

2014 JUDICIAL ATTITUDE SURVEY

Report of findings covering salaried judges in Scotland

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Executive summary

Summary of key findings for Scotland

Scottish judiciary

The courts judiciary in Scotland makes up 8.6% of all salaried judges in the UK.

Response rate

There was a high response rate of 81% of all salaried judges in Scotland.

Being a member of the judiciary

- Virtually all judges (98%) in Scotland feel they provide an important service to society, with 79% agreeing strongly with this view.
- While most judges in Scotland have a strong personal attachment to being a member of the judiciary, this is less pronounced amongst Senators in the Inner House (67%) than those in the Outer House (100%) and Sheriffs (93%).
- Over two thirds (67%) of all Scottish judges say that members of the judiciary are respected by society at large less than they were 10 years ago, with Sheriffs more likely to perceive a decline in respect (70%) than Senators (48%).
- Judges feel most valued by their judicial colleagues at court (90%), court staff (88%), the legal profession (84%) and parties in cases before them (74%).
- Half of all Scottish judges (50%) feel valued by the public, but very few (8%) feel valued by the government.

Working conditions

- Almost all judges in post for at least 5 years (82%) feel working conditions are worse now than 5 years ago, but this view is held more widely by Sheriffs (88%) than Senators (40%).
- Almost half (42%) of all judges said their case workload over the last 12 months was too high, with no real differences between judicial posts.
- Judges reported variability in the quality of resources. At least half of all judges feel that library and books (53%), physical environment (51%) and IT support (50%) are good to excellent. The standard of IT equipment in court is rated the lowest (43% rating it as poor).
- A majority rated the quality of administrative support (59%) and facilities at court for interaction with other judges (50%) as either good or excellent. Morale of court staff was rated lowest, with 40% saying it was poor.

Training and personal development

- Those areas where a majority of judges are satisfied include: the quality of training (89%), range of training available (79%), variety of work (77%) and challenge of the job (73%).
- The main areas where a majority of judges are not satisfied are: opportunities for personal development (64% not satisfied) and time available for training (62% not satisfied).

Change in the judiciary

- Almost all judges (88%) feel their job has changed since they were appointed in ways that affect them. But while a majority of Sheriffs (52%) said the job had changed a large amount or completely, most Senators (73%) feel it has only been a limited change.
- Almost all judges (84%) feel the judiciary needs control over changes affecting judges; 72% say some change is needed in the judiciary; and 60% believe too much change has been imposed on the judiciary in recent years.

- There is no consensus on whether the judiciary manages change well, or whether the amount of change in recent years has brought judges to breaking point.
- Almost all judges (91%) see government policy initiatives as the primary driver behind changes that are imposed on the judiciary, followed by new legislation (74%) and public misunderstanding of the judiciary (66%).

Salary and pensions

- It is clear that the two key remuneration issues for almost all judges is the loss of net earnings they have suffered over the last 5 years (80%) and that pay and pension together do not adequately reflect the work they do (74%).
- In addition, over half of all judges (55%) do not feel they are paid a reasonable salary for the work they do. And over three-quarters (78%) of Judges feel that the fairest approach to pension entitlements would be reductions only for new judges entering the judiciary.

The future

- A large proportion of the Scottish judiciary say they might consider leaving the judiciary early over the next 5 years. This is particularly marked for Senators in the Inner House, where almost three-quarters (71%) of judges who will not reach full retirement age in the next 5 years either might consider leaving early (57%) or are currently undecided (14%).
- There are two main factors Scottish judges say would prompt them to leave the judiciary early: further limits on pay awards (70%) and reductions in pension benefits (70%). A majority (54%) would also be prompted to leave early by an increase in workload.
- An overwhelming majority (88%) of judges said one key factor would help to keep them in the judiciary until they reach retirement age: higher remuneration.
- Judges identified the main future challenges for the judiciary as: fiscal constraints (91%), reduction in support staff (84%), litigants in person (80%), attracting the best people to the judiciary (80%), judicial morale (79%) and loss of judicial independence (72%).

Recruitment

- The main reasons judges would encourage suitable people to apply to join the Scottish judiciary are the chance to contribute to justice being done (83%), challenge of the work (82%), intellectual satisfaction (71%) and public service (69%).
- A majority of Scottish judges say they would discourage suitable applicants from applying for five reasons: likelihood of further pension reductions (74%) reduction in income (65%), constant policy changes (53%) and lack of personal control over working time (52%).

Leadership

- Most judges in Scotland would be interested in taking on leadership responsibilities, including 83% of the Outer House, 67% of the Inner House and 65% of Sheriffs.
- While 67% of the Inner House feel such leadership roles are allocated fairly, 67% of the Outer House and 83% of Sheriffs either do not or do not know enough about how these decisions are made in Scotland to be able to say whether the process is fair or not.
- Among judges with leadership responsibilities for 3 years or more, almost all (83%) say their workload is greater than it was 3 years ago. Despite the increased workload, almost two-thirds (62%) of leadership judges said they definitely would have applied for their leadership role even if they had been aware of the nature and amount of work it involved.
- Leadership judges identified three main changes that would improve their job satisfaction: protected time for leadership work (80%), compensatory leave for leadership activities (71%) and more legal research assistance (57%).

1. Judicial Attitude Survey (JAS) 2014

1.1 The survey

The United Kingdom Judicial Attitude Survey (JAS) 2014 is the first survey that has been conducted with all serving salaried judges in the United Kingdom. The aim of the JAS is to assess the attitudes of salaried judges in key 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 UK JAS was all serving salaried judges in Scotland, England and Wales, Northern Ireland and the UK non-devolved tribunals, including both full-time salaried and part-time salaried judges. The total number of salaried judges in Scotland at the time the survey was run was 185.

The JAS was an online survey conducted by the Judicial Institute of University College London (UCL JI) via the web-based survey tool Opinio. Hard copies of the survey were also available to judges, although no requests for hard copies were received. The survey consisted of 40 questions covering the following general subject areas:

- time and role in the judiciary
- working conditions and resources
- salary and pension
- training and personal development
- change in the judiciary
- future planning
- being a member of the judiciary
- leadership

There were two additional questions about the survey itself. (A copy of the survey is reproduced in the Appendix).

The survey ran from 22 September to 8 October 2014. All salaried judges in Scotland were invited to take part in the survey through alerts posted on judicial intranet (The Hub) and through personal communications from the Lord President of Scotland inviting judges to contribute to the survey. Reminders were sent out in the week of 27 September and on 6 and 7 October 2014.

1.2 Response Rate

There was a high response rate of 81% of all salaried judges in Scotland, with a reasonably consistent rate across most of the judicial posts. A majority of all salaried judges in each post responded to the survey, and this adds substantial weight to the reliability and significance of the findings as reflecting the views of the overwhelming majority of salaried judges in Scotland.

Table 1: Response Rate by post

Post	Total in post	Survey responses	Response rate
Sheriffs ¹	151	125	83%
Senators: Outer House	22	13	59%
Senators: Inner House	12	12	100%
Totals	185	150	81%

¹ "Sheriffs" also includes Sheriff Principals and Stipendiary Sheriffs.

2. Survey results for the judiciary in Scotland

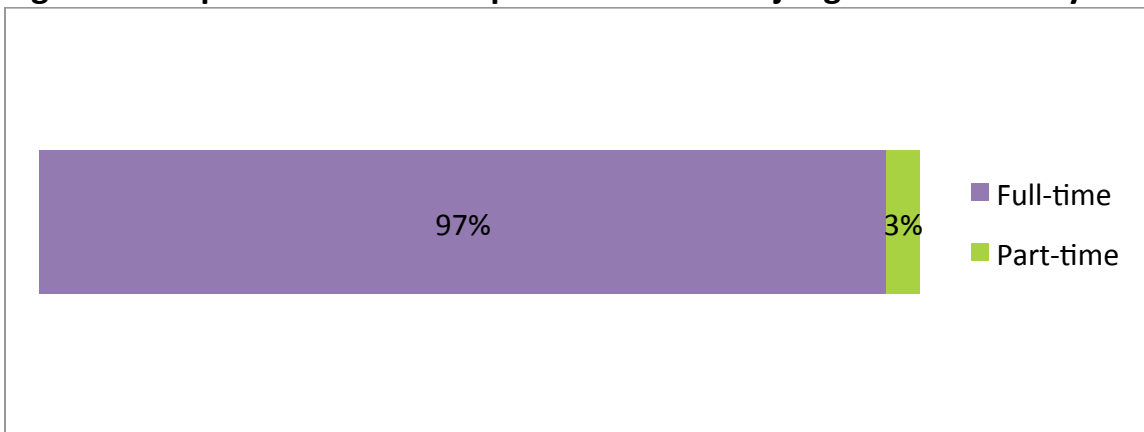
This section of the report presents the results of the Judicial Attitude Survey (JAS) 2014 for Scotland. It presents the combined results for all salaried judges in Scotland who took part in the survey, and also highlights those areas where there are clear differences between judges in different posts. The courts judiciary in Scotland comprises 8.6% of all salaried judges in the UK.

3. Survey respondents

3.1 Work status

Almost all (97%) judges in the survey are full-time salaried judges.

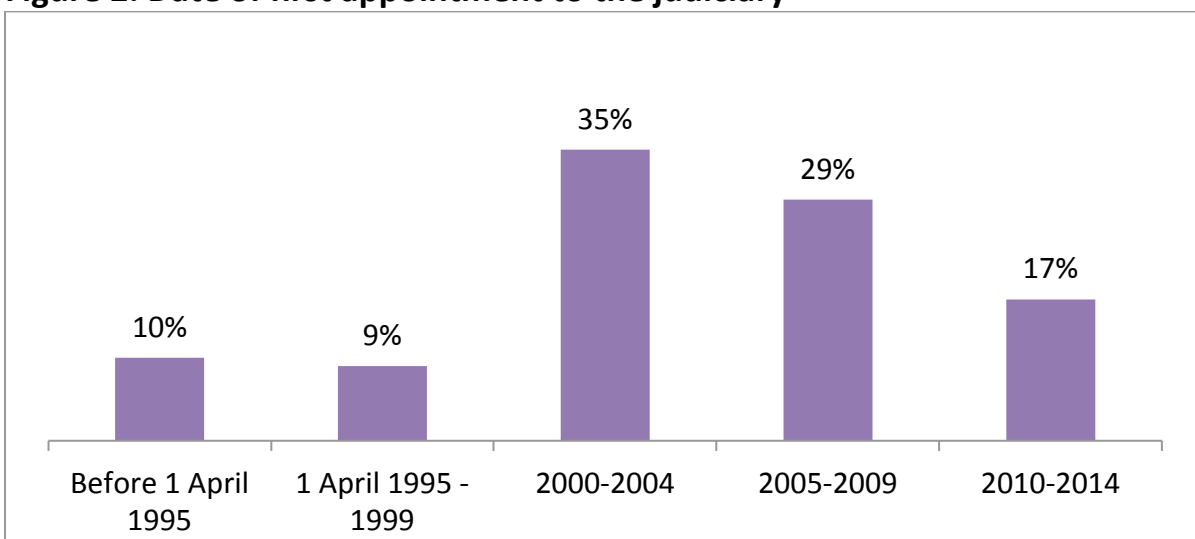
Figure 1: Proportion of full and part time salaried judges in the survey



3.2 Date of first appointment

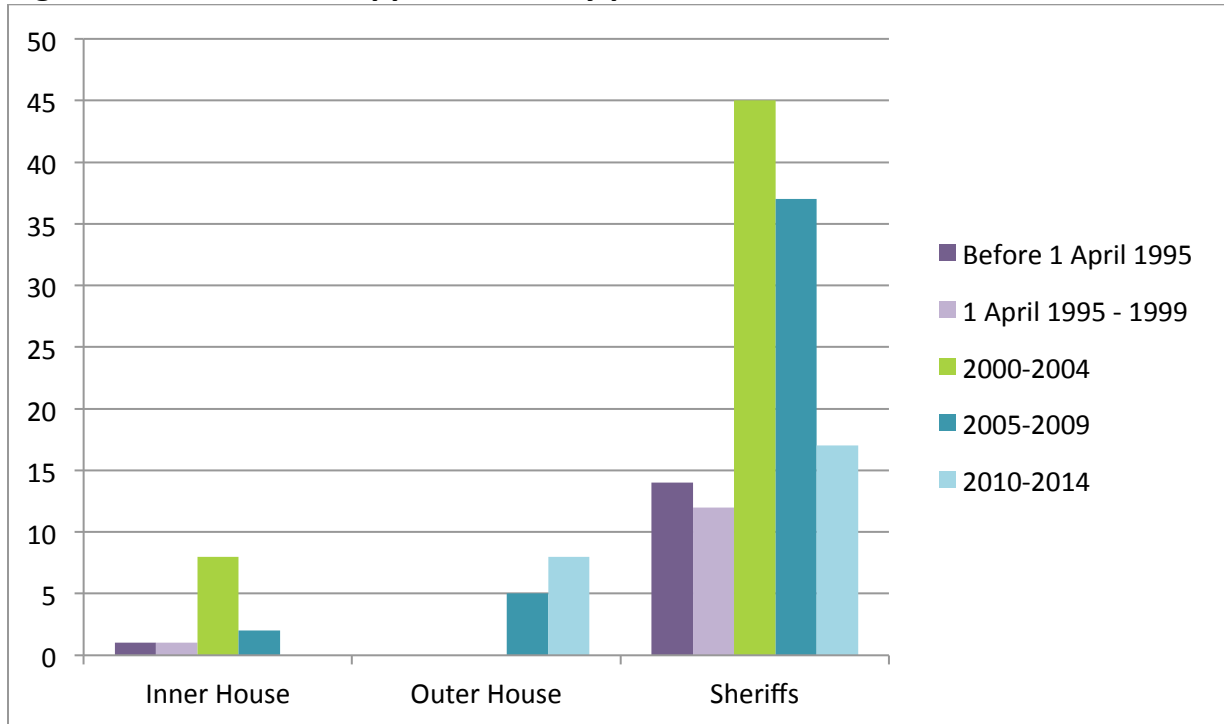
Most judges (81%) were appointed since 2000. The single largest group (35%) have been in the judiciary for 10-14 years.

Figure 2: Date of first appointment to the judiciary



This primarily reflects the distribution amongst Sheriffs, whereas members of the Outer House have all been appointed since 2005, and most of the Inner House were appointed in 2000-2004.

Figure 3: Date of first appointment by post



3.3 Average age by post

There is very little difference in the average age in the three main posts of Sheriff, Senators (Outer House) and Senators (Inner House)

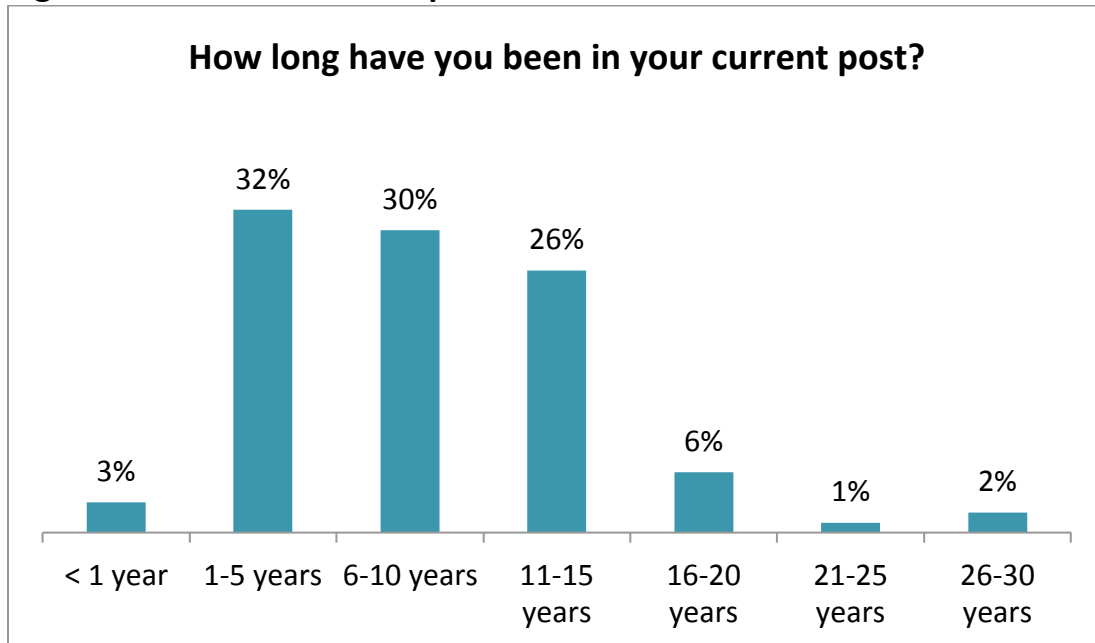
Table 2: Age profile of judges in the survey

Post	Average age of survey respondents
Sheriffs	57
Senators - Outer House	58
Senators - Inner House	61

3.4 Tenure in current judicial post

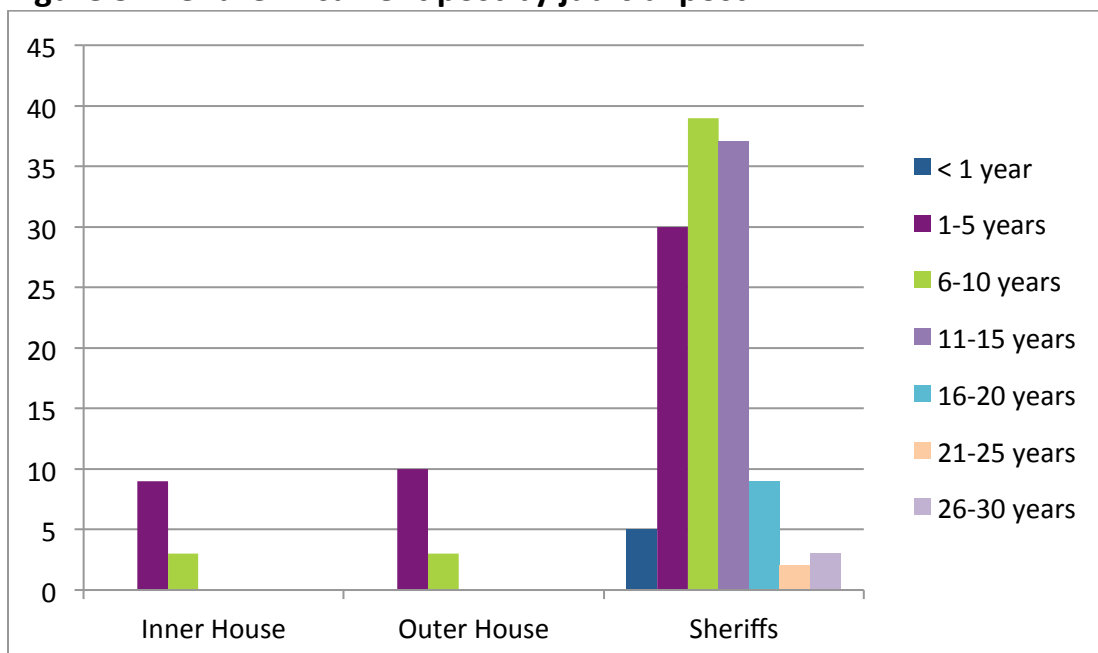
Almost all judges (88%) have been in their current post between 1-15 years. Almost a third (32%) have been in post for 1-5 years, 30% have been in their current post for 6-10 years and 26% have been in their current post for 11-15 years.

