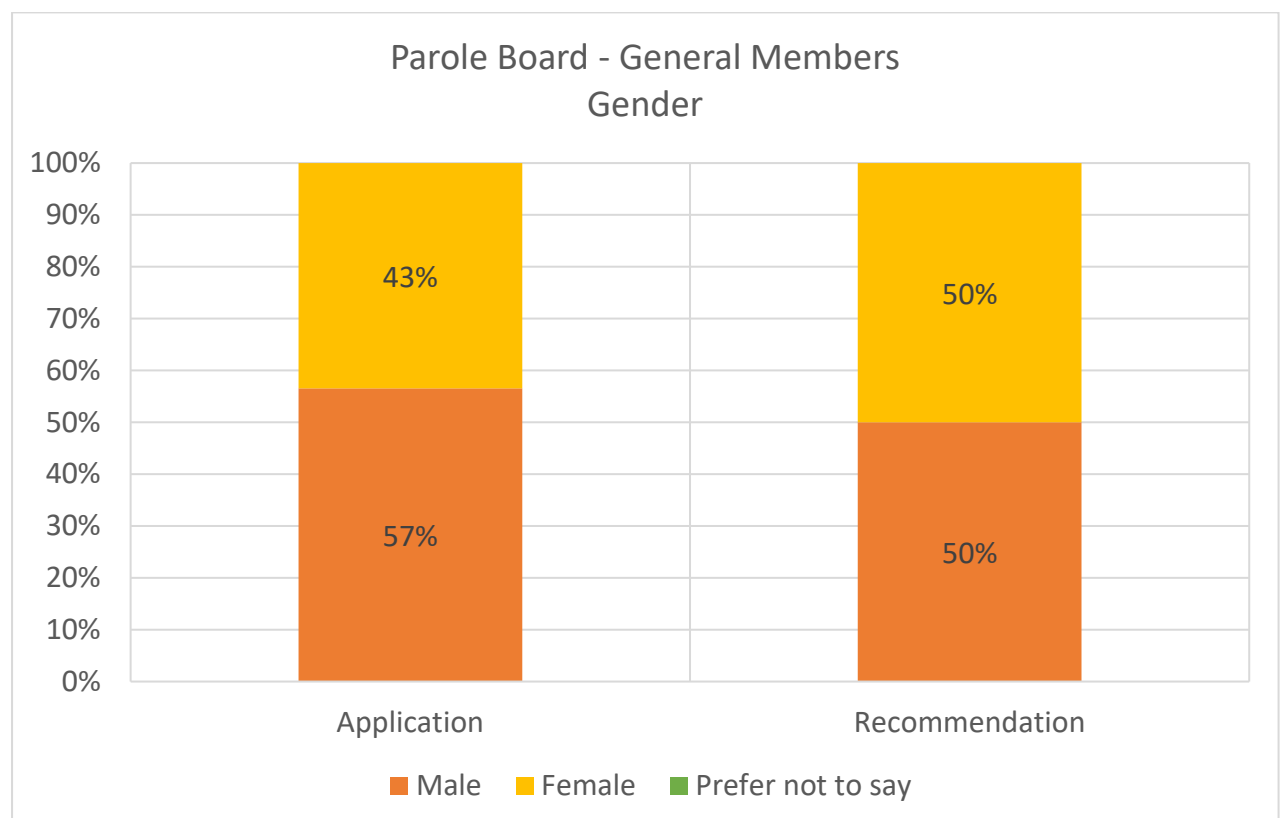
- Parole Board 2022 – General Members
- Parole Board 2022 – Legal Members

Tribunal	Eligible Applications	Candidates Recommended
PB – General Members	23	6
PB – Legal Members	29	6
Total	52	12

