

## Annex C

### SAMPLE JOB SUMMARY FROM 2010 MAJOR REVIEW

*Report to the Judicial Sub-Committee of the Senior Salaries Review Body  
Job evaluation of the judiciary  
14 July 2010*

## Annex B – Draft job summaries

### England and Wales

Post name	Circuit Judge
<b>Factor 1</b>	<b>Jurisdiction</b>
	<ul style="list-style-type: none"><li>• Circuit Judges sit throughout England and Wales in approximately 90 locations of the Crown Court and in about 230 County Courts.</li><li>• The vast majority of cases are heard at first instance. However, in the Crown Court they have an appellate jurisdiction relating to appeals from Magistrates' Courts in criminal matters and from Youth Court proceedings. They also deal with some appeals in civil matters, such as those relating to licensing, betting and gaming cases.</li><li>• The Crown Court has exclusive jurisdiction in criminal trials in the first instance which are not tried by Magistrates' Courts. The Crown Court also sentences persons convicted by Magistrates' Courts when the magistrates are of the opinion that a more severe sentence is justified. Cases in the Crown Court are classified into four classes:<ul style="list-style-type: none"><li>○ Class 1 cases (murder, or incitement, attempt or conspiracy to murder) and Class 2 cases (serious sexual offences and manslaughter) may be tried by Circuit Judges who are duly authorised or "ticketed" to hear the particular type of case;</li><li>○ Class 3 cases (fraud) may be heard by a Circuit Judge who is appropriately trained and has been authorised to do so by a Presiding Judge; and</li><li>○ Class 4 cases (all others) may be heard by any Circuit Judge.</li></ul></li><li>• The jurisdiction of the County Courts is statutory and covers almost all areas of civil law. The general jurisdiction in civil law is mostly concurrent with that of the High Court, although a number of statutes confer exclusive jurisdiction on the County Courts. This includes virtually all cases under the Consumer Credit Act, actions by mortgage lenders for possession, and actions by landlords and local authorities under the Rent Acts and the Housing Acts. Additionally 80% of County Courts have jurisdiction in insolvency and a few Circuit Judges exercise specialist jurisdictions, such as jurisdiction under the Race Relations Act.</li><li>• County Courts have exclusive jurisdiction in some areas of family law, including almost all types of divorce proceedings. Public law family cases, such as care and supervision orders, are heard by nominated Circuit Judges sitting at Care Centres.</li></ul>
<b>Factor 2</b>	<b>Complexity and diversity of cases</b>
	<ul style="list-style-type: none"><li>• The overall jurisdiction of Circuit Judges is broad, and most have particular areas of focus and expertise, combining these areas of specialism with a broad knowledge of the law. Circuit Judges need to attend regular training and update sessions to maintain their "tickets" to hear Class 1 and Class 2 cases. Criminal work has become increasingly complex in recent years, with a wide variety of changes where it is essential to keep up to date. For example, disputes about admissibility of evidence or interpretation of statutes occur regularly in criminal trials requiring Circuit Judges to make a ruling as to a point of law.</li><li>• The facts in cases heard by Circuit Judges can be very complex and extremely detailed. These may include reports from paediatricians, child psychologists, forensic scientists as well as in-depth reports from CAF/CASS detailing their enquiries with the child's school, doctor, midwife and also reports on information provided by the child at risk in a contested hearing.</li><li>• The length of hearings varies according to the type of case. In criminal cases, the majority of cases involving a jury trial take no more than a fortnight. In family cases, the majority of hearings last up to one week.</li><li>• In addition to the time spent sitting on the bench hearing cases, Circuit Judges will deal with a number of other matters in a day. These may include applications to vary bail conditions, witness summonses, applications to change representation orders and applications for confiscation of assets under the proceeds of crime legislation.</li></ul>

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<b>Factor 3</b>	<b>Impact and sensitivity of decisions</b>
	<ul style="list-style-type: none"><li>• The primary impact of the decisions of Circuit Judges is on litigants themselves. Nevertheless, cases will often be reported in the press due to their severity or unusual circumstances. Fewer cases have an impact on the wider public or on public policy.</li><li>• The sentencing powers in criminal cases are such that the impact on the defendant can be substantial, involving loss of liberty including life imprisonment. The impact on victims and others involved in criminal cases can also be highly significant. Family cases can result in life-changing changes to the care arrangements for children and other civil cases might result in the loss of a home or a business.</li></ul>
<b>Factor 4</b>	<b>Court craft</b>
	<ul style="list-style-type: none"><li>• Circuit Judges are actively involved in case management and will manage both their own cases and some will undertake pre-hearing work in cases that are ultimately to be heard by other judges.</li><li>• Expert witnesses are becoming more involved in cases, and tend to submit their reports in writing and then give oral evidence during the trial. Experts include medical professionals, child psychologists, accident reconstruction experts etc. In some cases, interpreters may be required and this takes longer and adds another "layer" of complexity to the proceedings.</li><li>• In the Crown Court, defendants are almost always represented by barristers or in a number of cases by Queen's Counsel. In a very small number of cases, defendants are represented by solicitors with High Court rights of advocacy. With regard to juries, Circuit Judges will prepare summing up in writing and will deliver it extemporarily. Decisions or rulings during a criminal trial have to be given within tight time constraints to ensure the timely administration of justice.</li><li>• In family cases, solicitors who specialise in this type of work tend to represent in the vast majority of cases, although many parties choose to represent themselves. The Circuit Judge will usually give the decision in writing in public law cases as these will require long and complex judgments setting out firm reasons for the decisions. In less complex private law cases, judgments will usually be given extemporarily.</li></ul>
<b>Factor 5</b>	<b>Out of court, management and leadership responsibilities</b>
	<ul style="list-style-type: none"><li>• Circuit Judges may take on a wide range of management responsibilities, including:<ul style="list-style-type: none"><li>○ Participating in, preparing and delivering training (e.g. to Recorders);</li><li>○ Mentoring other less experienced members of the judiciary;</li><li>○ Sitting on committees relating to the administration of justice and user groups such as Probation Committees, Court User Committees, Area Criminal Justice Liaison Committees and Rules Committees; and</li><li>○ Being Resident Judge for a court centre with overall responsibility for the judicial management of the court centre and the judges working within it. The Resident Judge takes on responsibility for the listing of cases and the allocation of work and liaises with the Presiding Judge on resource requirements and judicial performance.</li></ul></li></ul>