Figure 4: Tenure in current post



It is only Sheriffs that have been in their current post for any shorter or longer period than 1-10 years. All Senators have been in their current post for 1-10 years, with most in post for 1-5 years.

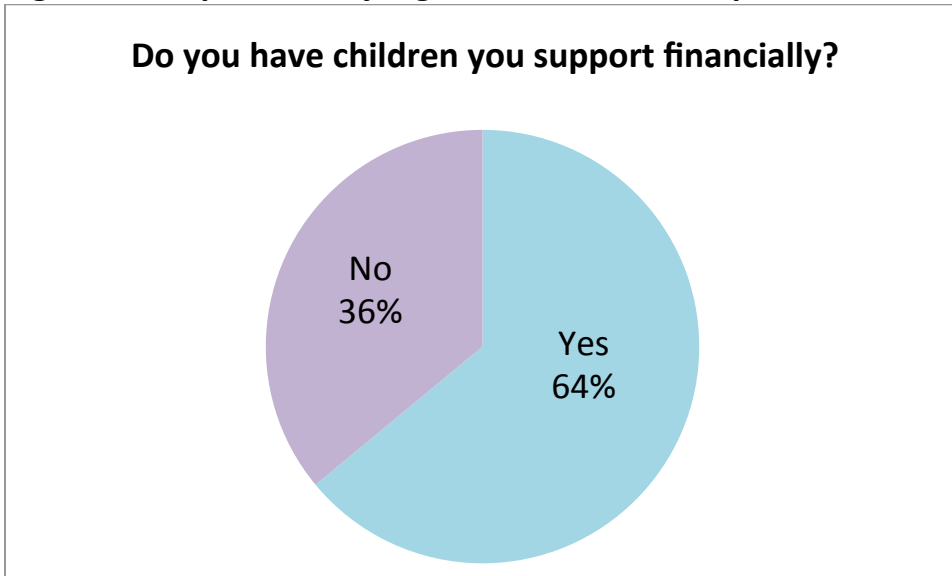
Figure 5: Tenure in current post by judicial post



3.5 Financial dependants

Almost two thirds (64%) of the Scottish judges who took part in the survey have children they are supporting financially.

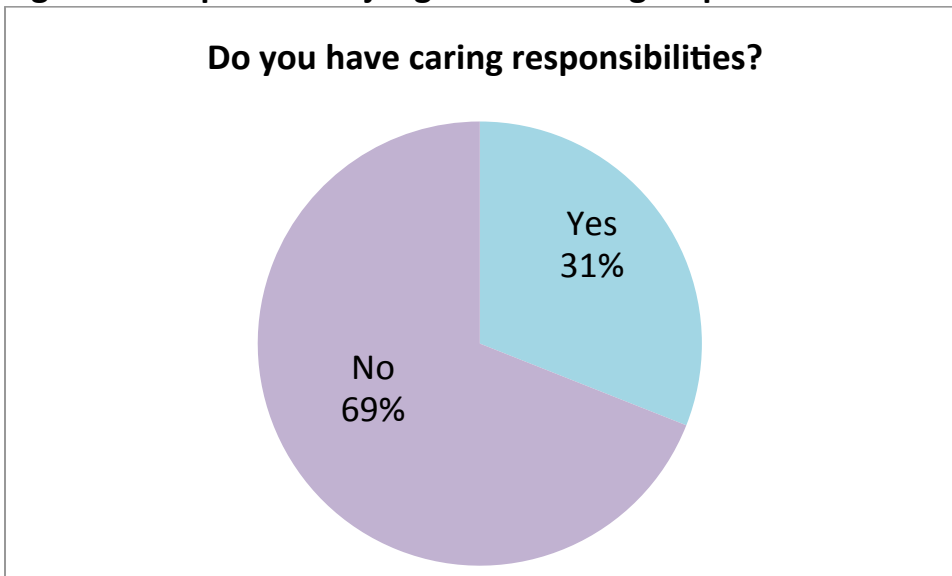
Figure 6: Proportion of judges with financial dependants



3.6 Caring responsibilities

Almost a third (31%) of the Scottish judges who took part in the survey have caring responsibilities for a family member(s).

Figure 7: Proportion of judges with caring responsibilities

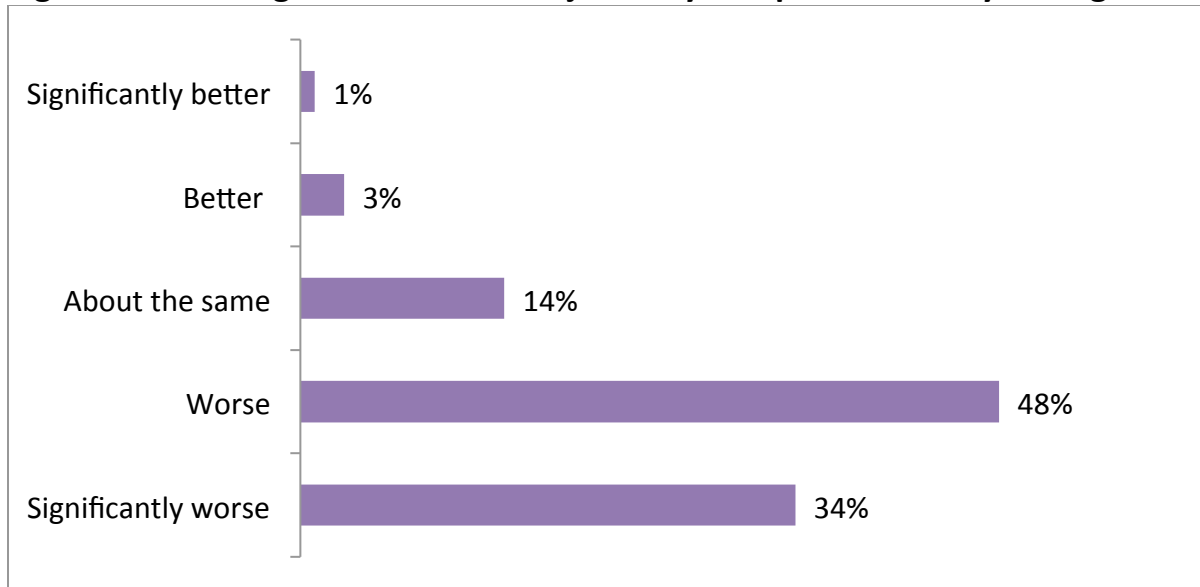


4. Working conditions

4.1 Comparison with 5 years ago

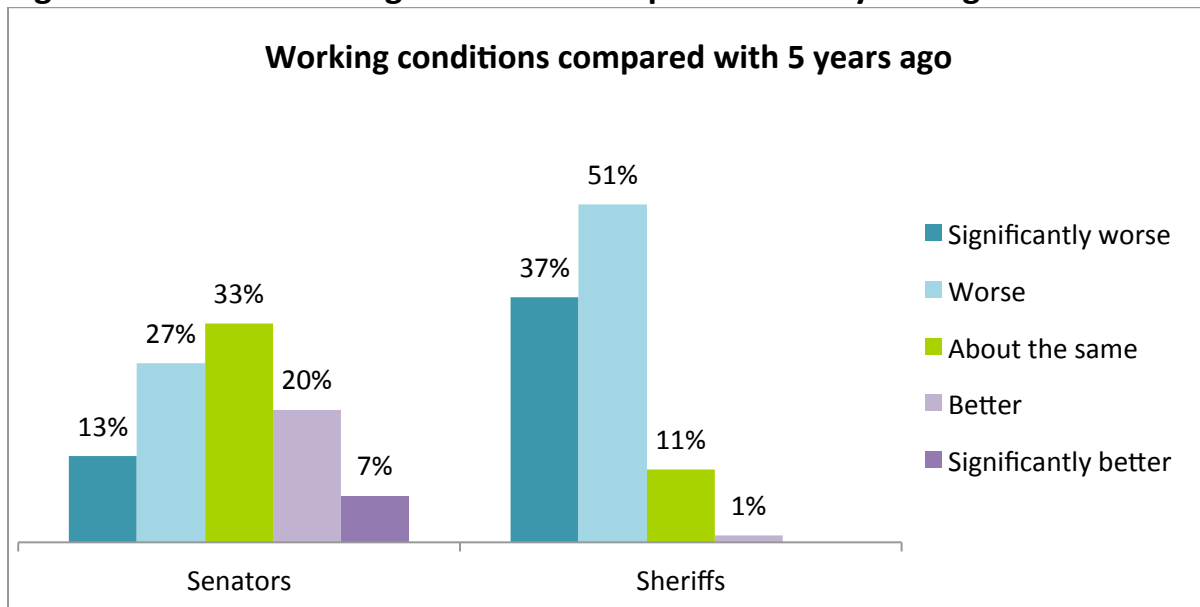
An overwhelming majority of judges who have been in post for at least 5 years (82%) feel that working conditions are worse now than they were 5 years ago.

Figure 8: Working conditions in the judiciary compared with 5 years ago



There are notable differences of view on working conditions between Senators and Sheriffs who have been in the judiciary for at least 5 years.

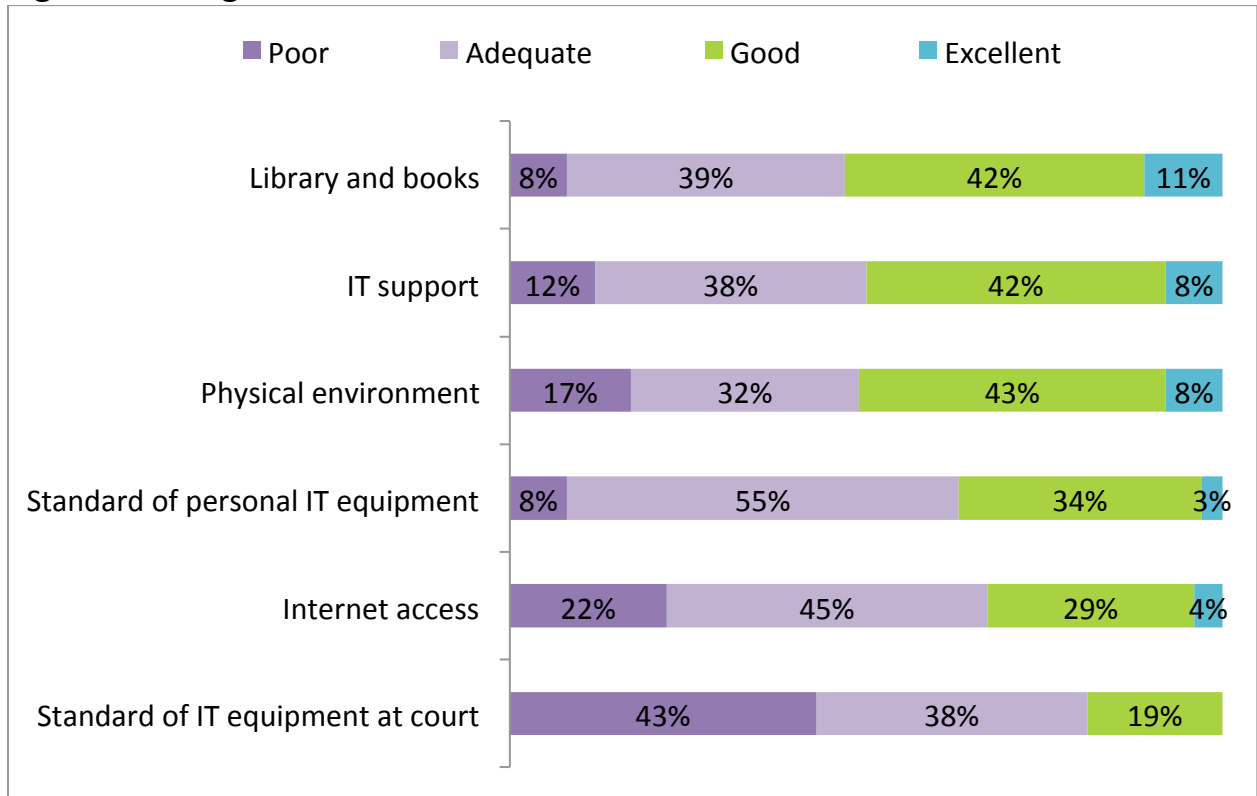
Figure 9: Current working conditions compared with 5 years ago



While the Senators are divided in their view about working conditions compared with 5 years ago, almost all Sheriffs (88%) feel that working conditions are either significantly worse (37%) or worse (51%).

4.2 Resources at court

Figure 10: Judges' assessment of resources available at their main court



There is large variability in resources available to judges:

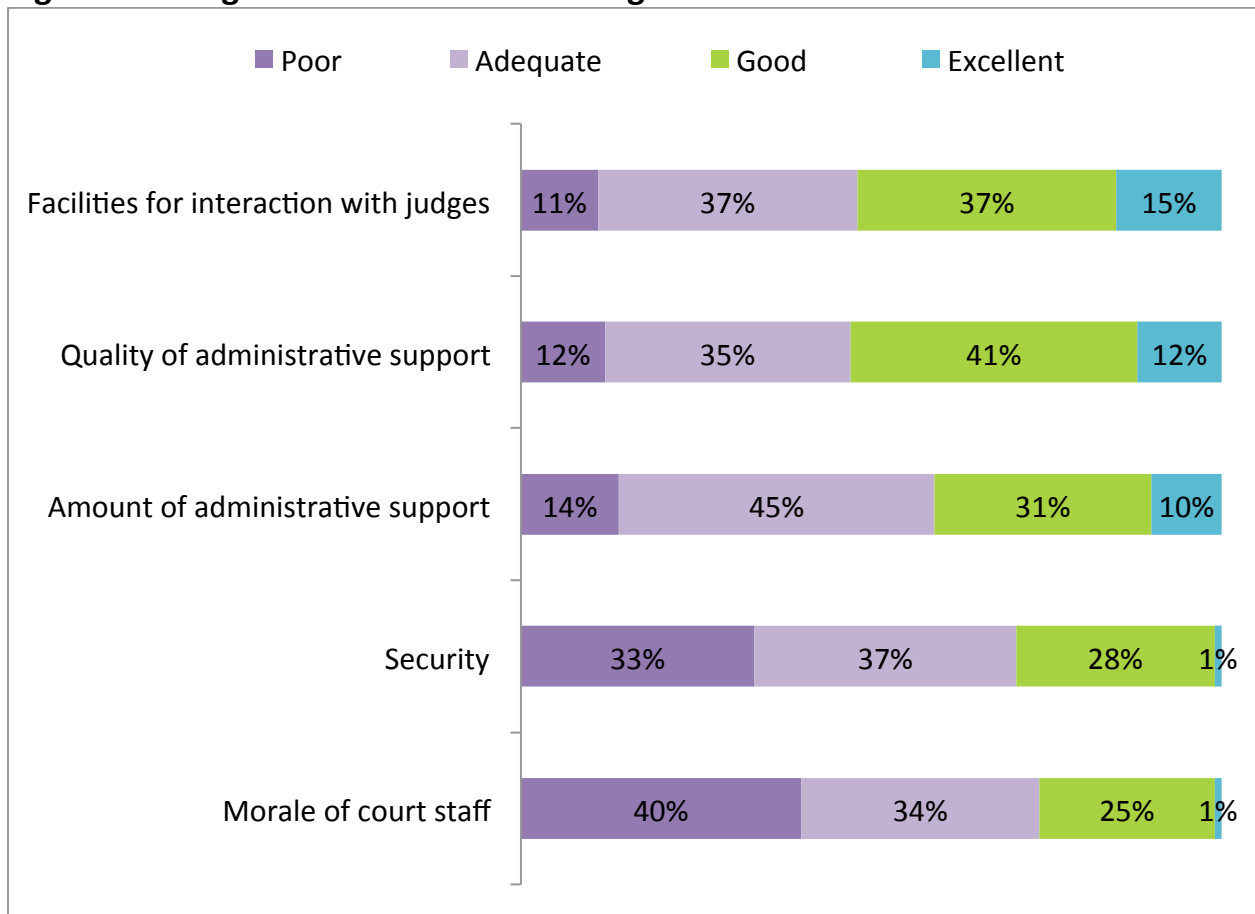
- Just over half of all judges in Scotland feel that library and books (53%) and the physical environment at court (51%) are good to excellent.
- Half (50%) feel IT support is good or excellent, but a third (32%) describe it as adequate or poor.
- The standard of IT equipment available in court is rated the lowest, with 43% saying it is poor and 38% saying it is adequate.
- Internet access is rated poor by 22% and adequate by 45%.
- A majority of judges (55%) rate the standard of personal IT equipment provided to them as adequate.

4.3 Working conditions at court

Judges were asked to rate five specific working conditions at their main court or tribunal.

- Only the quality of administrative support and facilities for interaction with other judges were rated by a majority of judges as either good or excellent.
- Morale of court staff was rated lowest, with 74% saying it was either poor (40%) or adequate (34%).