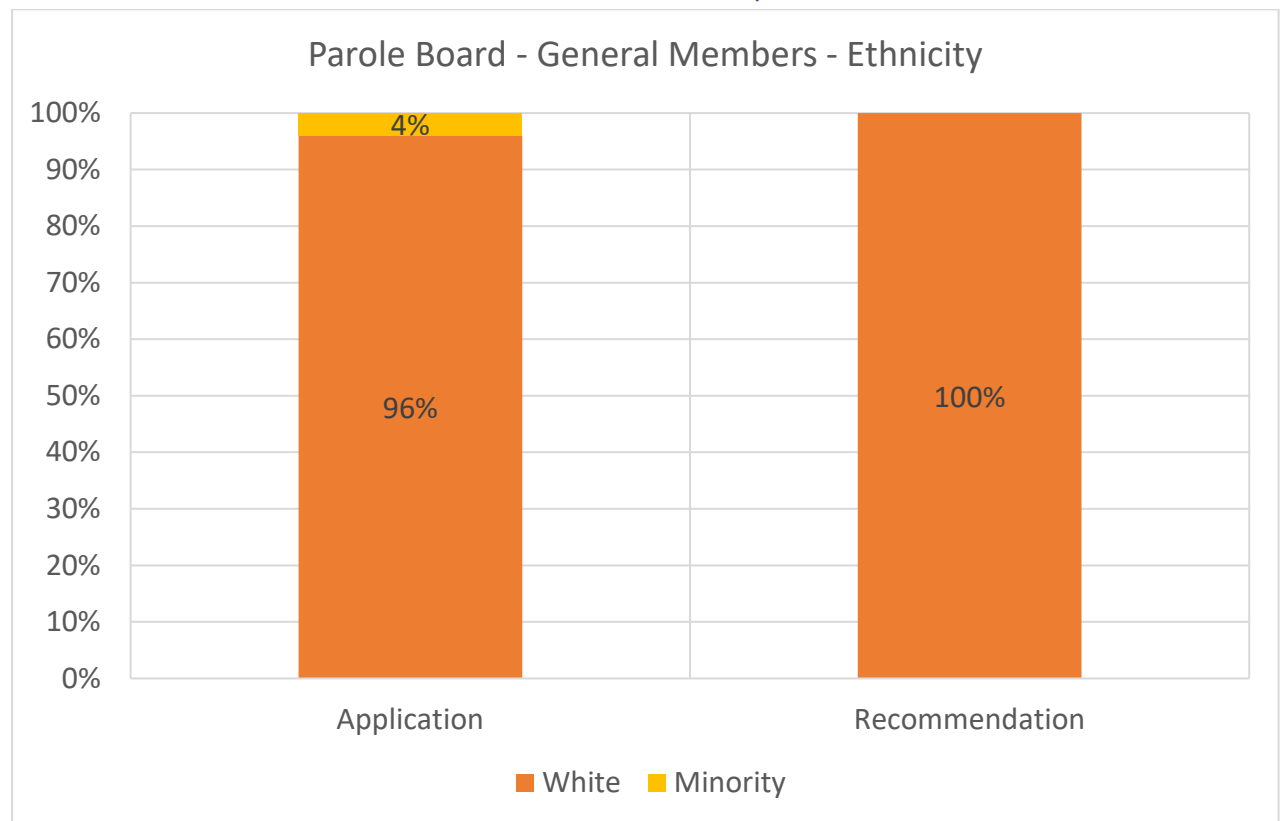
For Parole Board Competitions, we have included the data on:

