

LORD CHANCELLOR'S DEPARTMENT

**SELECTION PROCEDURES FOR THE CIRCUIT BENCH AND
RECODERSHIP**

A RESPONSE BY THE ASSOCIATION OF PERSONAL INJURY LAWYERS

JUNE 2002

The Association of Personal Injury Lawyers (APIL) was formed in 1990 by claimant lawyers with a view to representing the interests of personal injury victims. APIL currently has over 5300 members in the UK and abroad. Membership comprises barristers, legal executives and academics whose interest in personal injury work is predominantly on behalf of injured claimants. APIL does not generate business on behalf of its members.

APIL's executive committee would like to acknowledge the assistance of the following in preparing this response:

Any enquiries in respect of this response should be addressed, in the first instance, to:

Annette Morris
Policy Research Officer
APIL
11 Castle Quay
Nottingham
NG7 1FW

Tel: 0115 958 0585

Fax: 0115 958 0885

E-mail: Annette@apil.com

SELECTION PROCEDURES FOR THE CIRCUIT BENCH AND RECORDERSHIP

1. APIL welcomes this opportunity to make submissions in respect of judicial selection procedures about which we have been concerned for some time. Whilst the LCD's consultation paper is limited to selection procedures for the Circuit Bench and Recordship, the views expressed in this response apply to all judicial appointments. In summary...

Subject to the evaluation of the pilot assessment centre, views would be welcome on the issue of extending the assessment centre system to other appointments such as those to the Circuit bench or Recordship.

- 2.
3. A Judicial Appointments Commission has been established to audit on an on-going basis the judicial appointment procedures. In our view, the Commission should be wholly responsible for the recruitment, selection and promotion of the judiciary and should be completely independent from government with its own budget and secretariat. Commissioners, serving for a fixed term, should be drawn from four groups as follows :

- The judiciary
- Qualified lawyers and legal academics
- Lay people with expertise in recruitment and training methods
- Law people representing the community as a whole.

It should be ensured that no one group dominates the Commission. To assist in this, the lay representatives ought not to be legally qualified and ought to constitute at least half of the commissioners.

4. We further believe that all qualified lawyers should be equally eligible to apply for judicial posts whether in private practice, employed by a trade union, in

Government service, working in-house or as academics. Different kinds of legal experience should not carry different weight in recruitment.