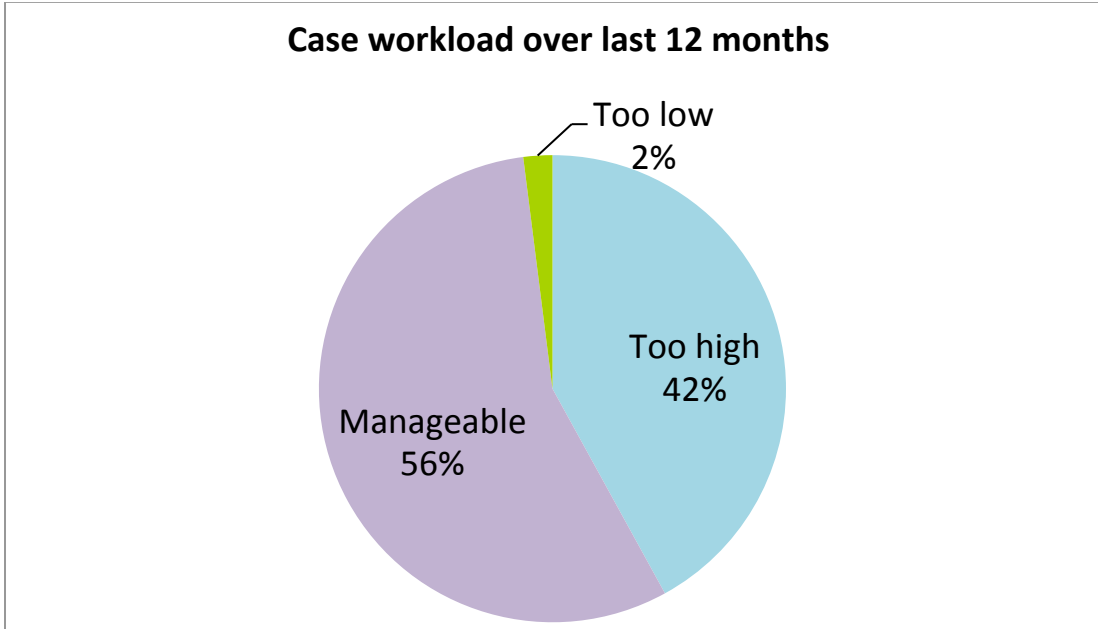
Figure 11: Judges' assessment of working conditions at their main court



4.4 Judicial Workload

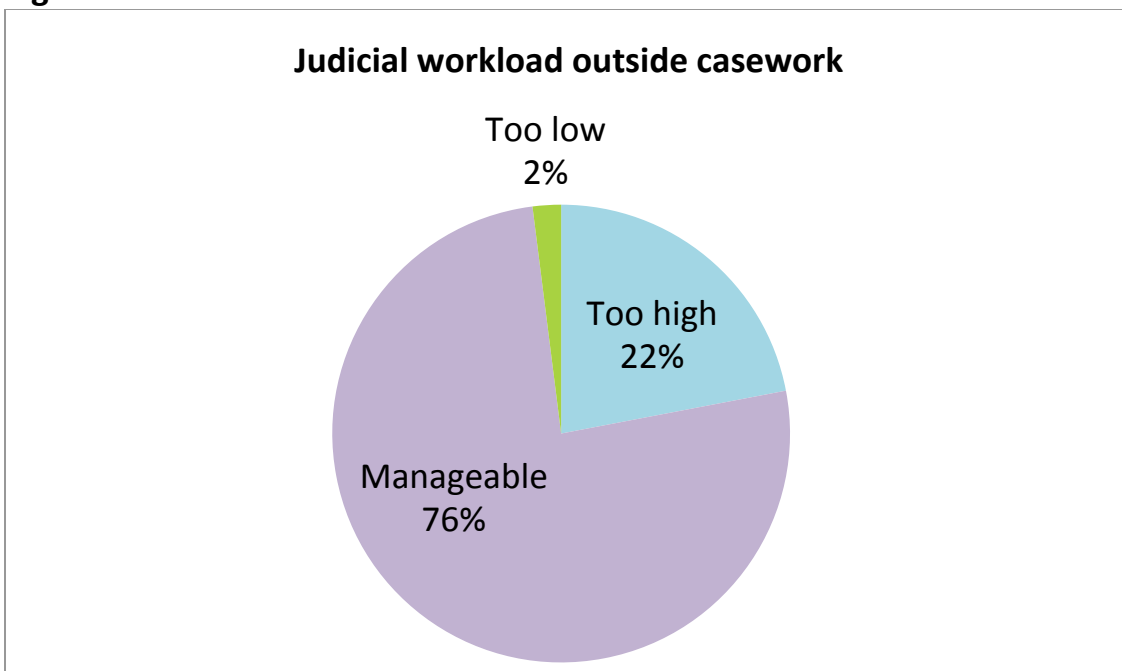
Just over half of all judges (56%) feel their case workload over the last 12 months was manageable, but 42% felt it was too high, and there were no real differences between judicial posts.

Figure 12: Case workload over last 12 months



Of those judges who said they had judicial workload outside of the casework, most (76%) said this was manageable. Only a small proportion of judges (12%) said they did not have any judicial workload outside of their casework.

Figure 13: Workload over last 12 months that does not include casework



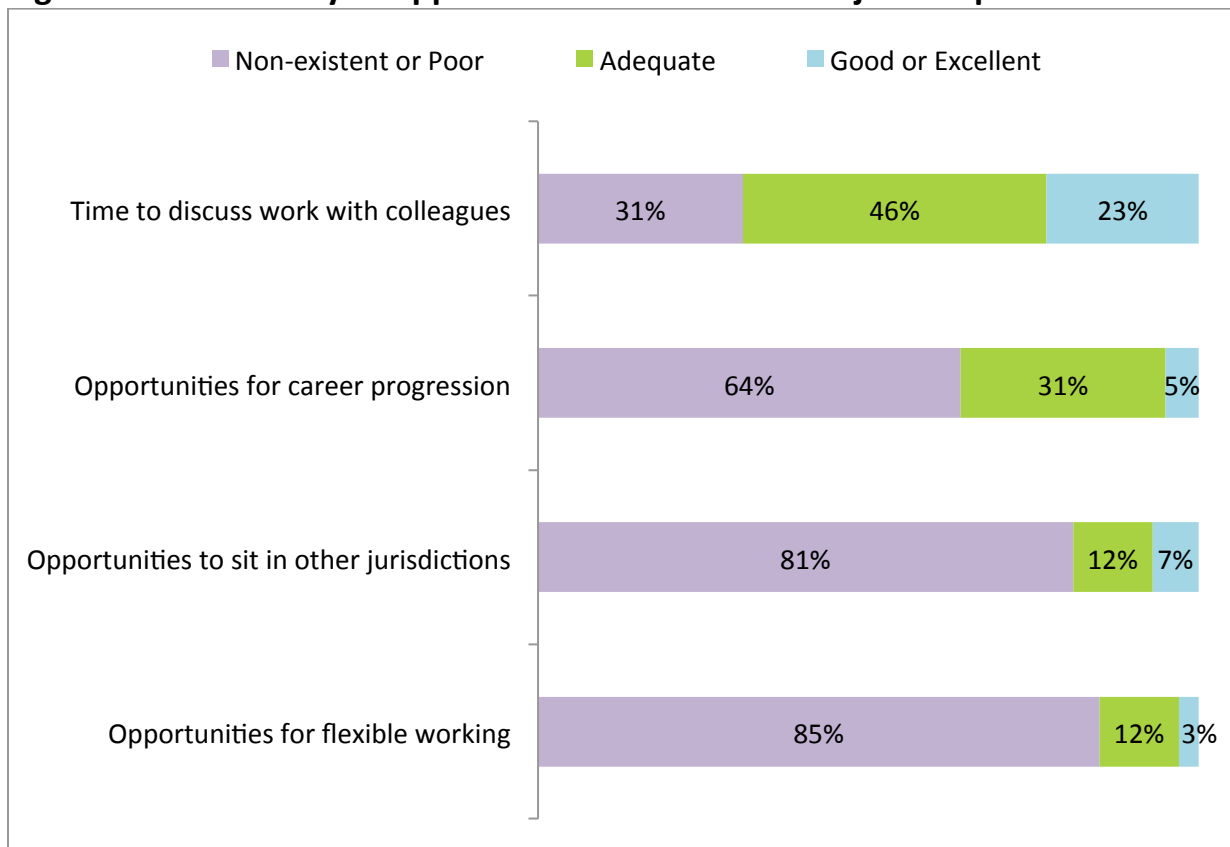
4.5 Opportunities

All judges were asked to assess the availability of four opportunities in their current judicial post. There was little in the way of opportunities that judges in Scotland rated much more than adequate. The overwhelming majority of judges reported that in their current post the following opportunities were either non-existent or poor:

- opportunities for flexible working (83%)
- opportunities to sit in other jurisdictions (81%)

A majority also said opportunities for career progression were either non-existent to poor (64%).

Figure 14: Availability of opportunities in their current judicial post

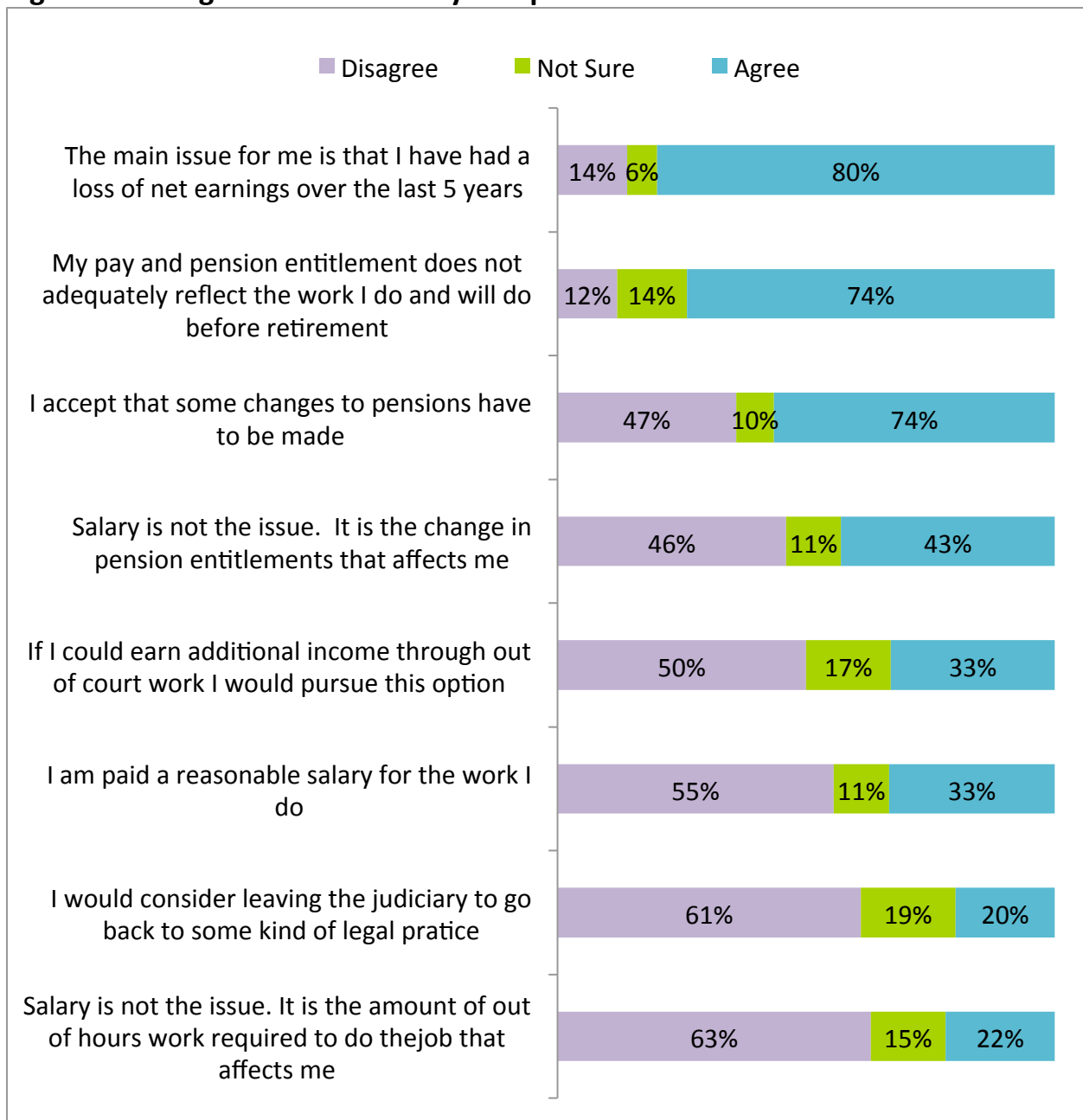


5. Salary and pensions

It is clear that the key issue for almost all Scottish judges (80%) is the loss of net earnings they have suffered over the last 5 years, and that their pay and pension together do not adequately reflect their work (74%). In addition, over half of all judges (55%) do not feel they are paid a reasonable salary for the work they do.

While almost half (43%) said the changes to pension entitlements have affected them, three-quarters of judges (74%) say they accept that some changes to pension entitlements have to be made.

Figure 15: Judges' views on salary and pensions



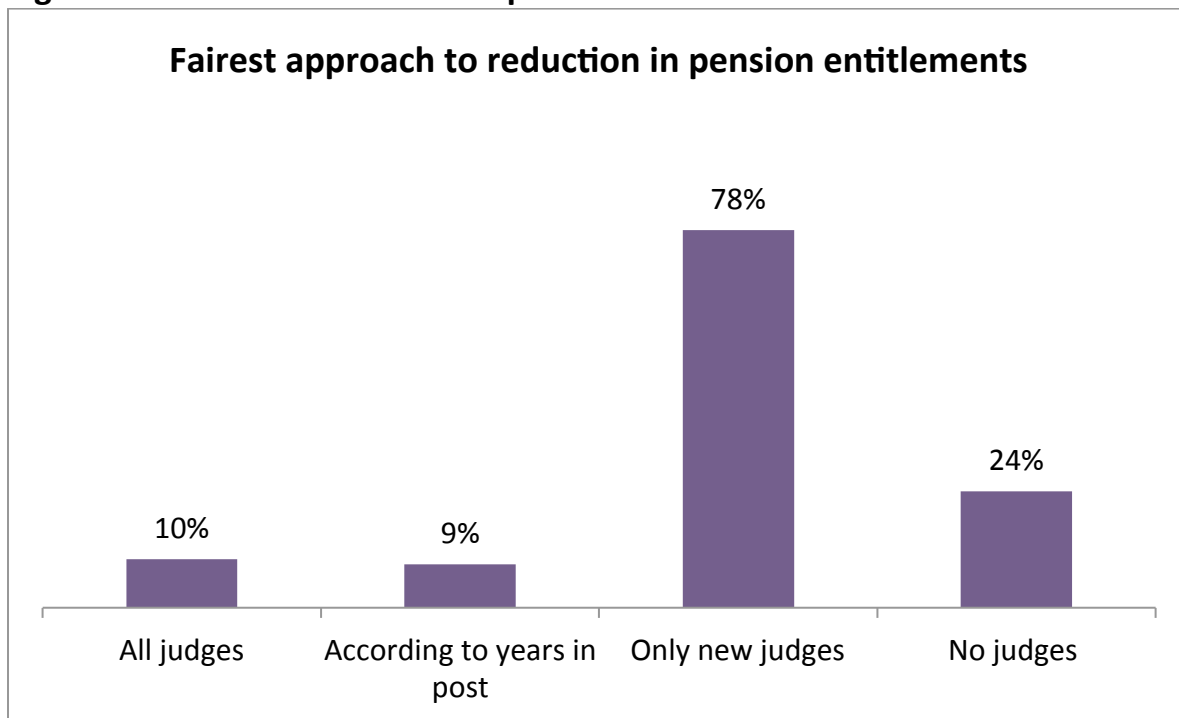
5.1 Approaches to changes in pension entitlements

Judges were asked the following: “Given the current economic situation, which of the following approaches to judicial pension entitlements would you accept as fair?”

- Reductions for all judges regardless of when they joined the judiciary
- Reductions based on the number of years service
- Reduction only for new judges entering the judiciary
- No reductions at all for any judges

Over three-quarters (78%) of Judges felt that the fairest approach would be reductions only for new judges entering the judiciary.

Figure 16: Views of reduction in pension entitlement



NOTE: Totals exceed 100% because judges could choose multiple options

6. Training and personal development

6.1 Satisfaction with opportunities

Judges were asked to indicate their level of satisfaction in a number of aspects of their judicial work and opportunities available to them in their current post.

The areas where a majority of judges are clearly satisfied include:

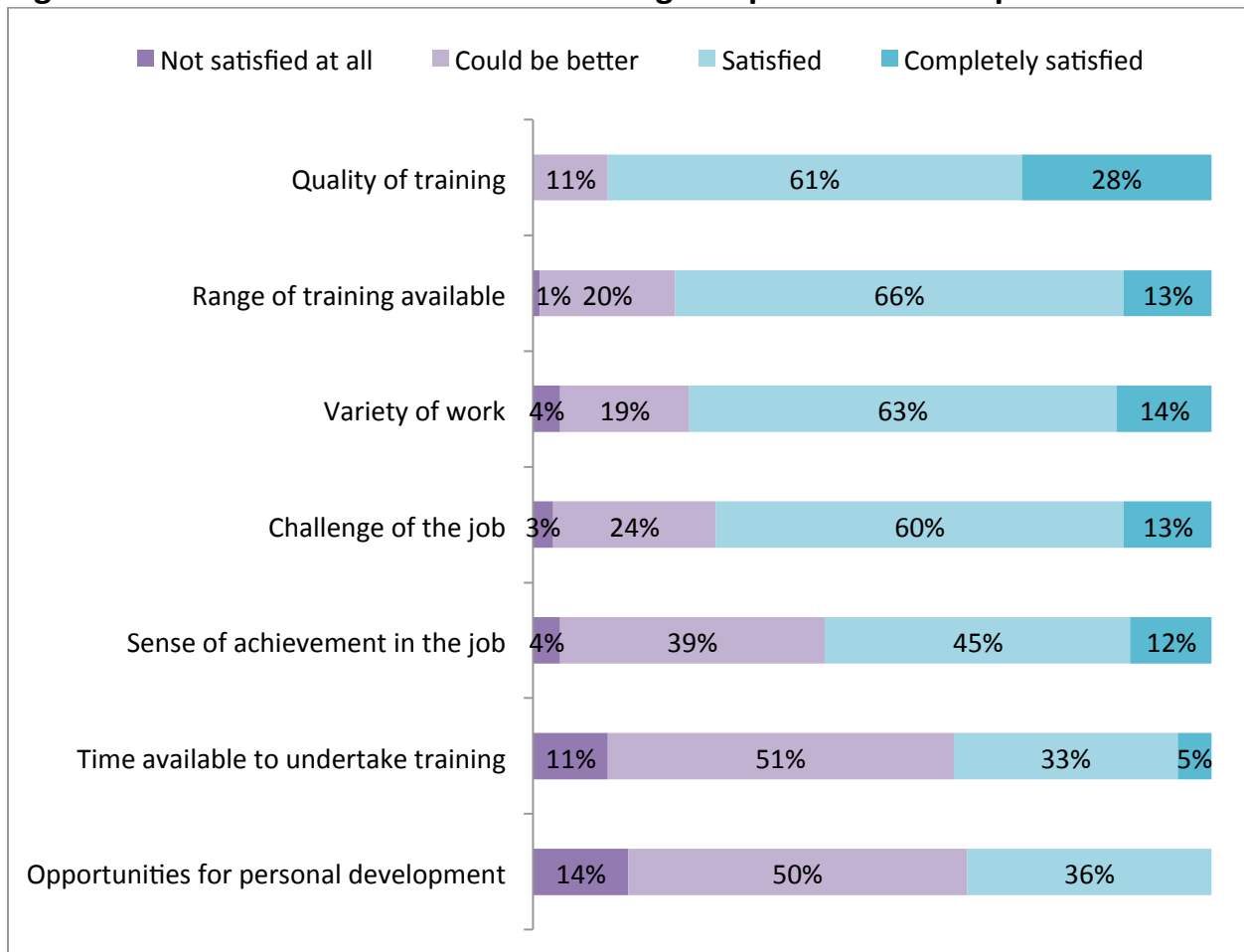
- Quality of training (89%)
- Range of training available (79%)
- Variety of work (77%)
- Challenge of the job (73%)

The areas where a majority of judges are not satisfied include:

- Opportunities for personal development (64% not satisfied)
- Time available to undertake training (62% not satisfied)

Views were more divided over the sense of achievement in the job, with 57% satisfied, but 43% not satisfied.