- Gender
- Ethnicity
- Age

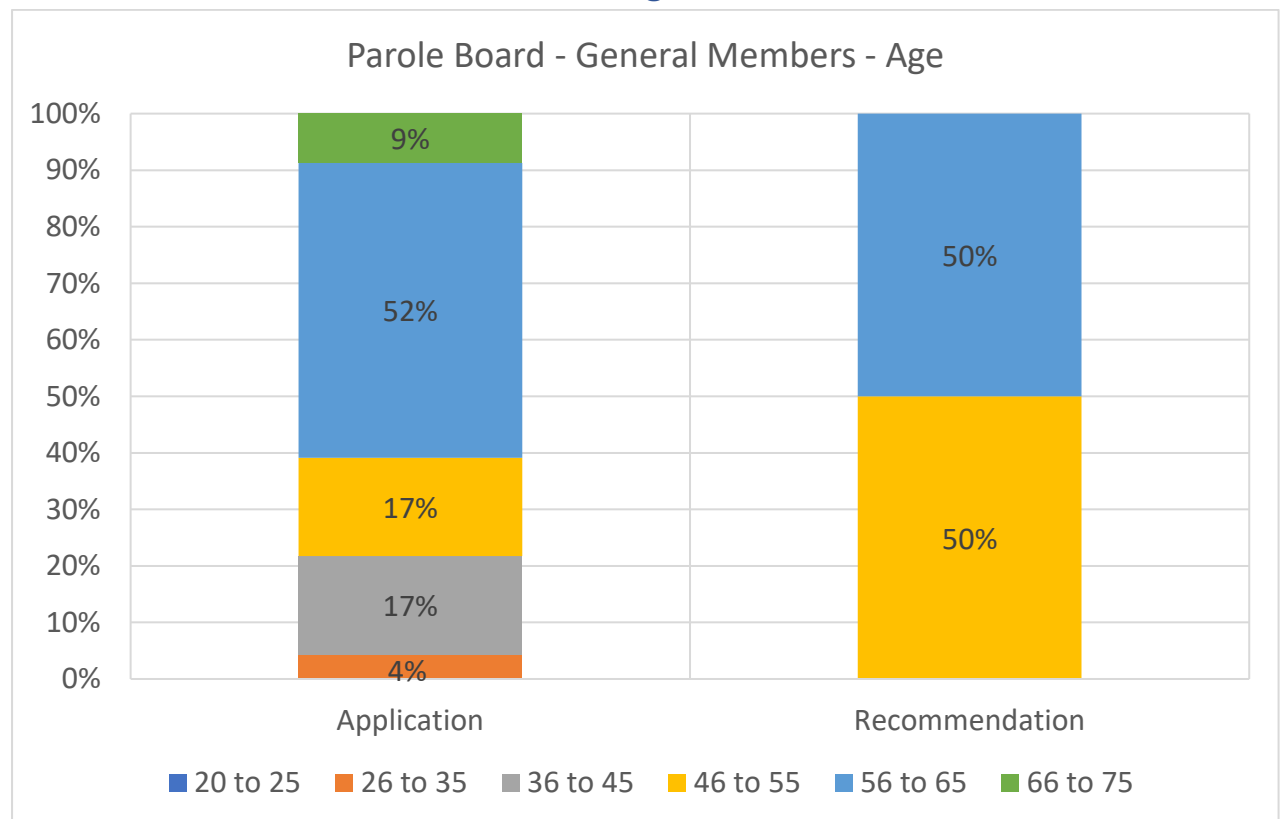
Parole Board – General Members – Gender