Figure 17: Judicial satisfaction with training and personal development

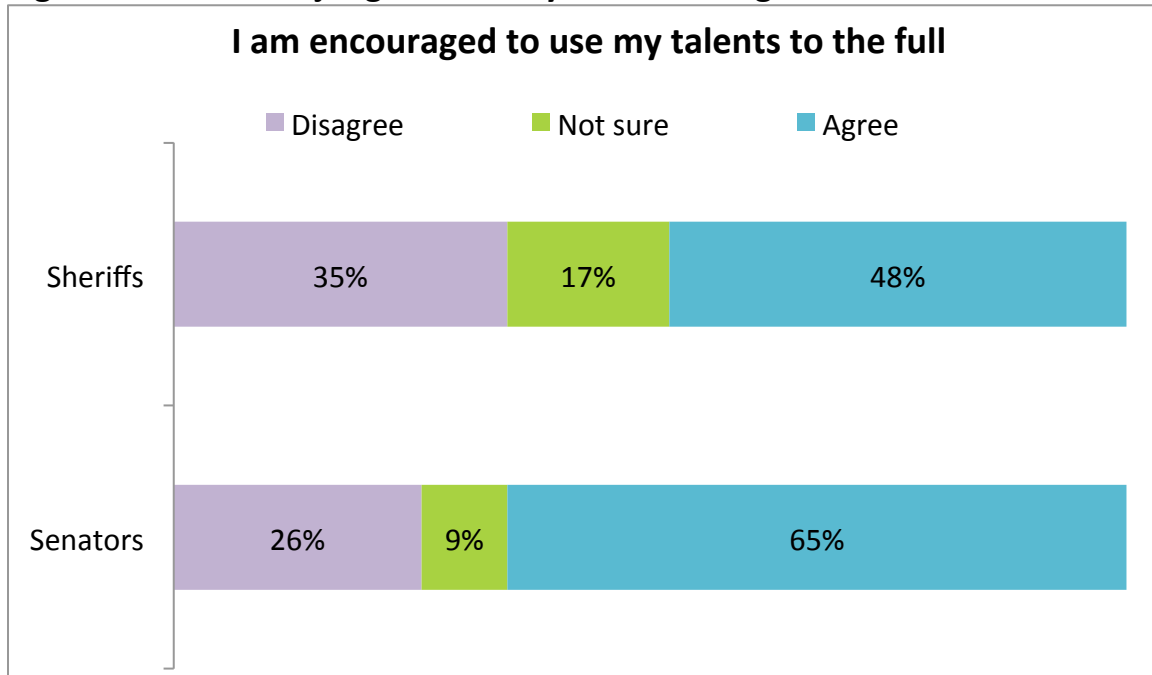


6.2 Use of talents

Judges was asked to respond to the statement: *In my judicial role I am encouraged to use my talents to the full.*

While two-thirds (65%) of Senators agreed with this statement, Sheriffs were split, with less than half (48%) agreeing that they are encouraged to use their talents to the full in their judicial role.

Figure 18: Whether judges feel they are encouraged to use their talents fully



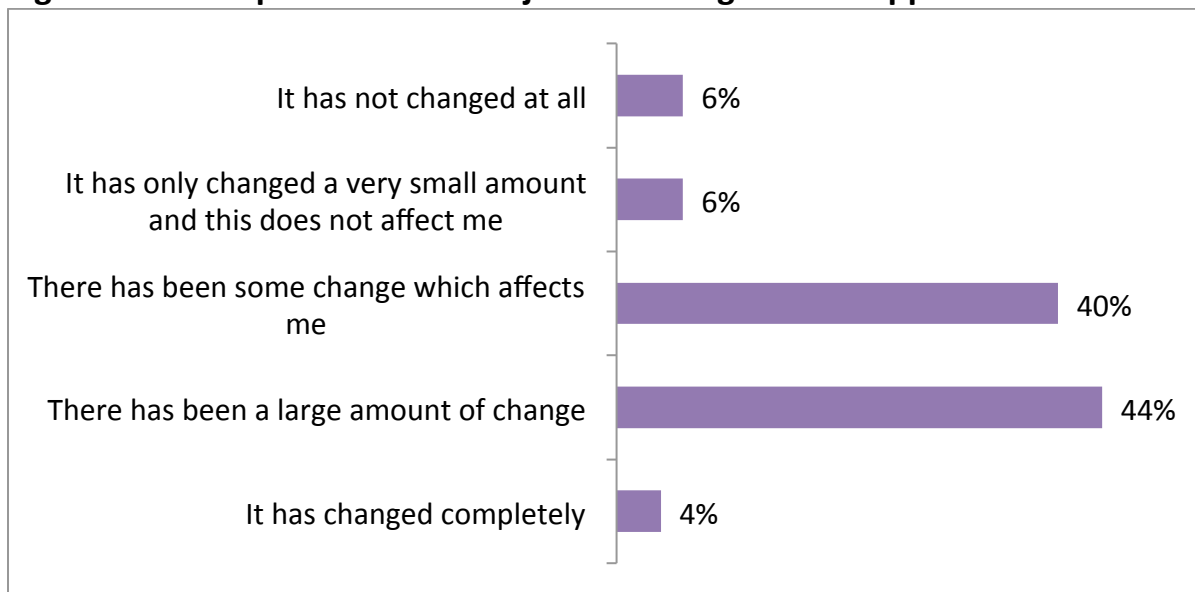
7. Change in the judiciary

A number of questions explored judges' views about change in the judiciary.

7.1 Change since appointment

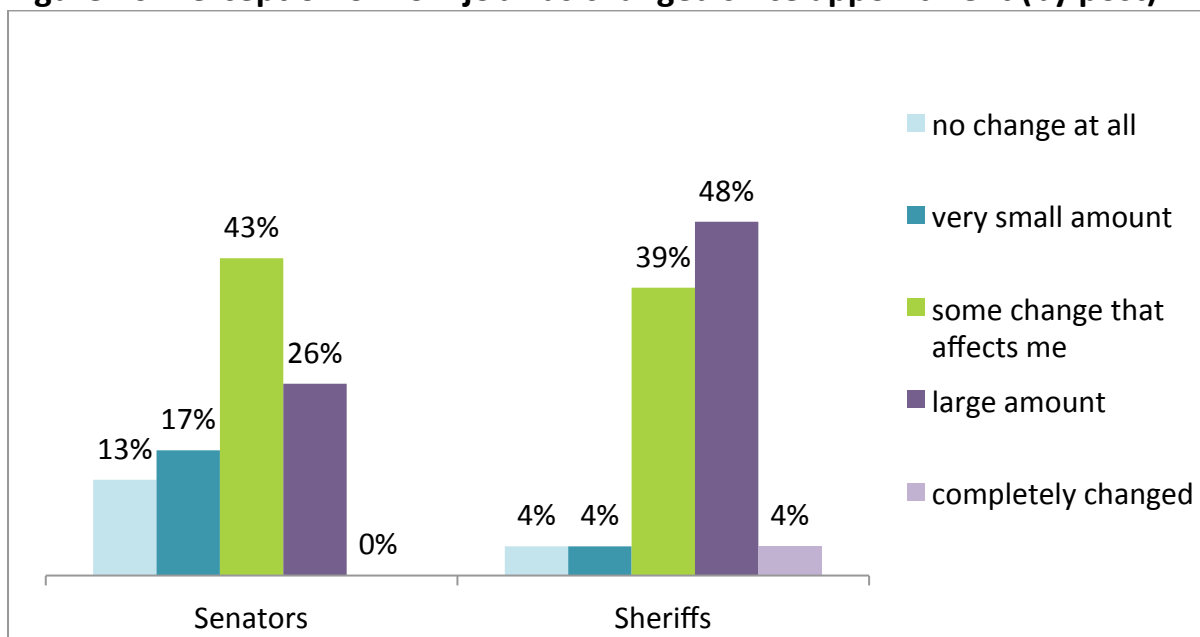
Judges were asked: *To what extent do you feel that your job as a judge has changed since you were appointed?* The overwhelming majority of judges (88%) said the job had changed since they were appointed in ways that affected them.

Figure 19: Perception of how the job has changed since appointment



There were some differences between Senators and Sheriffs on this subject.

Figure 20: Perception of how job has changed since appointment (by post)



While a majority of Senators (69%) said the job had changed in ways that affected them, most Senators felt this was only limited change. In contrast, almost all Sheriffs (91%) said the job had changed in ways that affected them, with 52% saying the job had changed a large amount or completely.

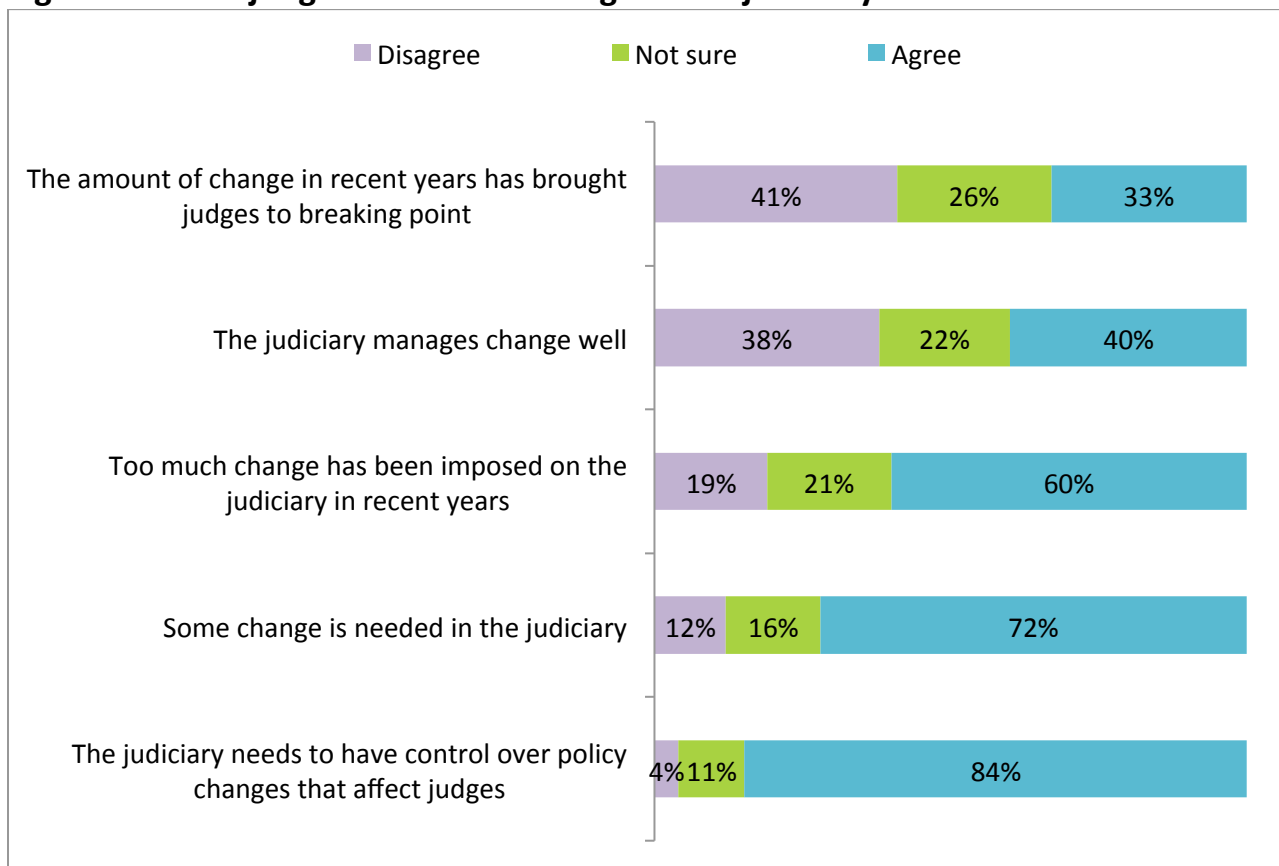
7.2 General views of change in the judiciary

Judges were also asked to respond to a number of statements about change in the judiciary. Clear attitudes emerged on three aspects of change:

- Almost all judges (84%) feel that the judiciary needs control over changes affecting judges.
- 72% say that some change is needed in the judiciary.
- 60% believe too much change has been imposed on the judiciary in recent years.

In contrast, there is no consensus on whether the judiciary manages change well, or whether the amount of change in recent years has brought judges to breaking point.

Figure 21: How judges feel about change in the judiciary

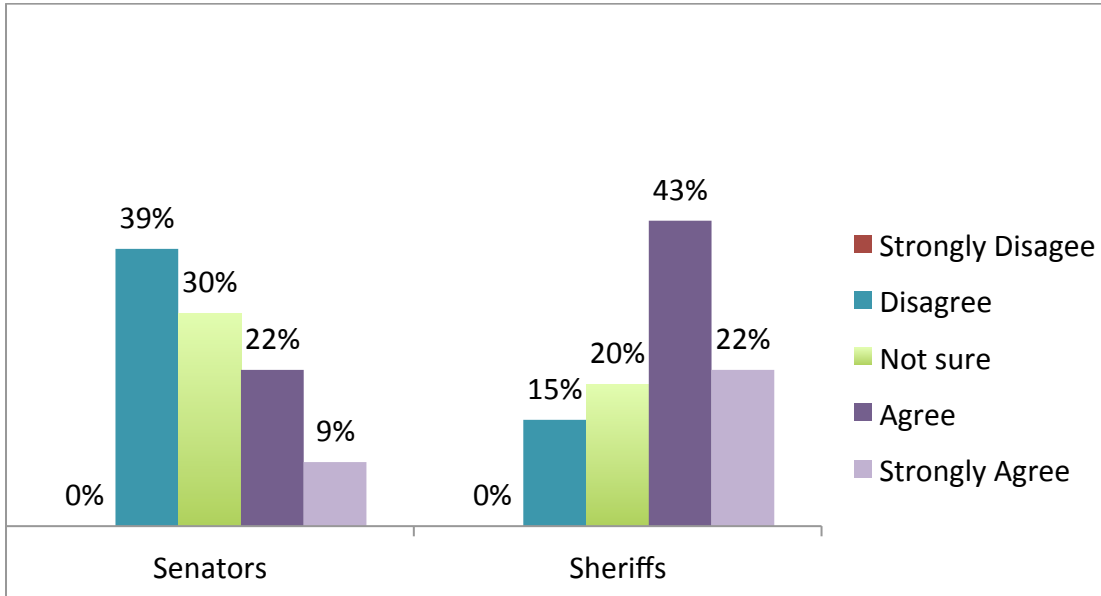


7.3 Amount of change

On the issue of whether too much change has been imposed on the judiciary in recent years, some differences exist between Senators and Sheriffs.

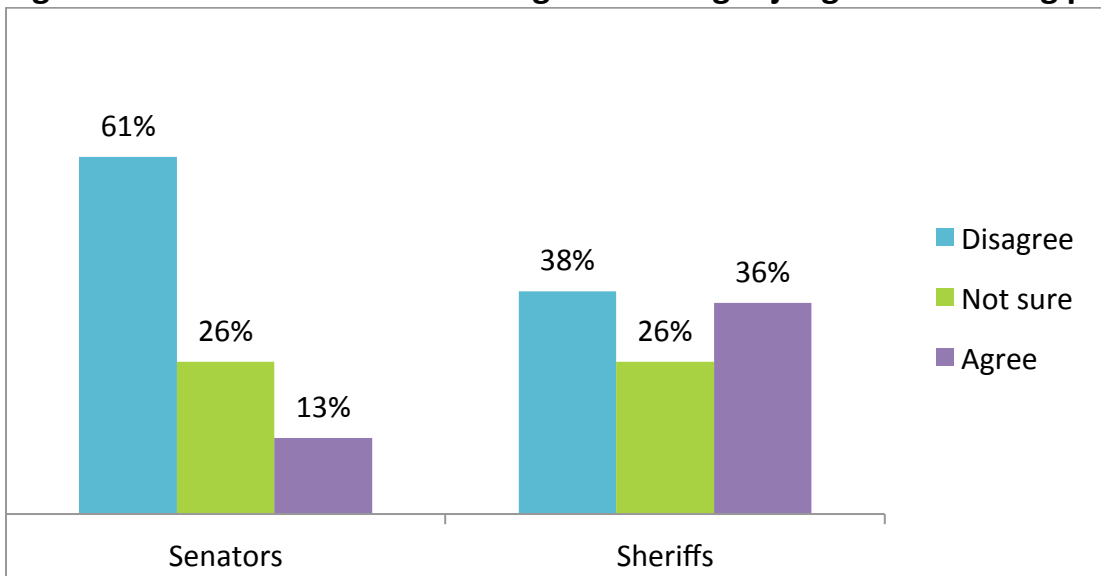
- For Sheriffs, a clear majority (65%) agreed that too much change had been imposed on the judiciary in recent years.
- Senators were split three ways between those who disagreed (39%), those who agreed (32%) and those who were not sure (30%).

Figure 22: Too much change has been imposed on judiciary in recent years



Most Senators (61%) disagree with the idea that the amount of change in recent years has brought judges to breaking point. Whereas almost two-thirds of Sheriffs agree (35%) or are not sure (26%) that the amount of change has brought judges to breaking point.

Figure 23: Amount of recent change has brought judges to breaking point

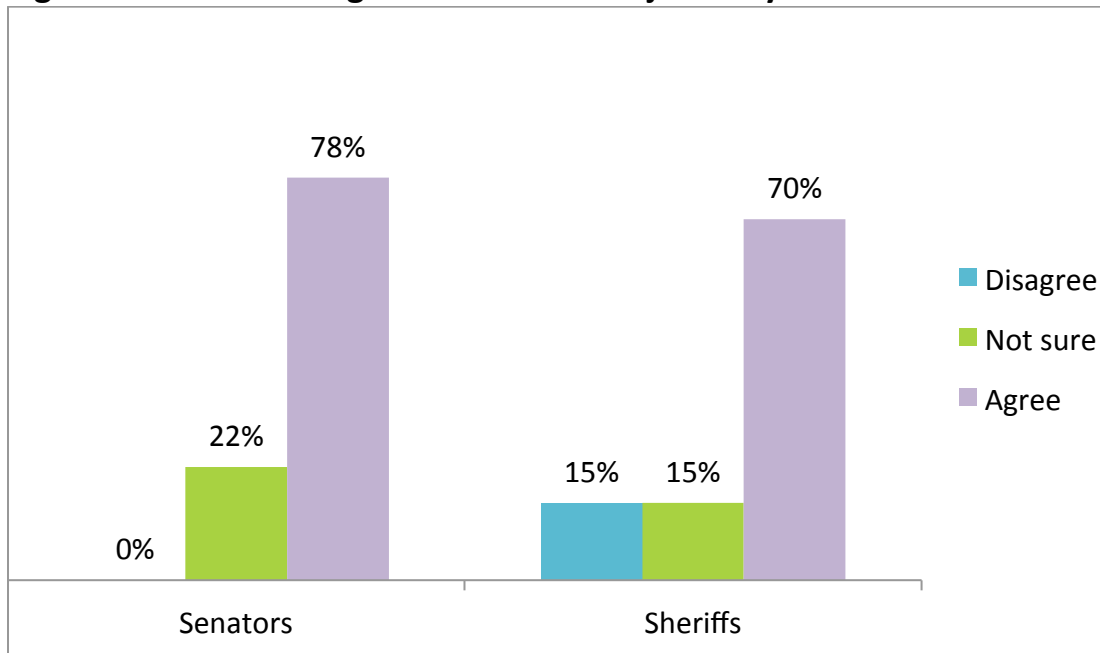


7.4 Need for change

Clearly most judges believe that some change is needed in the judiciary in Scotland, but this view is stronger amongst Senators than Sheriffs.

- No Senators said change is not needed, whereas almost a third (30%) of Sheriffs either think no change is needed (15%) or are not sure if change is needed (15%).

Figure 24: Some change is needed in the judiciary

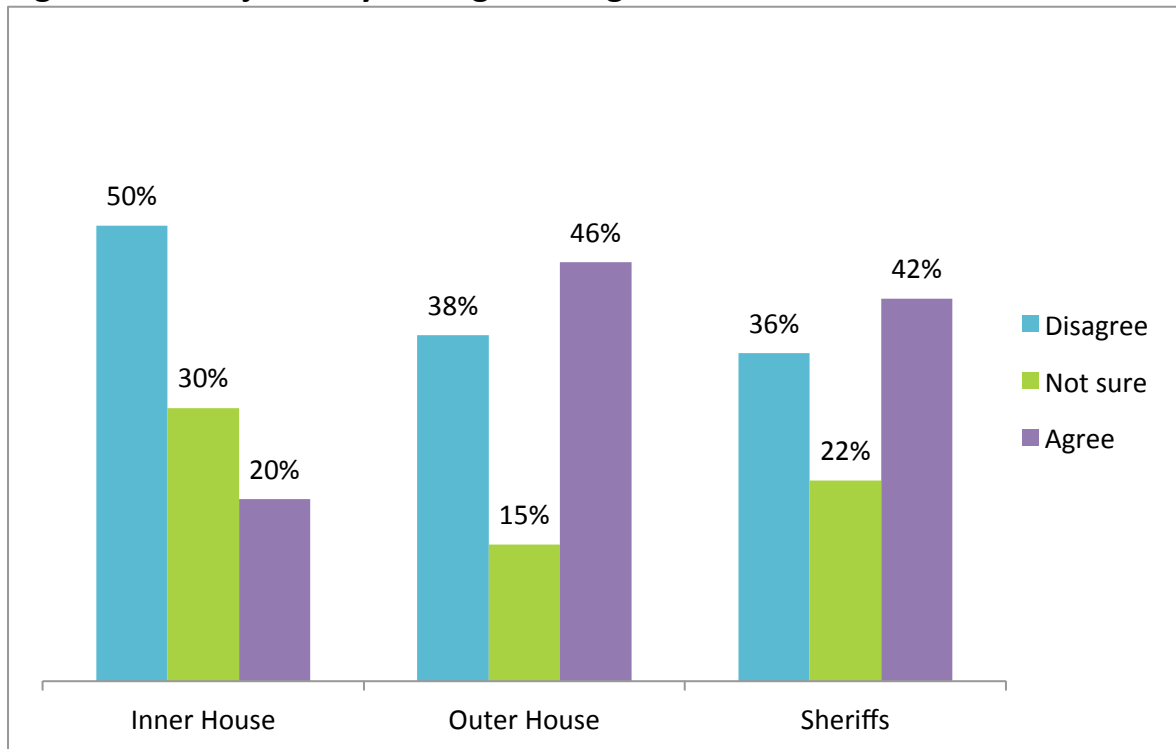


7.5 Management of change

Overall judges in Scotland are split over whether they believe the judiciary manages change well. The main difference in view is between the Inner House and other judges.

- Only a small proportion of Senators of the Inner House (20%) believe that the judiciary manages change well, compared with almost half of the Outer House (46%) and Sheriffs (42%).

Figure 25: The judiciary manages change well

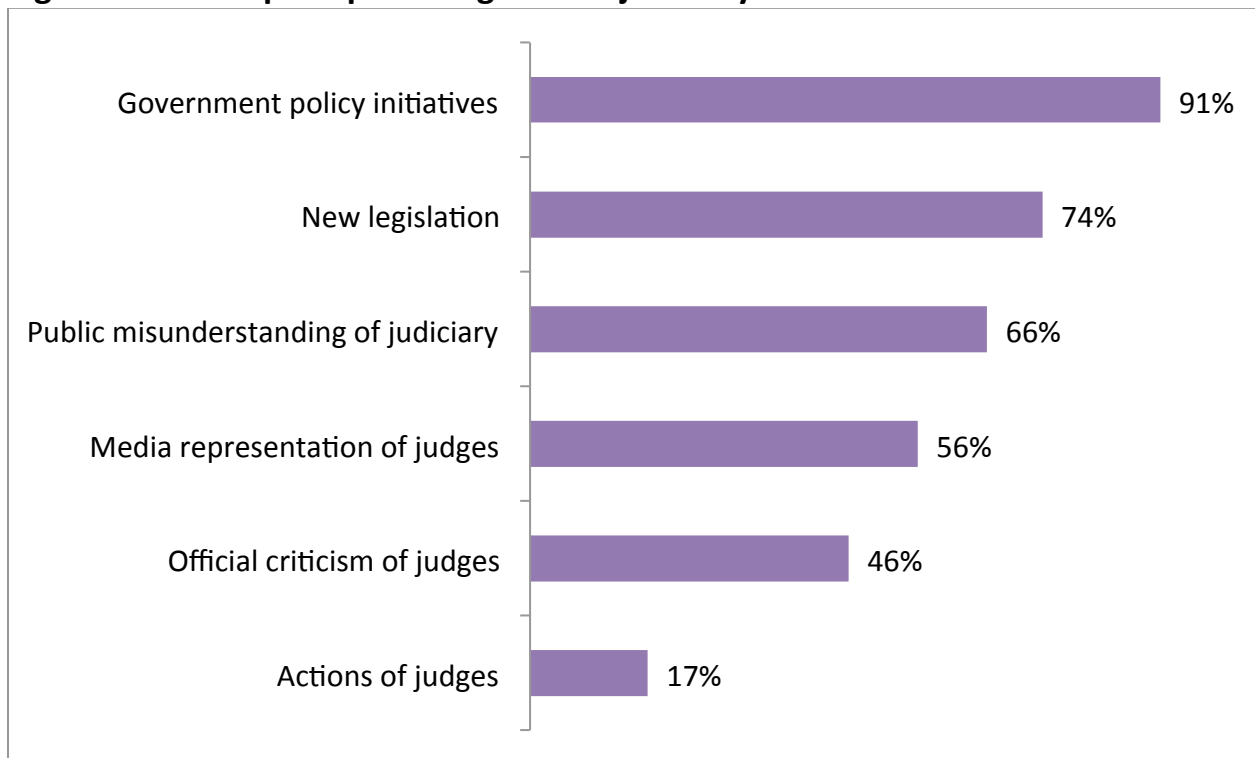


7.6 Drivers for change in the judiciary

Judges were asked: *What factors do you feel prompt changes that are imposed on the judiciary?*

Almost all judges (91%) see government policy initiatives as driving change in the judiciary, followed by new legislation (74%) and public misunderstanding of the judiciary (66%). Just over half of all judges (56%) see media representation of judges as driving change.

Figure 26: What prompts change in the judiciary?



8. Future planning

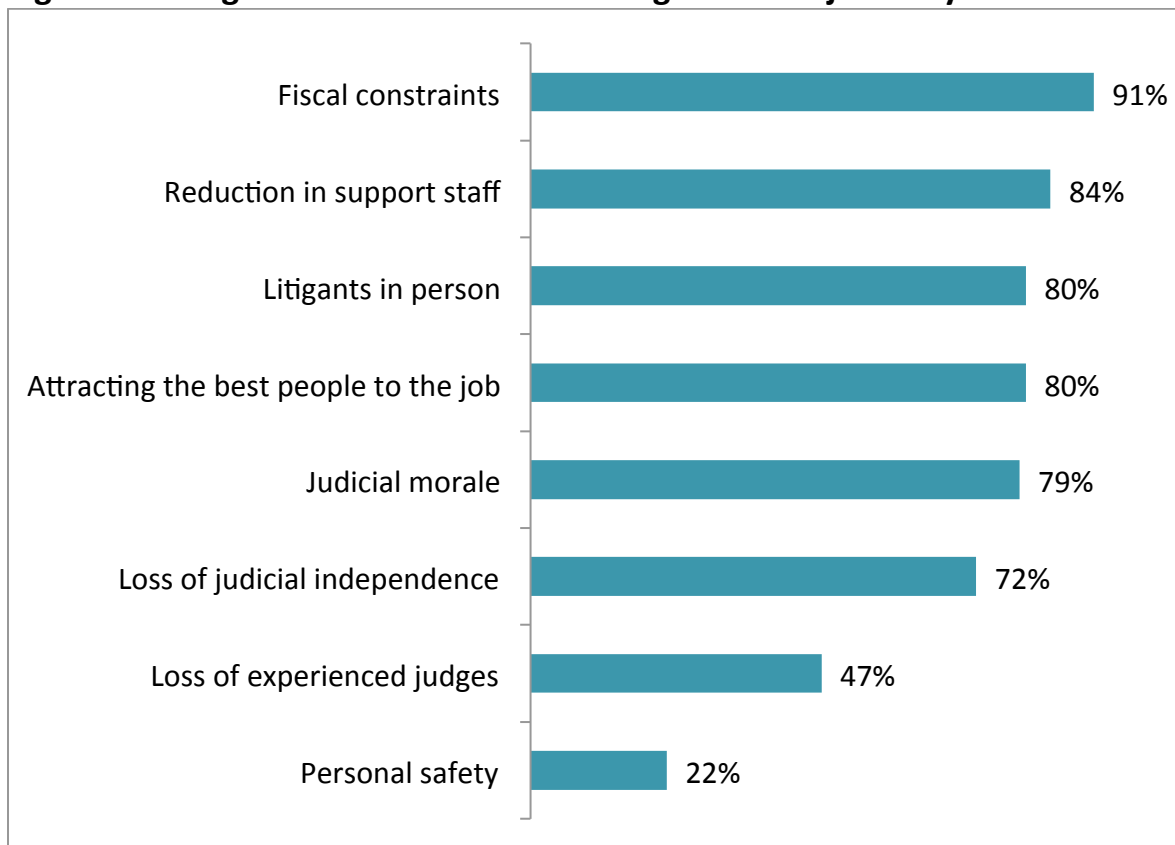
In this section of the survey, judges were asked about factors they feel will present the judiciary with the biggest challenges in the near future, whether they had any intentions of leaving the judiciary early, and what factors would either encourage them to remain in the judiciary or make them more likely to leave early.

8.1 Future challenges

An overwhelming majority of Scottish judges identified the following as the main future challenges for the judiciary:

- Fiscal constraints (91%), reduction in support staff (84%), litigants in person (80%), attracting the best people to the judiciary (80%), judicial morale (79%) and the loss of judicial independence (72%).

Figure 27: Judges' views on future challenges for the judiciary



8.2 Early departure from the judiciary

Judges were asked: *Might you consider leaving the judiciary in the next 5 years other than by reaching full retirement age?*

Over the next 5 years a large proportion of the Scottish judiciary might consider leaving the judiciary early before they reach full retirement age.

- This is particularly marked for Senators in the Inner House, where almost three-quarters (71%) of judges who will not reach full retirement age in the next 5 years either might consider leaving early (57%) or are currently undecided about this (14%).
- Outer House Senators are least likely to consider retiring early in the next 5 years, with 42% saying they would not consider this, only 25% saying they would and a further 33% are currently undecided.
- Sheriffs are almost evenly split between those who would consider early retirement (38%) and those who would not (40%), with almost a quarter undecided (22%).

Figure 28: Judges considering leaving the judiciary early in the next 5 years

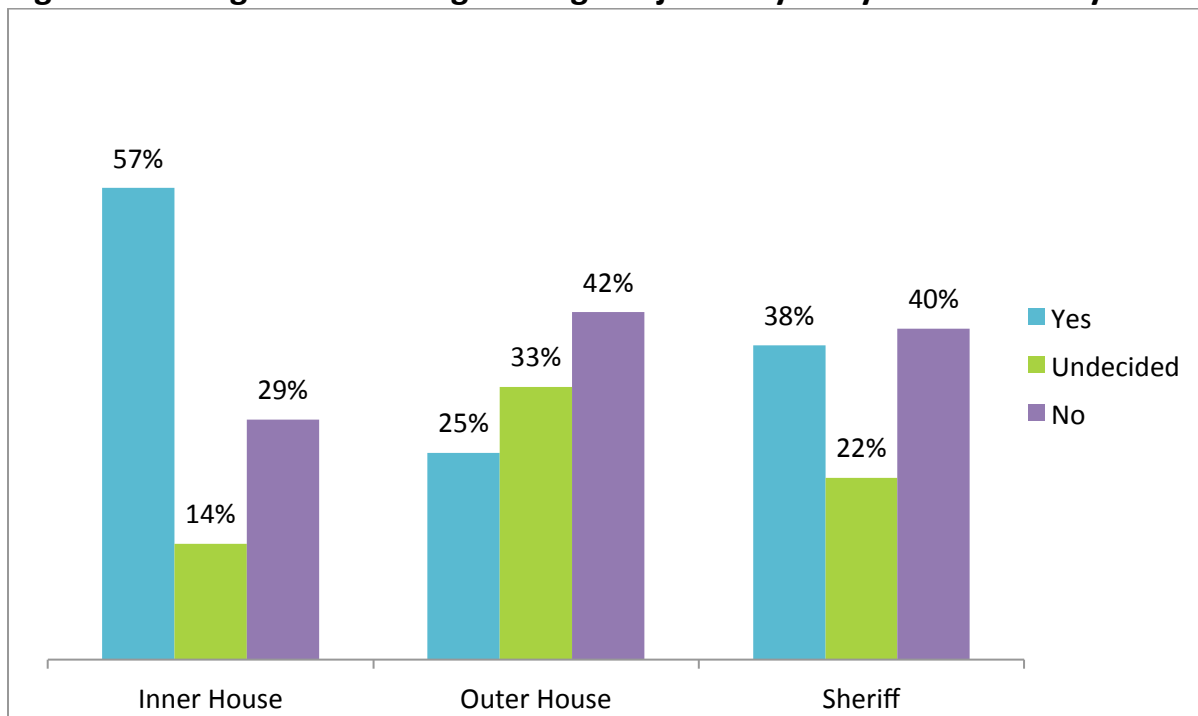


Table 3: Retirement intentions by age

	Number	Age range	Mean age
Considering leaving early	46	44 - 65	57.1
Undecided	27	44 - 64	55.6
Not considering leaving early	48	45 - 64	55.9
Will reach retirement in next 5 years	14		

8.3 Drivers for early retirement

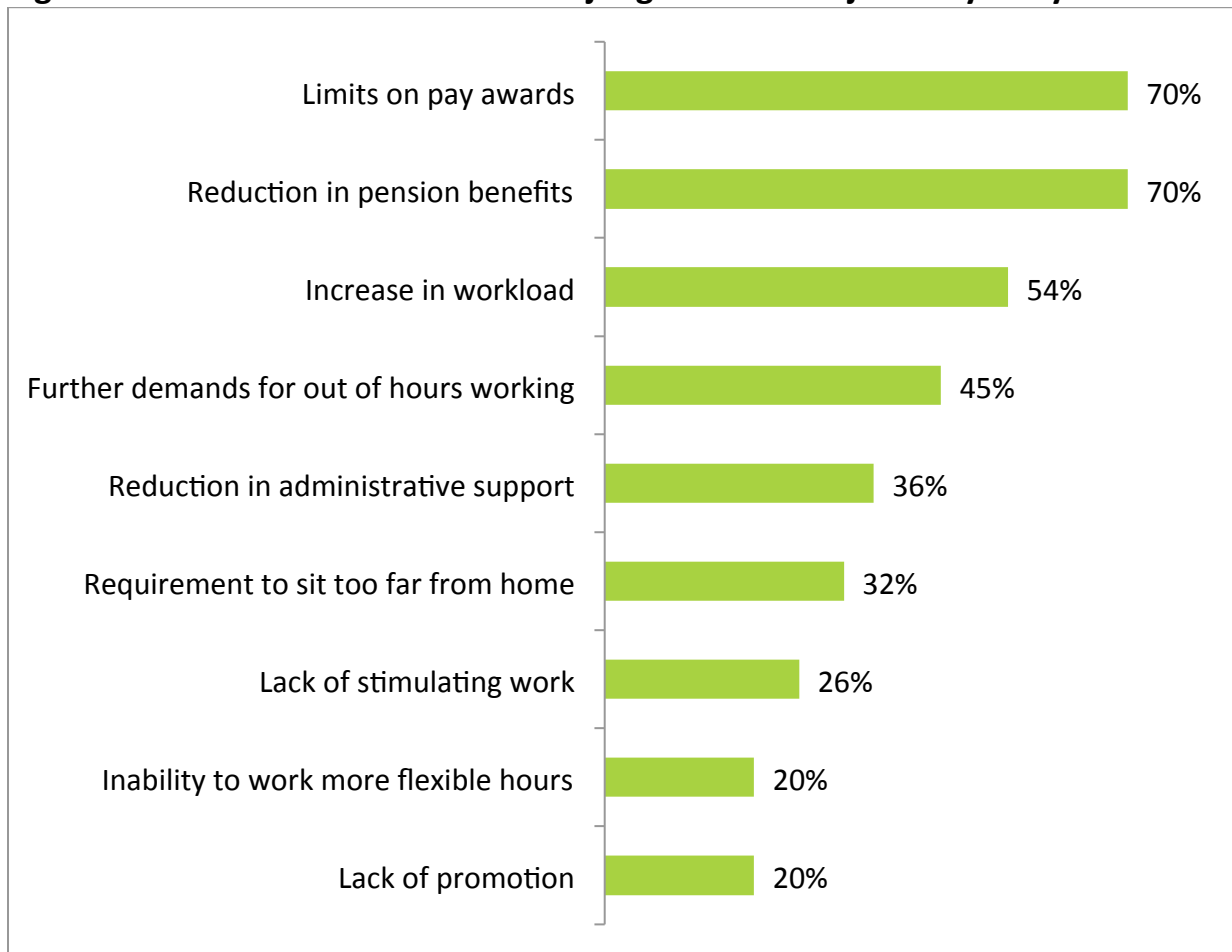
Judges were asked to identify those factors that were most likely to prompt them to leave the judiciary before reaching full retirement age.

It is clear that there are two main factors that judges say would prompt them lead to leave early:

- limits on pay awards (70%)
- reductions in pension benefits (70%)

A majority (54%) of Scottish judges also said an increase in workload would prompt them to considering leave the judiciary early.

Figure 29: What factors would make judges leave the judiciary early?