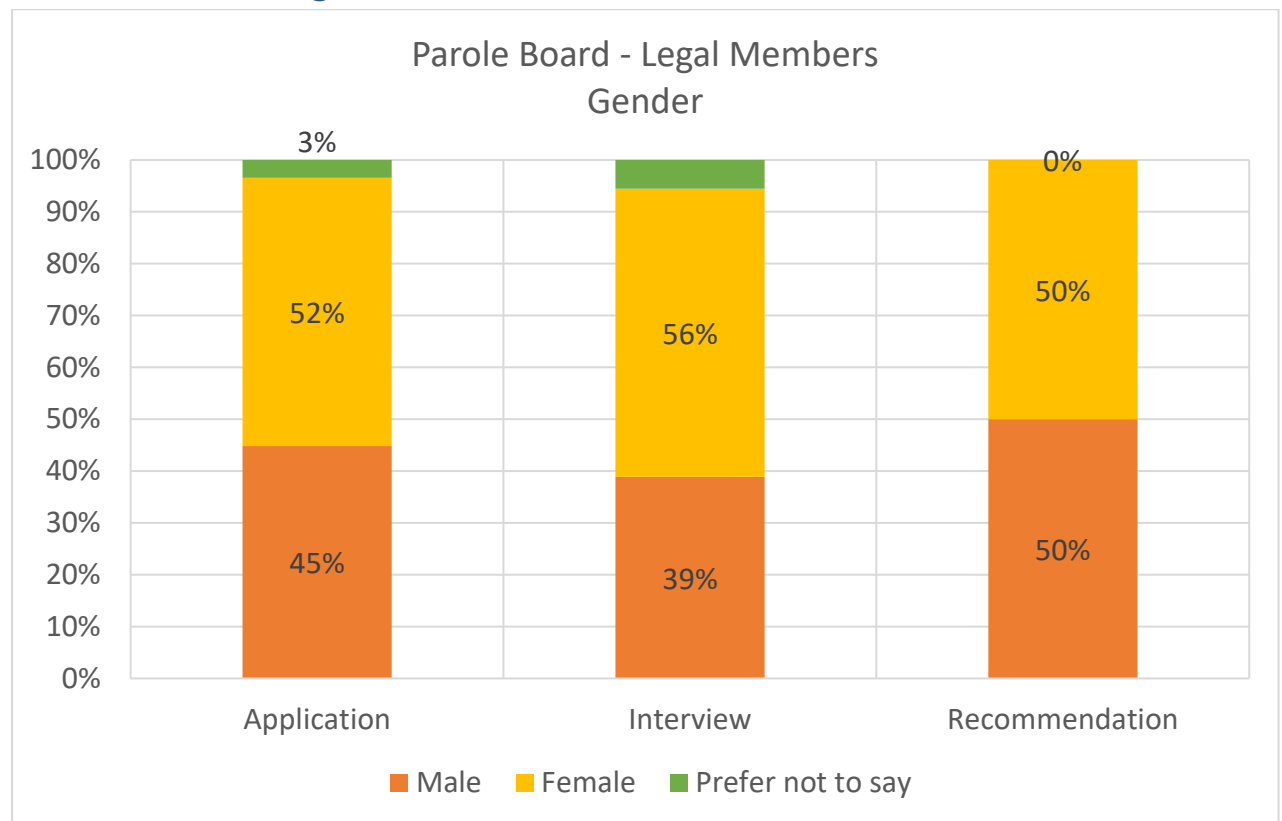
Parole Board – General Members – Ethnicity



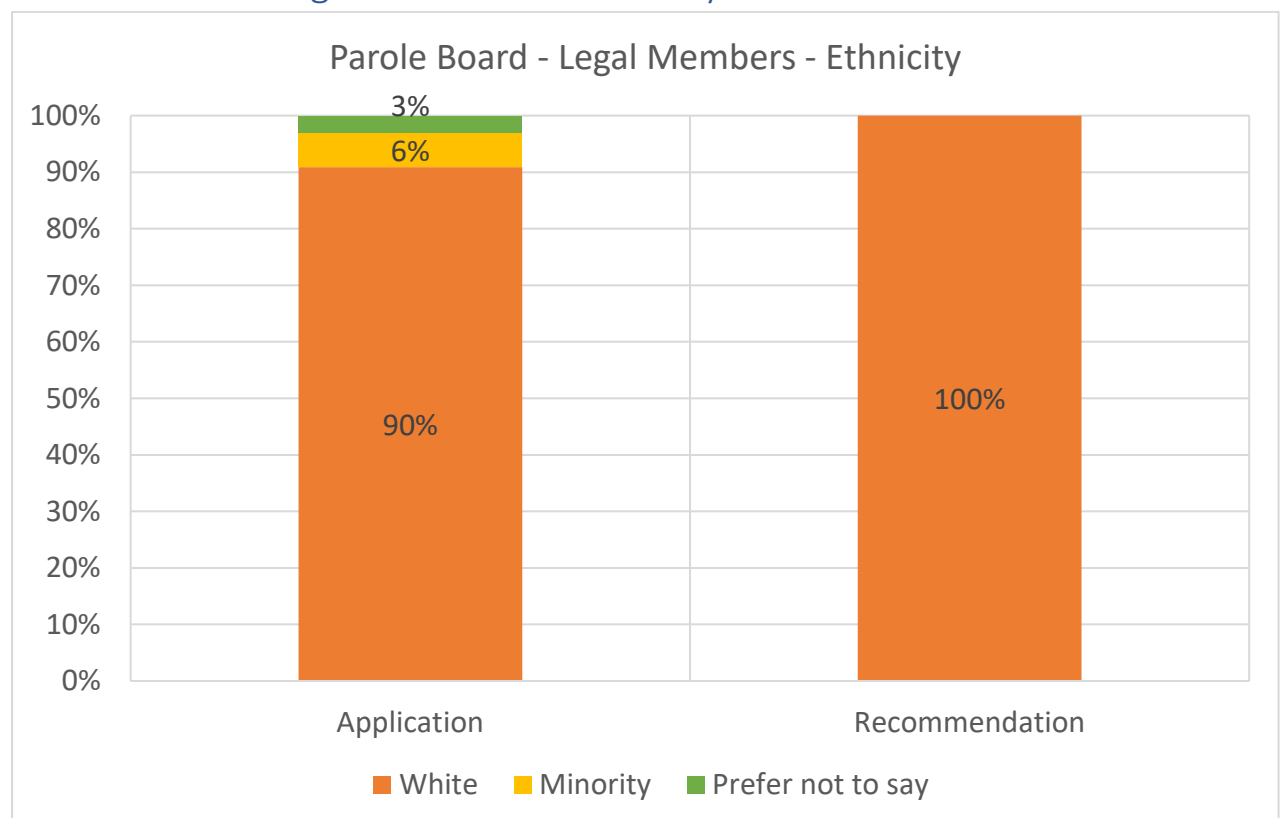
Parole Board – General Members – Age



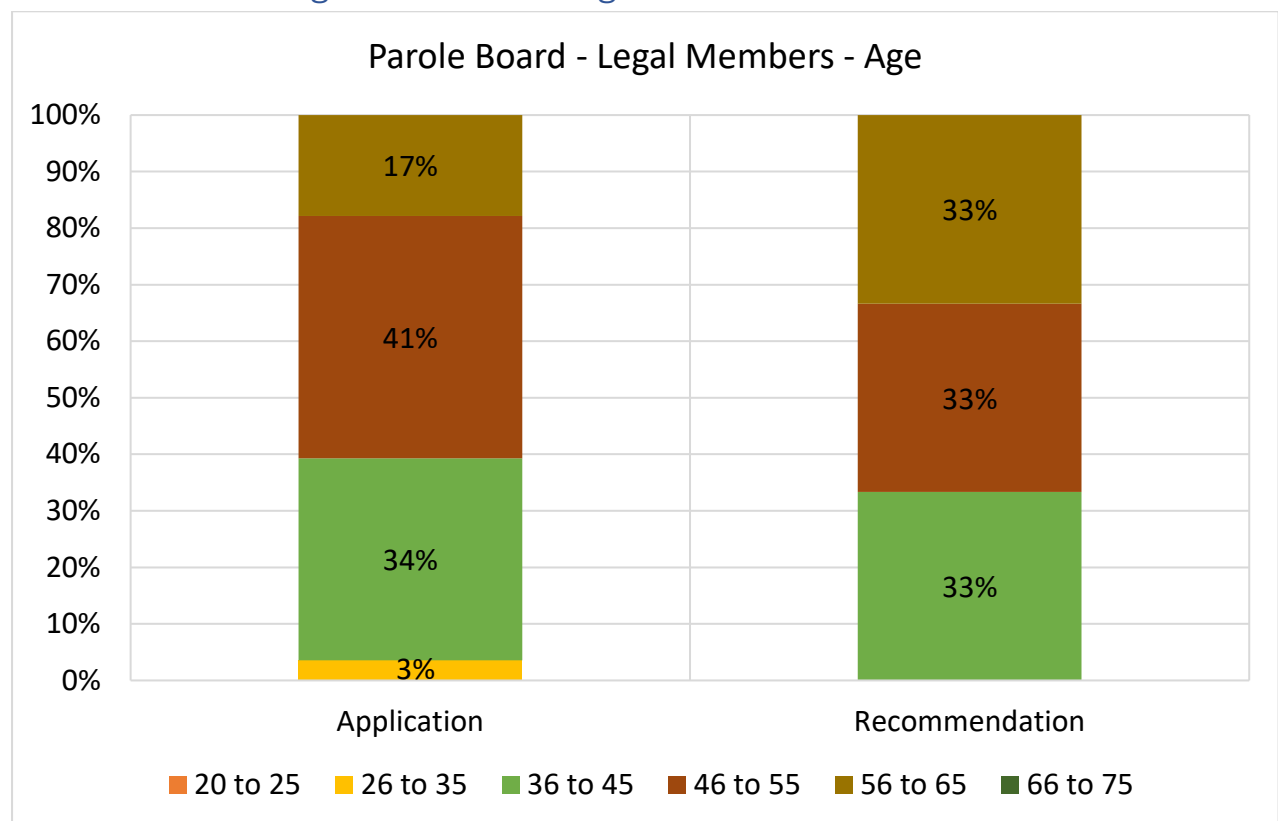