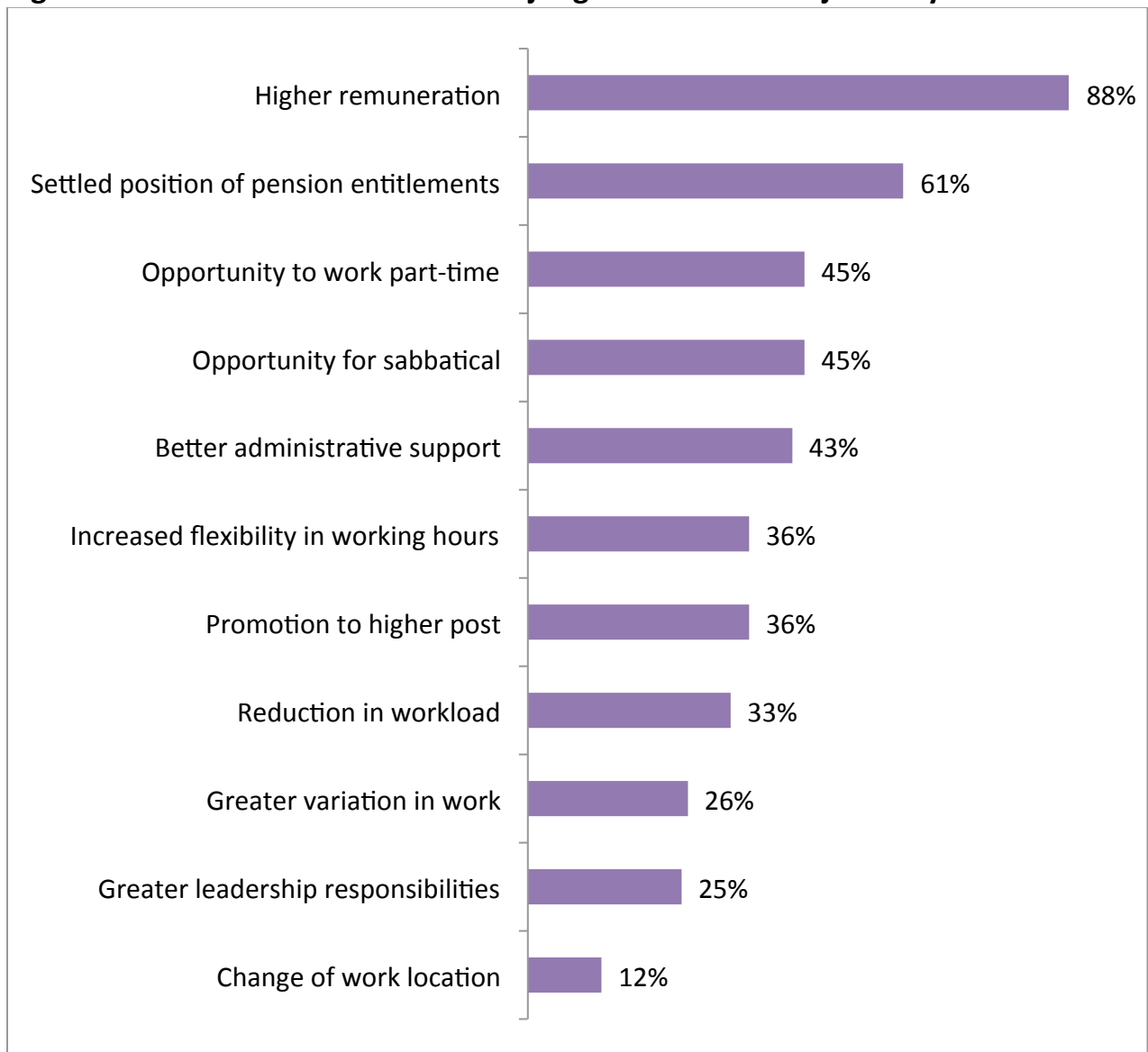


8.4 Drivers for retaining judges until full retirement age

Judges were also asked which factors would make them more likely to remain in the judiciary until full retirement age.

Scottish judges said there is one main factor that would help to keep them in the judiciary until they reach full retirement age: higher remuneration (88%). Almost two thirds (61%) said they would also be influenced to stay by a settled position on pension entitlements.

Figure 30: What factors would make judges remain in the judiciary



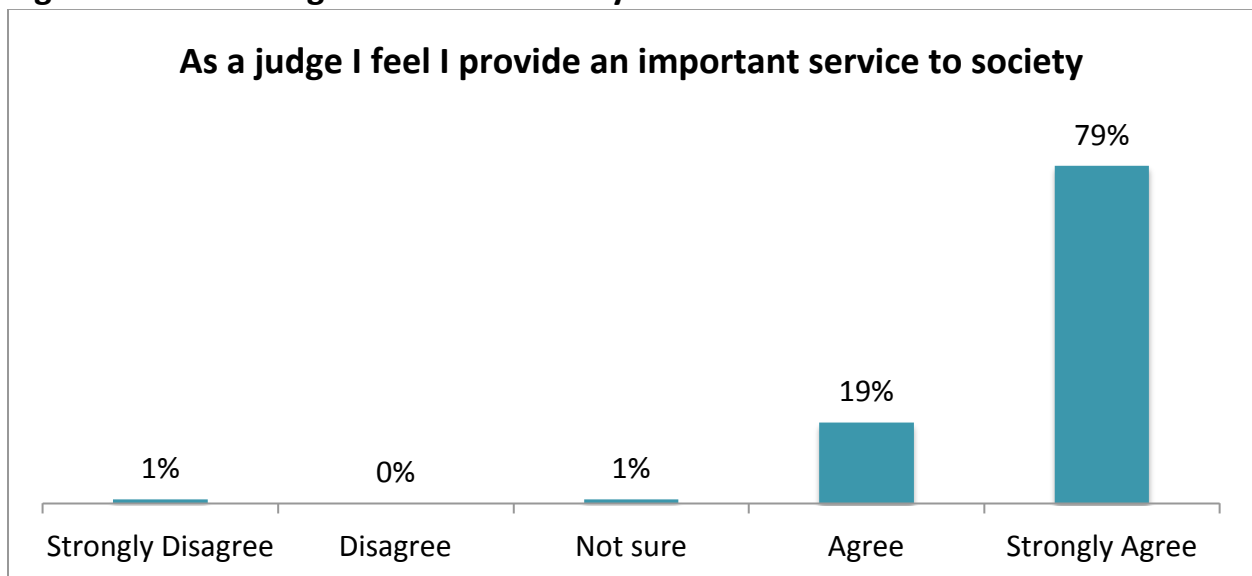
9. Being a member of the judiciary

In this section of the survey judges were asked a series of questions that relate to how they feel about being a judge, including their attachment to the judiciary, their perception of their role and value in society and the extent to which they would either encourage or discourage applications to the judiciary.

9.1 Providing a service to society and attachment to judiciary

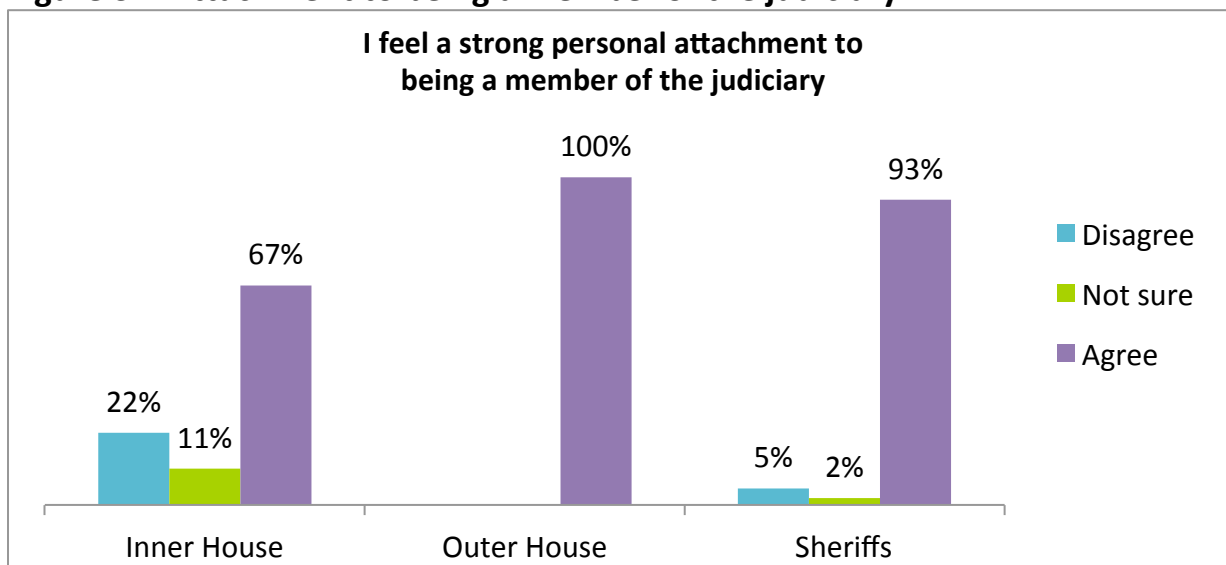
Virtually all judges in Scotland (98%) feel they provide an important service to society, with 79% agreeing strongly with this view.

Figure 31: Providing a service to society



While most judges in Scotland have a strong personal attachment to being a member of the judiciary, this is less pronounced amongst Senators in the Inner House (67%) than those in the Outer House (100%) and Sheriffs (93%).

Figure 32: Attachment to being a member of the judiciary



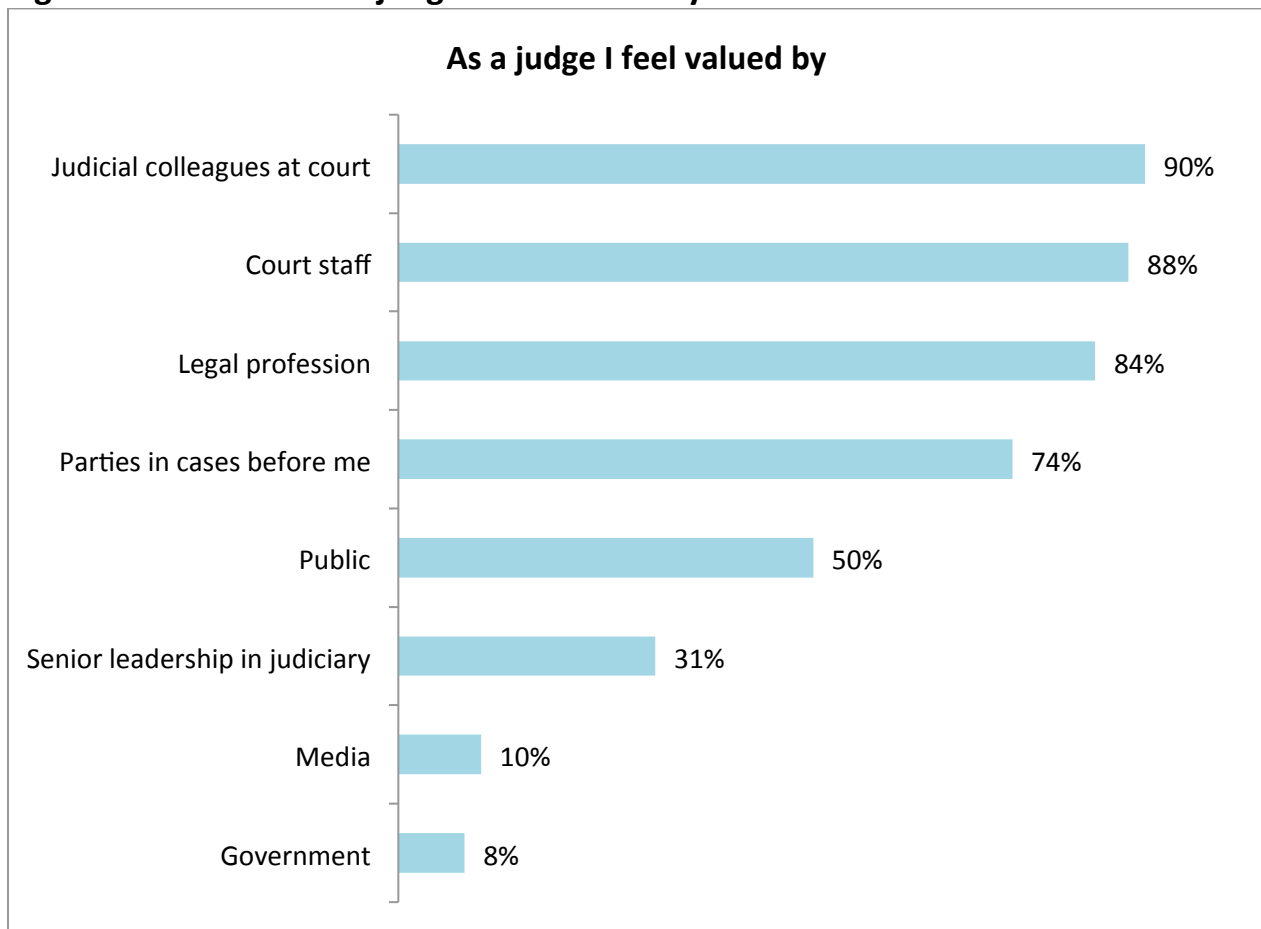
9.2 Being valued

Judges were asked to identify which of eight different groups they feel valued by.

Judges in Scotland feel most valued by judicial colleagues at their court (90%), court staff (88%), the legal profession (84%) and parties in cases that appear before them (74%).

- Half feel valued by the public (52%) and less than a third (31%) by the senior leadership in the judiciary.
- Very few judges feel valued by the media (10%) or the government (8%).

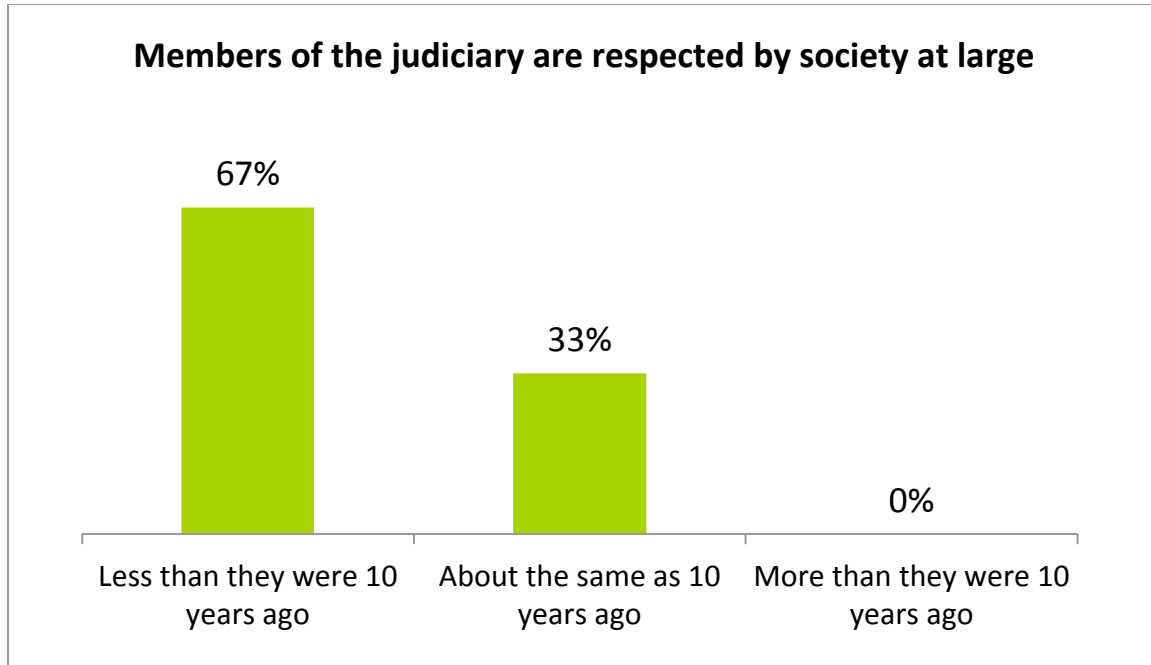
Figure 33: Those whom judges feel valued by



9.3 Societal respect

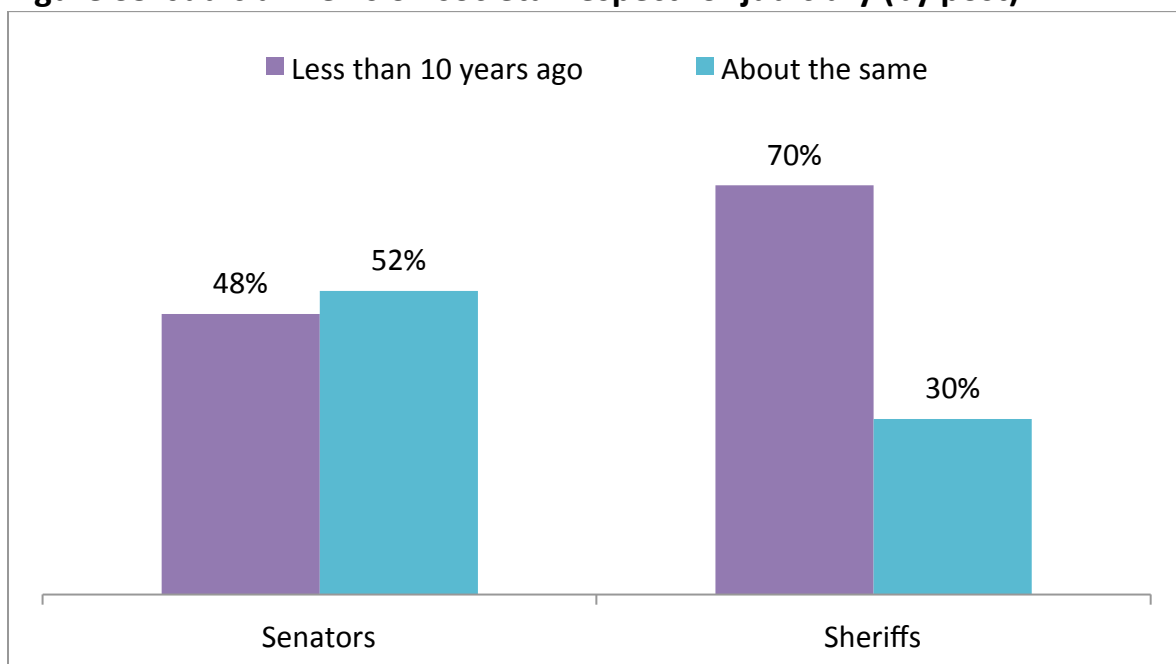
Over two thirds (67%) of all Scottish judges say that members of the judiciary are respected by society at large less than they were 10 years ago.

Figure 34: Societal respect for judges compared with 10 years ago



There are some clear differences between Senators and Sheriffs on this issue, with Senators much less likely than Sheriffs to perceive a decline in respect for judges.