Parole Board – Legal Members – Gender



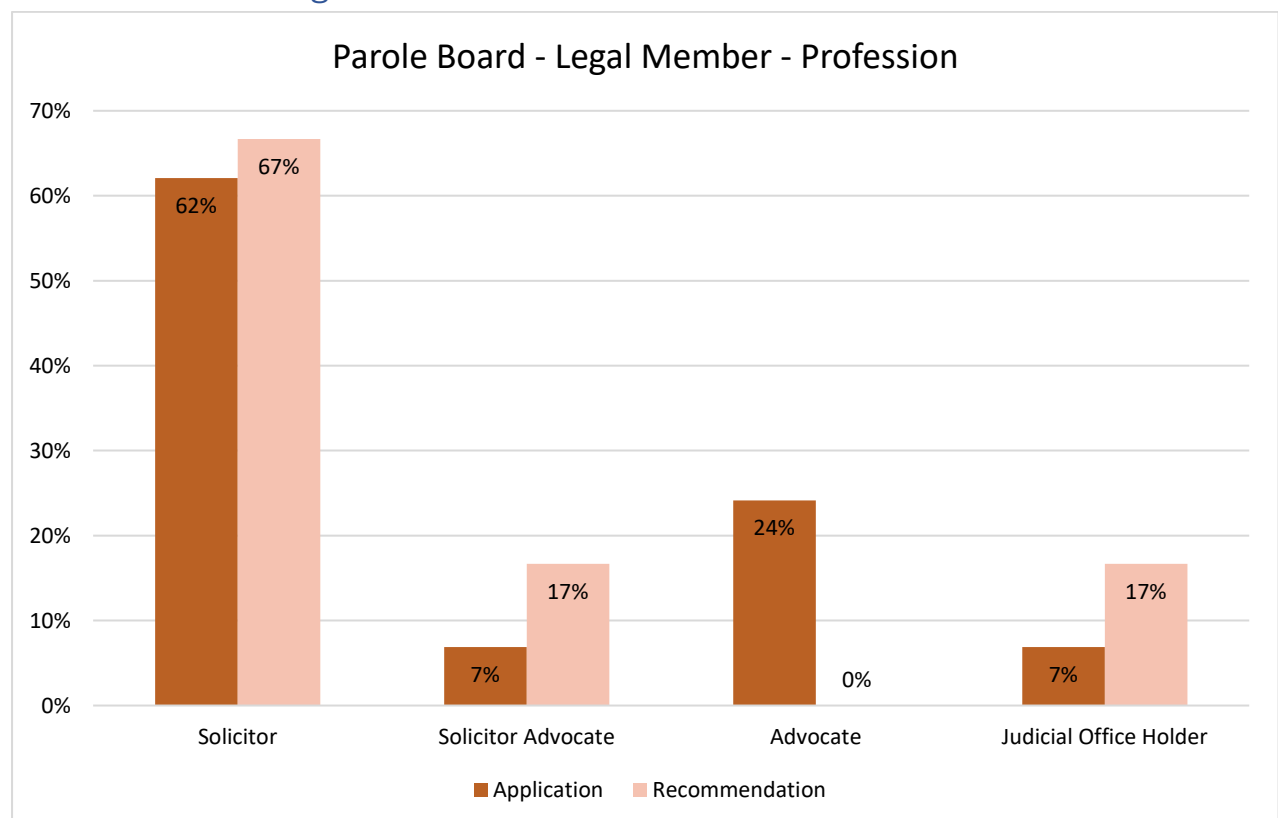
Parole Board – Legal Members – Ethnicity



Parole Board – Legal Members – Age



Parole Board – Legal Members – Profession



Stakeholder Diversity Data

Shown below, are statistics provided by:

- The Law Society Scotland.
- The Faculty of Advocates.
- The Judicial Office for Scotland.

These statistics provide some context to the diversity issues which JABS is facing when looking to encourage diversity in the range of eligible applicants for judicial office.

This information provided below shows statistics in terms of Gender, Ethnicity and Age. However, at this stage, comparisons are not possible as the statistics include all individuals with memberships to each profession. Therefore, it is important to note that the statistics do not represent individuals who are eligible for appointment and individuals who are likely to apply. In future reports we are now working with the professional bodies to form more comparative data that will be used to make valid comparisons.

The Law Society of Scotland

The data from the Law Society of Scotland is used from their Diversity Data from 2020-2021 and from their 2020/21 Practising Certificate (PC) Renewal.

Table E: Gender and ethnicity – collapsed categories

The figures in brackets are those from the 2020/21.

	Women	Men (overall population)	Women aged 30 and under	Men aged 30 and under
BAME	64.8% (61.7%)	35.2% (38.24%)	67.37% (72%)	32.63% (28%)
White	58.61% (56.7%0	41.39% (43.3%)	65.81% (68%)	34.19% (32%)
Other	58.22% (60%)	41.78% (40%)	87.50% (62%)	12.50% (38%)
Prefer not to say	34.18% (31%)	65.82% (69%)	71.43% (38%)	28.57% (62%)
Total	56.90% (55%)	43.10% (45%)	66.55% (67%)	33.33% (33%)

Table F: Overview of disability comparing Solicitor population 2020/21 vs Solicitor population 2022/23

	% solicitor population 2020/21	% solicitor population 2022/23
Other	130 (1.4%)	157 (1.59%)
Deafness or partial hearing loss	113 (1.2%)	105 (1.08%)
Learning difficulty	64 (0.7%)	71 (0.73%)
Blindness or partial sight loss	32 (0.3%)	35 (0.36%)
Mobility impairment	30 (0.3%)	39 (0.39%)
Learning disability	Fewer than 15	31 (0.31%)
Neurodivergent	Fewer than 15	31 (0.31%)

The Faculty of Advocates

The data on Gender is taken from figures provided by the Faculty in April 2024.

Practising Junior – 56 Members

Gender	Number of members
Male	35
Female	21

Practising Junior 3-5 years – 33 Members

Gender	Number of members
Male	24
Female	9

Practising Junior 5+ years – 200 Members

Gender	Number of members
Male	143
Female	57

Practising Senior – 48 Members

Gender	Number of members
Male	35
Female	13

Practising - total members 337

Gender	Number of members	Percentage of members
Male	237	70%
Female	100	30%

The Judicial Office for Scotland

Outlined below are statistics from the Judicial Office for Scotland, which include:

- Total time in post.
- Gender.
- Age.

In future we hope to receive data on ethnicity from the Judicial Office for Scotland.

Appointment Type	Total in post	Gender			Age				
		Male	Female	% Female	Under 40	40-49	50-59	60-69	70 and over
Senators (Inner & Outer House)	34	26	8	23.53%	0	1	14	15	4
Chairman of the Land Court	1	1	0	0.00%	0	1	0	0	0
Sheriffs Principal	6	3	3	50.00%	0	1	1	3	1
Sheriffs	125	94	31	24.80%	0	21	58	44	2
Summary Sheriffs	29	15	14	48.28%	1	7	12	9	0
Part-time Sheriffs	30	26	4	13.33%	1	5	9	13	2
Part-time Summary Sheriffs	15	11	4	26.67%	0	1	8	5	1
Land Court & Lands Tribunals	7	6	1	14.29%	0	0	2	4	1
First-tier Tribunal for Scotland - Chamber Presidents	6	2	4	66.67%	0	0	0	5	1
First-tier Tribunal for Scotland - Legal	137	67	70	51.09%	6	32	56	36	7
First-tier Tribunal for Scotland - Ordinary	260	104	156	60.00%	17	24	66	112	41
Upper Tribunal for Scotland - Legal	2	2	0	0.00%	0	0	0	2	0
Grand Total	652	357	295	45.25%	25	93	226	248	60