Figure 35: Judicial views on societal respect for judiciary (by post)

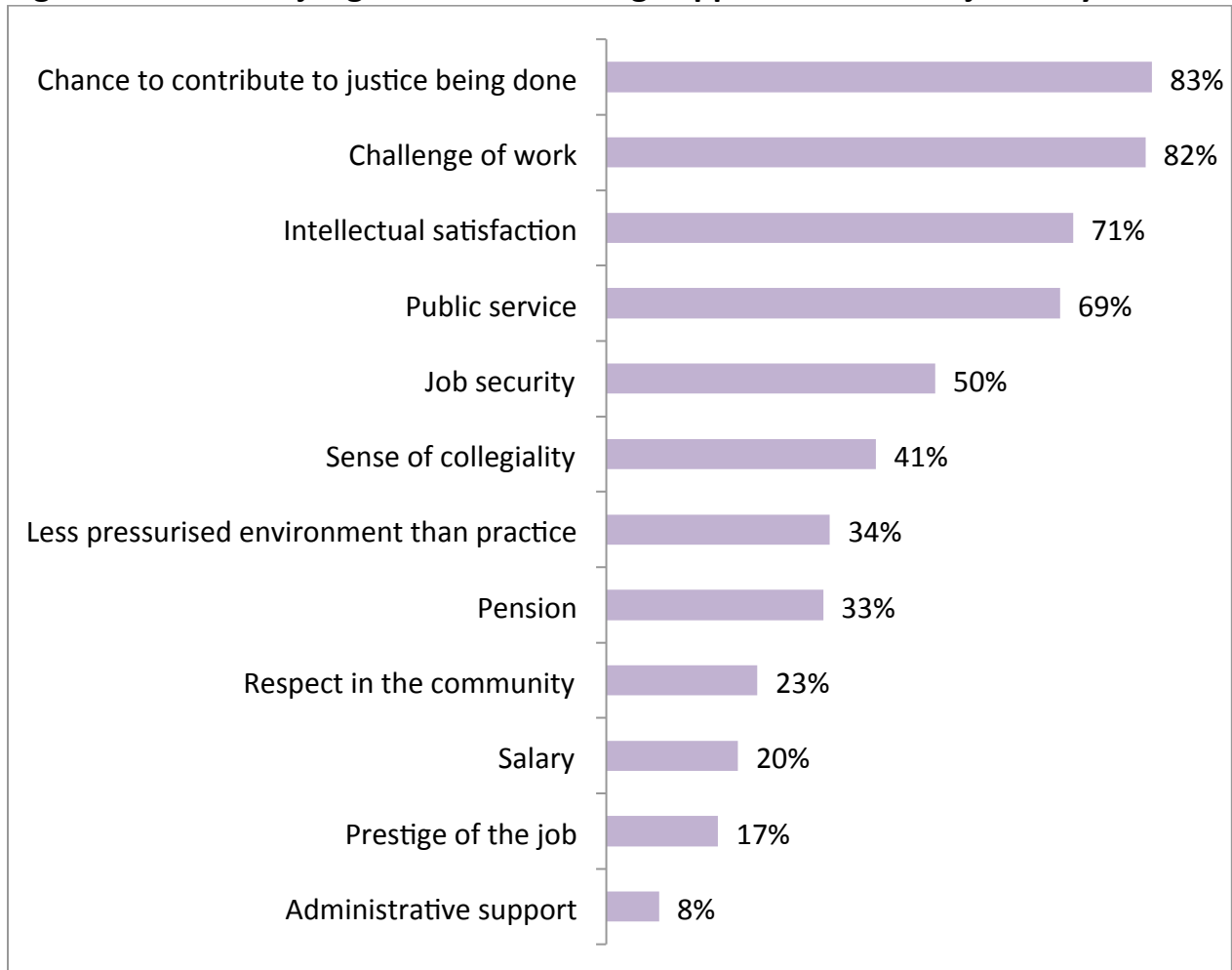


9.4 Encouraging suitable applicants to the judiciary

The main reasons judges say they would encourage suitable applicants to apply to join the judiciary are:

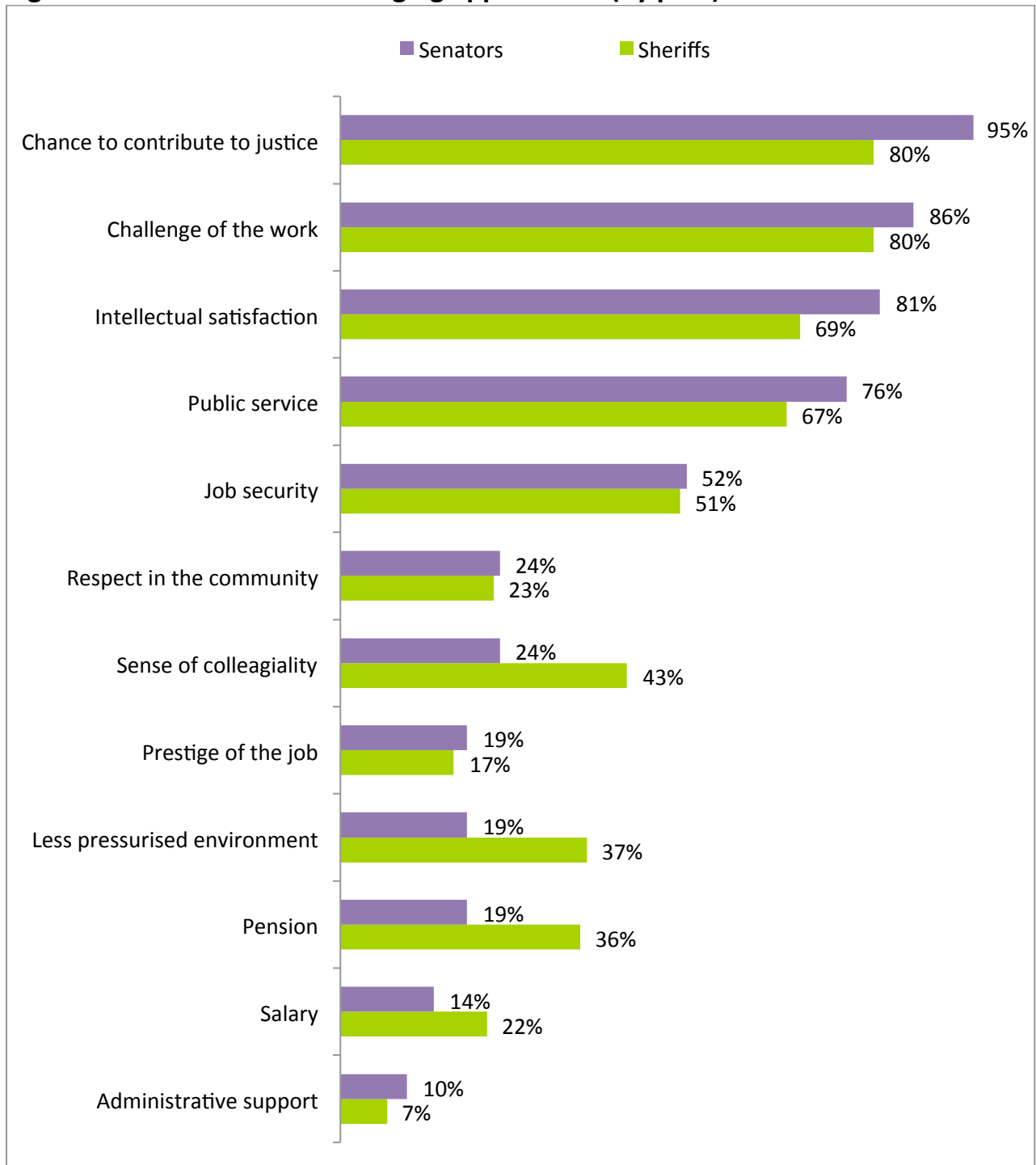
- Chance to contribute to justice being done (83%)
- Challenge of the work (82%)
- Intellectual satisfaction (71%)
- Public service (69%)

Figure 36: Reasons judges would encourage applications to the judiciary



There are few differences between Senators and Sheriffs on this issue, although Sheriffs were more likely than Senators to identify the sense of collegiality, the less pressurised environment compared with practice and pension as relevant factors (Figure 37 below).

Figure 37: Reasons for encouraging applications (by post)

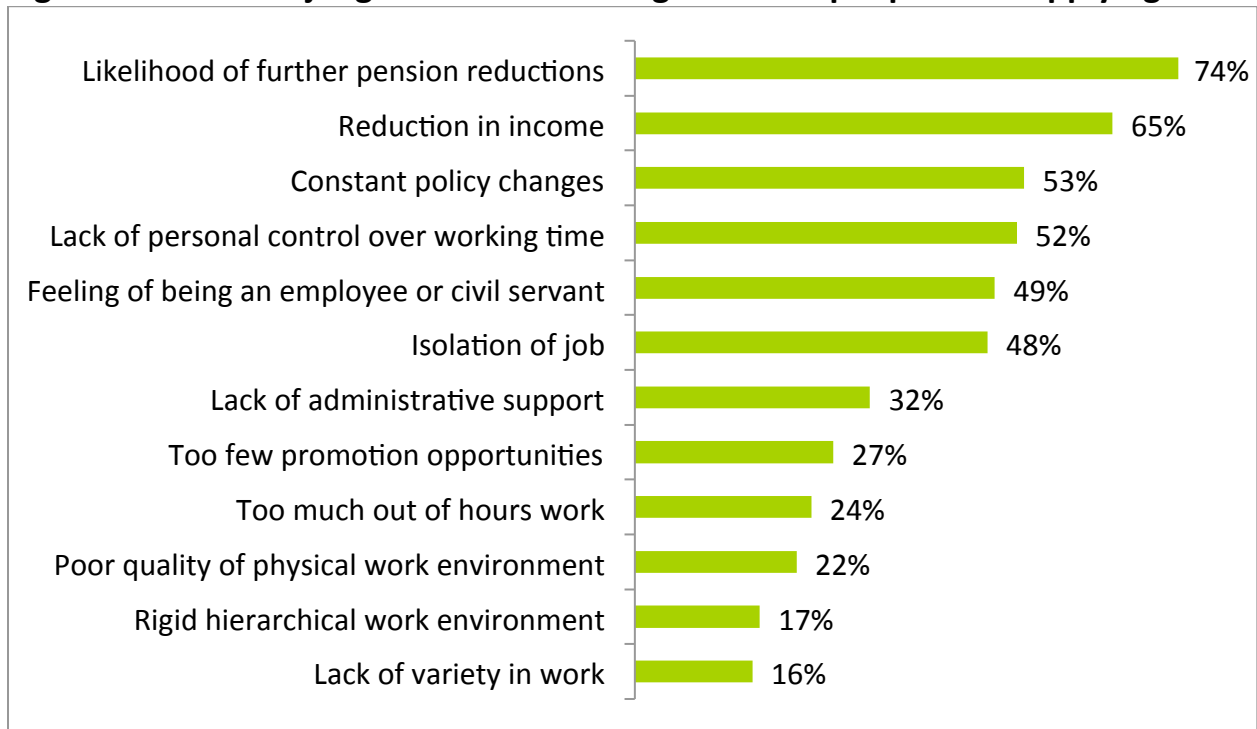


9.5 Discouraging suitable applicants to the judiciary

A majority of judges say they would discourage suitable applicants from applying to be a judge for three reasons:

- Likelihood of further pension reductions (74%)
- Reduction in income (65%)
- Constant policy changes (53%)
- Lack of personal control over working time (52%)

Figure 38: Reasons judges would discourage suitable people from applying



There were some differences between Senators and Sheriffs in terms of which factors would lead most of them to discourage suitable applicants from applying to be a judge (Figure 39 below).

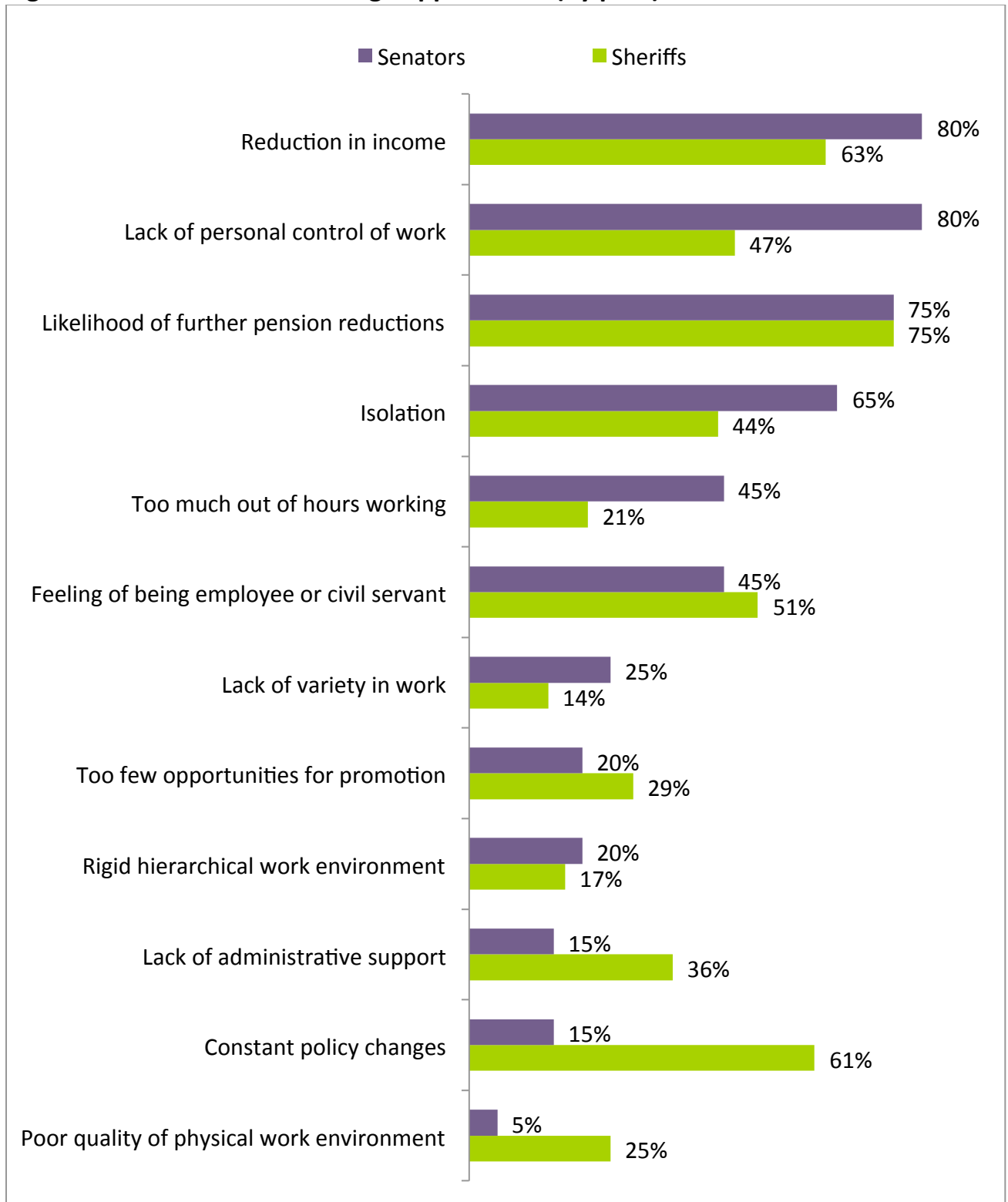
A majority of Senators said:

- Reduction in income (80%)
- Lack of personal control over working life (80%)
- Likelihood of further reductions in pension (75%)
- Isolation (65%)

A majority of Sheriffs said:

- Likelihood of further reductions in pension (75%)
- Reduction in income (63%)
- Constant policy changes (61%)
- Feeling of being an employee or civil servant (51%)

Figure 39: Reasons to discourage applications (by post)



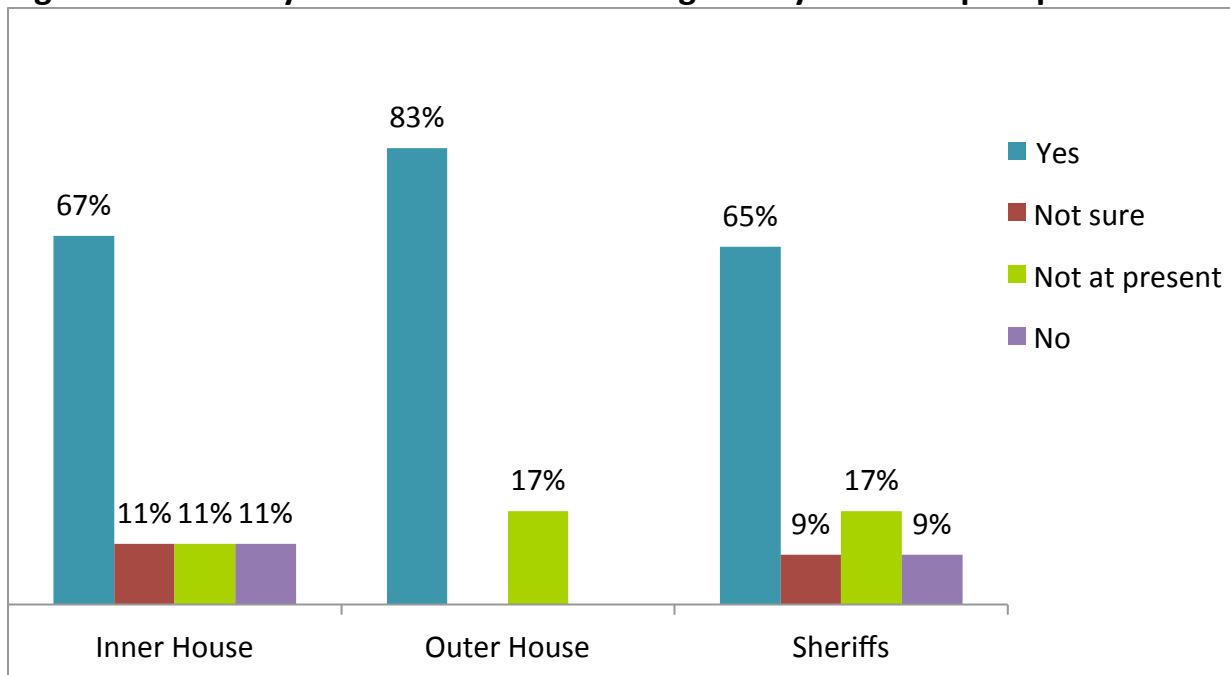
10. Leadership

10.1 Interest in leadership roles

Most judges in Scotland would be interested in taking on judicial leadership responsibilities.

- This is most pronounced amongst Senators in the Outer House (83%), where no judges said they definitely would not want to take on leadership responsibilities.
- Two-thirds of the Inner House (67%) and Sheriffs (65%) would also be interested in taking on leadership responsibilities.