Annex A- Legislative Requirements for JABS, JAC and NIJAC

There are different statutory obligations on diversity for JABS, JAC and NIJAC. These are set out below.

Judicial Appointments Board for Scotland

JABS has a statutory obligation to recommend appointments for Court and Tribunal roles in Scotland set out in the Judiciary and Courts (Scotland) Act 2008. In section 14 of the Act, JABS is required to do this by:

14 Encouragement of diversity

(1) In carrying out its functions, the Board must have regard to the need to encourage diversity in the range of individuals available for selection to be recommended for appointment to a judicial office.

(2) Subsection (1) is subject to section 12.

12 Selection criteria

(1) This section applies where the Board is selecting an individual to be recommended by it for appointment.

(2) Selection must be solely on merit.

(3) The Board may select an individual only if it is satisfied that the individual is of good character.

Judicial Appointments Commission

JAC selects candidates for judicial office in England and Wales, and for some tribunals with UK-wide powers. JAC has a statutory obligation to recommend appointments as set out in the Constitutional Reform Act 2005. In section 64 of the Act, JAC is required to do this by:

64 Encouragement of diversity

(1) The Commission, in performing its functions under this Part, must have regard to the need to encourage diversity in the range of persons available for selection for appointments.

(2) This section is subject to section 63.

63 Merit and good character

(1) Subsections (2) [F1 to (4)] apply to any selection under this Part by the Commission or a selection panel ("the selecting body").

(2) Selection must be solely on merit.

(3) A person must not be selected unless the selecting body is satisfied that he is of good character.

[F2 (4) Neither "solely" in subsection (2), nor Part 5 of the Equality Act 2010 (public appointments etc), prevents the selecting body, where two persons are of equal merit, from preferring one of them over the other for the purpose of increasing diversity within—

(a) the group of persons who hold offices for which there is selection under this Part, or

(b)a sub-group of that group.

JAC legislation enshrines the principle of 'equal merit' under s63 of the Constitutional Reform Act 2005, where two or more candidates in a selection exercise are judged as being of equal merit, they can give priority to one or more candidates from underrepresented groups through their equal merit approach, on the basis of ethnicity or gender. That process can take place at either the shortlisting or final decision-making stage.

Northern Ireland Judicial Appointments Commission

NIJAC selects and recommends candidates for appointment for judicial office in Northern Ireland. NIJAC has a statutory obligation to recommend appointments as set out in section 6 of the Justice (Northern Ireland) Act 2002.

6. General Provisions about Selections

(1) The selection under this Schedule of a person to be appointed, or recommended for appointment, to a listed judicial office must be made solely on the basis of merit.

(2) Subject to that, the Commission must at all times engage in a programme of action which complies with sub-paragraph (3).

(3) A programme of action complies with this sub-paragraph if—

(a) it is designed to secure, so far as it is reasonably practicable to do so, that appointments to listed judicial offices are such that those holding such offices are reflective of the community in Northern Ireland,

(b) it requires the Commission, so far as it is reasonably practicable to do so, to secure that a range of persons reflective of the community in Northern Ireland is available for consideration by the Commission whenever it is selecting a person to be appointed, or recommended for appointment, to a listed judicial office, and

(c) it is for the time being approved by the Commission for the purposes of this Schedule.

NIJAC has the responsibility to engage in a Programme of Action to secure, so far as it is reasonably practicable to do so, that a range of persons reflective of the community in NI is available for consideration and appointment by NIJAC.