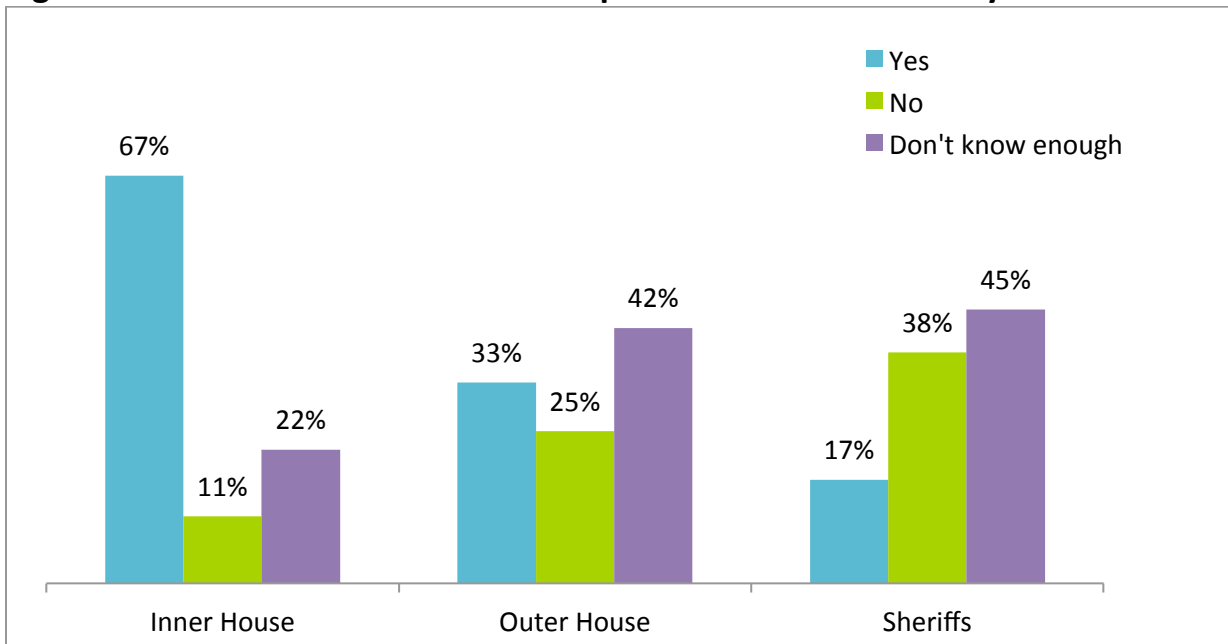
Figure 40: Would you be interested in taking on any leadership responsibilities



10.2 Fairness in allocation of leadership roles

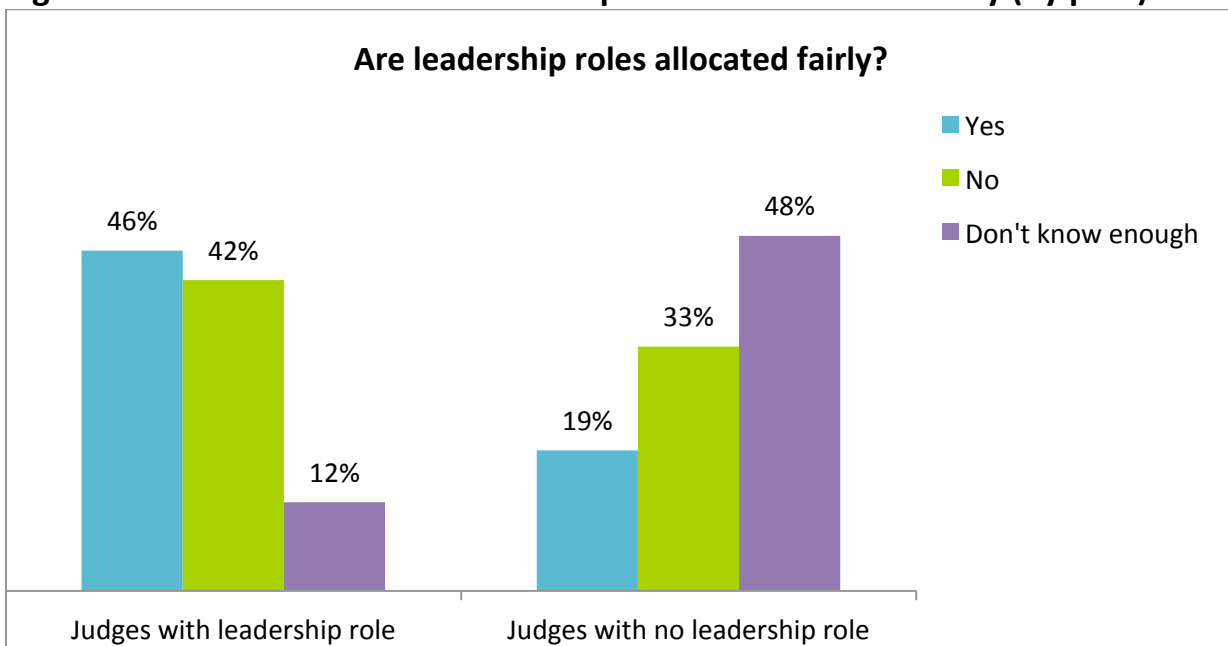
While it is clear that the majority of judges in Scotland would be interested in taking on leadership duties, it is also clear that most judges either do not feel such leadership roles are allocated fairly or do not actually know enough about how these decisions are made in Scotland to be able to say whether the process is fair or not. Only in the Inner House do a majority feel the allocation is fair.

Figure 41: Views on whether leadership roles are allocated fairly



Those judges who do not currently hold leadership roles are far less likely to feel the process is fair (19%) than judges who hold leadership roles (46%).

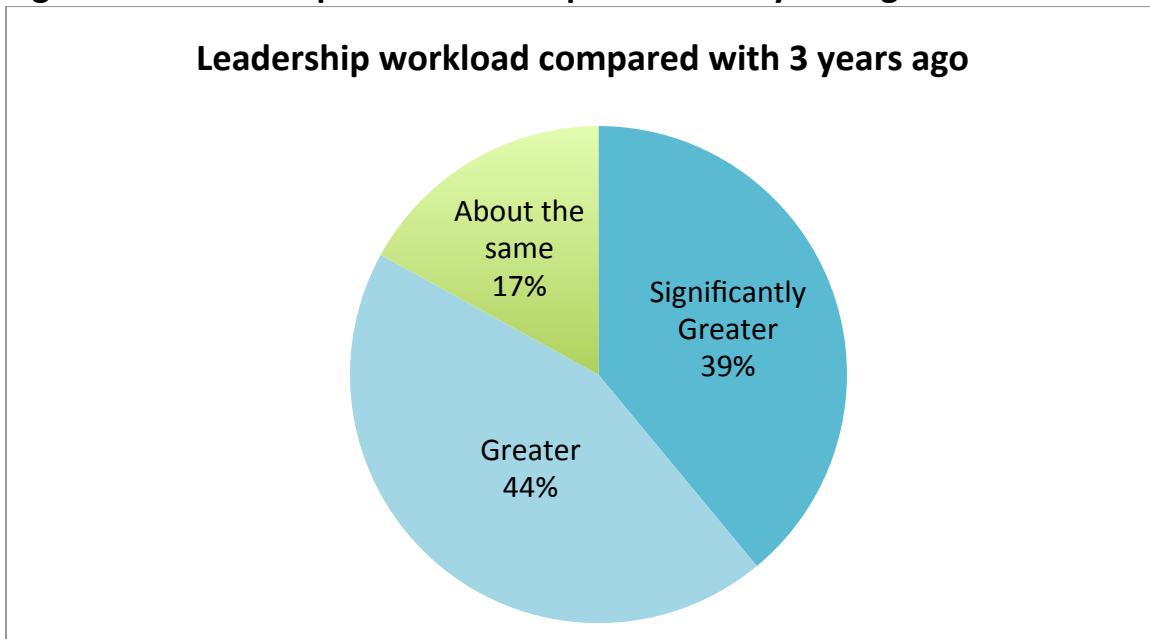
Figure 42: Views on whether leadership roles are allocated fairly (by post)



10.3 Leadership workload

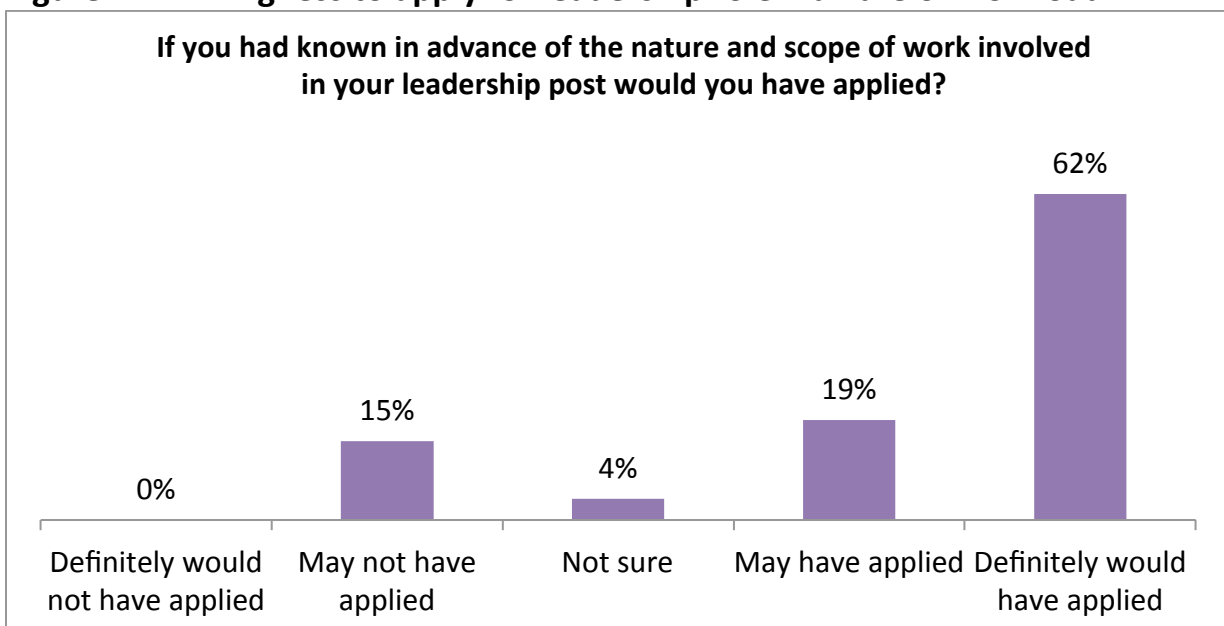
Amongst Scottish judges that have had leadership responsibilities for 3 years or more, almost all (83%) say their workload is greater than it was 3 years ago, with over a third (39%) saying it is significantly greater. None of the leadership judges who responded said the workload was less than it was 3 years ago.

Figure 43: Leadership workload compared with 3 years ago



Despite the increased workload, almost two-thirds (62%) of leadership judges said they definitely would have applied for their leadership role even if they had been aware of the nature and amount of work it involved (Figure 44).

Figure 44: Willingness to apply for leadership role if aware of workload



10.4 Leadership job satisfaction

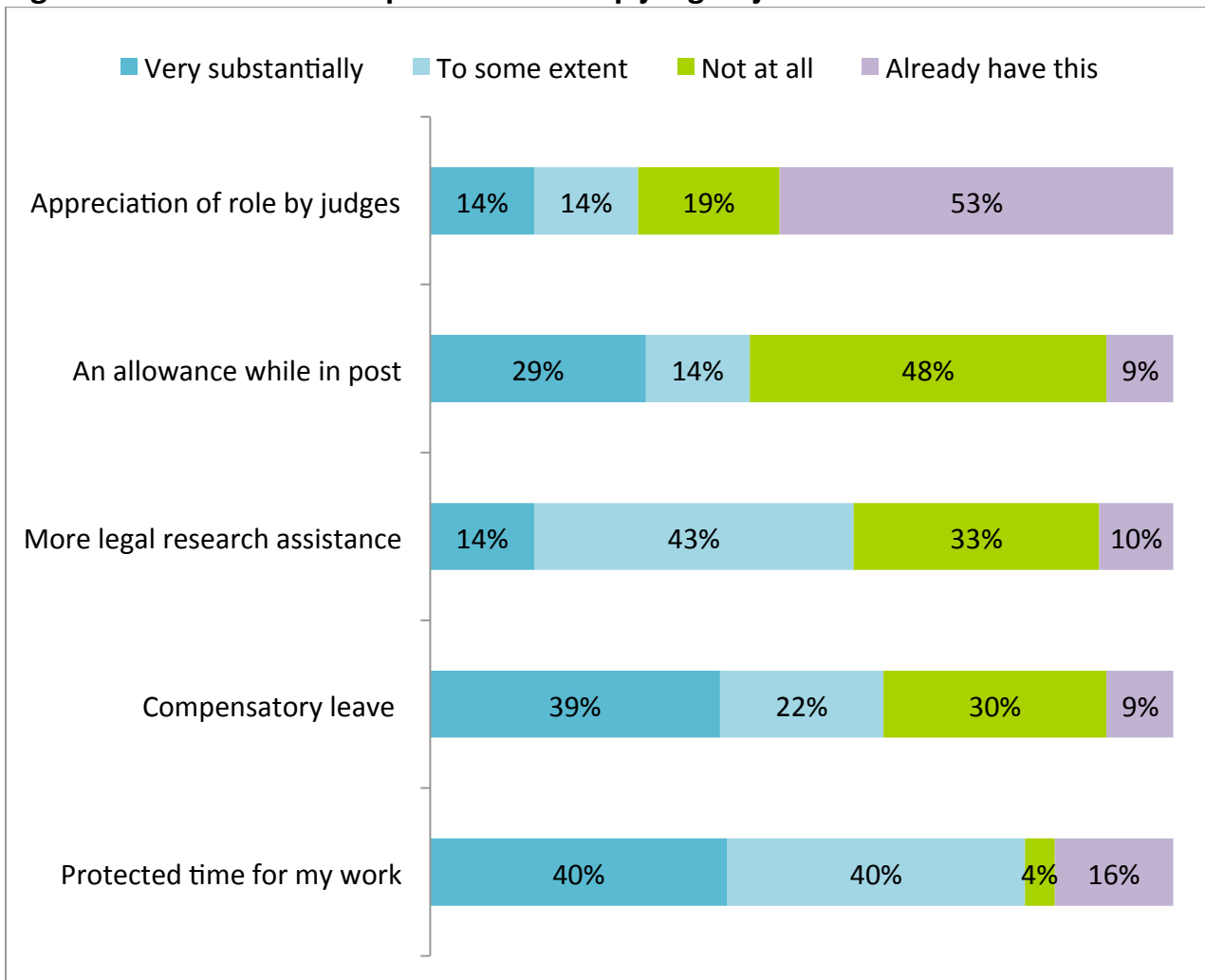
All judges currently in leadership roles were asked to what extent five things would improve their satisfaction as a leadership judge.

Leadership judges identified three main changes that would improve their job satisfaction:

- Protected time (80%)
- Compensatory leave (61%)
- More legal research assistance (57%)

A majority (53%) feel they already have the appreciation of other judges generally for their leadership responsibilities.

Figure 45: What would improve leadership judges' job satisfaction?



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Your Judicial Post

Q1: Please indicate which judicial post you currently hold.

- Sheriff
- Sheriff Principal
- Senator of the College of Justice (Outer House)
- Senator of the College of Justice (Inner House)
- Other (please specify in box below)

Q2: When were you first appointed to the judiciary?

- Before 1 April 1995
- 1 April 1995 - 1999
- 2000 - 2004
- 2005 - 2009
- 2010 - 2014

Q3: 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

Q4: Are you:

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

Q5: On 1 April 2012, what was your age in YEARS and MONTHS?

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

Working Conditions and Resources

Q6: How would you rate working conditions in the judiciary compared with 5 years ago?

- Significantly worse
- Worse
- About the same
- Better
- Significantly better
- Not applicable to me (I was not in the judiciary 5 years ago)

Q7: Please provide an assessment of the following resources available to you at the main court where you work:

	Poor	Adequate	Good	Excellent
Physical environment (quality of building and maintenance)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Standard of personal IT equipment provided to you	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Standard of IT equipment available in your court	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Library and books	<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"/>

Q8: Please provide an assessment of the following working conditions at the main court 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 staff	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Security at your court	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Facilities for discussion and interaction with other judges	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q9: How would you assess your case workload over the last 12 months?

- Too high
- Manageable
- Too low

Q10: 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

Q11: Please assess the availability of each of the following in your current judicial post:

	Non-existent	Poor	Adequate	Good	Excellent
Opportunities for flexible working (including part-time working)	<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"/>

Q12: If you have a declared disability, have you requested that reasonable adjustments be made at your court to enable you to do your job to the best of your ability?

- Yes
- No
- Not applicable to me

Please feel free to provide any further comments:

Salary and Pension

Q13: The following explores your views on salary and pension provisions. (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"/>
The main issue for me is that I have had a loss of net earnings over the last 5 years.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Salary is not the issue. It is the amount of out of hours work required to do the job that affects me.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Salary is not the issue. It is the change in pension entitlements that affects me.	<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"/>
I would consider leaving the judiciary to go back to some kind of legal practice.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If I could earn additional income through out of court work I would pursue this option.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q14: Given the current economic situation, which of the following approaches to judicial pension entitlements would you accept as fair? (You are free to select more than one option)

- Reductions for all judges regardless of when they joined the judiciary
- Reductions based on the number of years service
- Reductions only for new judges entering the judiciary
- No reductions at all for any judges

Training and Personal Development

Q15: In my judicial role I am encouraged to use my talents to the full.

- Strongly Disagree Not sure Agree Strongly Agree
 Disagree

Q16: 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 training available	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Quality of training available	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Time available to undertake 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"/>

Change in the Judiciary

Q17: To what extent do you feel that your job as a judge has changed since you were appointed?

- 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

Q18: The following statements explore your view of change in the judiciary. (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"/>

Q19: What factors do you feel prompt changes that are imposed on the judiciary?(Please select as many options as reflect your view)

- Public misunderstanding of the judiciary
- Official criticism of judges
- Media representation of judges
- Actions of judges
- New legislation
- Government policy initiatives
- Other (please specify in the box below)

Please feel free to provide a further comment:

Q20: Looking to the future, which of the following factors do you feel will present challenges to the judiciary?(Please select as many options as reflect your view).

- Reduction in support staff
- Attracting the best people into the judiciary
- Fiscal constraints
- Judicial morale
- Loss of judicial independence
- Litigants in person
- Loss of experienced judges
- Personal safety for judges
- Other (please specify in the box below)

Please feel free to provide a further comment:

Future Planning

Q21: 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

Q22: Which of the following factors would make you more likely to leave in 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
- Requirement to sit in a location too far from home
- Inability to work more flexible hours
- Other (please specify in the box below)

Please feel free to provide a further comment:

Q23: 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
- Opportunity for sabbatical
- Opportunity to work part-time

Other (please specify in the box below)

Please feel free to provide a further comment:

Being a member of the judiciary

Q24: As a judge I feel I provide an important service to society.

- Strongly Disagree Not sure Agree Strongly Agree
 Disagree

Q25: 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

Q26: Members of the judiciary are respected by society at large:

- Less than they were 10 years ago
 About the same as they were 10 years ago
 More than they were 10 years ago

Q27: I feel a strong personal attachment to being a member of the judiciary.

- Strongly Disagree Not sure Agree Strongly Agree
 Disagree

Q28: 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:

Q29: 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
- Other (please specify in the box below)

Please feel free to provide a further comment:

Leadership

Q30: I would be interested in taking on more leadership responsibilities in my judicial role.

- Yes
- No
- Not sure
- Not at the present time

Q31: Do you feel that judicial leadership roles are allocated fairly?

- Yes
- No
- I do not know enough about how it is done to say

Q32: Do you hold a leadership position in the judiciary or undertake additional responsibilities (e.g., President of Scottish Tribunals, Sheriff Principal, Administrative Judge, Judicial Institute for Scotland duties, Judicial Council Committee Chair, etc.)?

If you answer NO to this question, please skip to Question 36.

- Yes
- No (If you answered NO, please skip to Question 36 below)

Q33: How would you assess your judicial leadership workload compared with 3 years ago?

- Significantly greater
- Greater
- About the same
- Reduced
- Significantly reduced
- I took on a leadership role less than 3 years ago

Q34: Had you been aware of the nature and amount of work you are required to do as a leadership judge when you were appointed, would you have still applied for the position?

- Definitely would not have applied
- May not have applied
- Not sure
- May have applied
- Definitely would have applied

Q35: To what extent would the following improve your satisfaction as a leadership judge?

	Very substantially	To some extent	Not at all	I already have this
Protected time for my work	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
An allowance while in post	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Some compensatory leave for leadership activities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Appreciation of leadership roles by judges generally	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
More legal research assistance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

General Information

Q36: Before being appointed to the judiciary what type of legal employment were you in?

(Please tick as many answers as apply to you)

- Advocate
- Barrister
- Employed lawyer
- Legal academic
- Legal executive
- QC
- Solicitor
- Other (please specify in the box below)

Q37: Do you have children you support financially?

- Yes
- No

Q38: Do you have caring responsibilities for a family member(s)?

- Yes
- No

Q39: Are you:

- Male
- Female

Q40: 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

The Survey

Q41: This survey was:

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

Q42: 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