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Law



" The seat of judgment is like the throne of God. Let the unwise and unlearned not presume to ascend it Through entreaties or for a price, he should purchase for himself the measureless sorrows to eternal silver will not avail to set them at liberty."[1]In all the countries judges are appointed through normally special procedures. Judges are appointed for a certain time period o uphold the position. During that period they have to dispute settlements, case management, training the judges, judicial review, applying the case law and interpreting statutes and extra judicial activities such as delivering lectures and public speeches, receiving and giving judicial training, writing journal articles, giving evidence or hearing government inquiries, dealing with media, advising on the use of information technology in courts, consulting with the court user's groups. United Kingdom s made up of four main countries, England, Wales, Scotland and Northern Ireland. England is the capital of the United Kingdom because of the Regina but

albeit the other states in United Kingdom also has the Crown, and they are under the England Regina. In United Kingdom Control of the three main institutions, the Executive, the Legislature and the Judiciary are mainly on the hand of the Regina. In United Kingdom the Judiciary comprises all the judges in the courts of law, and also those who hold judicial office in tribunals and the la magistrates who staff the Magistrate's courts. In England and Wales roles and functions of the Judiciary has changed considerably in recent years. In England and Wales does not have what is called a ' career Judiciary' as is found in other European countries, such as in the France, Germany, etc... Judges are normally appointer from among successful senior judges

who are practicing. One result of this is that most judges who are appointing to the position older in age. They are very experienced lawyers who are in the field. In England and Wales approximately there are 42, 000 judicial office holders. Before 2005 Act all the judges are appointed under the advice of the Lord Chancellor. This Procedure was named as " tap on the shoulder". Lord Chancellor upholds some positions that are important in the constitution. (As Legislature, Executive, Judiciary powers) He was the speaker of the House of Lords, member of the cabinet and head of the Judiciary. These positions of the Lord Chancellor makes controversial because of the separation of powers. Therefore, introduced the Constitutional Reform Act 2005, from the Act it has decreased the powers of the Lord Chancellor and had made different changes. Named the head of the Judiciary as the Lord Chief Justice and appointed the Lord Chancellor as the head of the Chancery Division of the High Court. Speaker of the House of Lords was elected among its members. Before 2005 Act, different ranks of judges are chosen to their positions under separate procedures. Supreme Court is the highest court in the United Kingdom. To the Supreme Court and to the Court of Appeal judges were chosen on the advice of the Lord Chancellor and recommend by the Prime Minister to the Queen and Queen will confirmed. Most importantly the role of the Supreme Court and the Court

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in here. In Judiciary appointment process is mainly on the hand of the Lord

of Appeal in interpreting and applying human rights law and scrutinizing

High Court and below Courts judges are chosen on the advice of the Lord

Chancellor by the Queen, and there is no interference of the Prime minister

official decision making has drawn it into more politically sensitive areas. And

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Chancellor. Because he had been acted a major role in the three institutions of the constitution. Lord Chancellor as the head of the Judiciary had more powers and the fact that the Judiciary was small and all the judges who appointed to the Judiciary are senior members of the Bar therefore they were personally known by the Lord Chancellor. Almost all judges who were chosen by the Lord Chancellor were his personal choices. Therefore this system was known as the tap on the shoulder. Under this system judges are appointed due to the personal links with Lord Chancellor not because of the ability they had. These above points were showed that the selecting process had been critically politically biased. When the process had been widely spreads in the appointment process the independence accountability and the lack of transparency grew. Therefore it needs to be criticized. As a consideration in above guestion, in 2000, Limited Judicial Appointment Commission was introduced. This Commission was gave power to advice on the appointment process and to review the individual cases but not to play a part in the appointment decision themselves. The Commission introduced a critical report regarding the appointment process and from the report it needs to change the Commission. Therefore, the Constitution Reform Act 2005 established a new system for the appointment process as the Judicial Appointment Commission in 2006. Under the Judicial Appointment Commission it assured that the High Court and below applicants for the position of 'judge' needs to complete an application which is advertising in the newspapers. Candidates need to be fulfilling some requirements before applying. That the Judicial Appointment Commission ensured five core qualities (intellectual capacity, personal qualities(integrity, independence,

judgment, decisiveness, objectivity, ability, willingness to learn), ability to understand and deal fairly, authority and communication skills, and efficiency), a fairer system for filling High Court vacancies. Judicial

efficiency), a fairer system for filling High Court vacancies. Judicial Appointment Commission reduces the pages of the application 20 to 9. The candidates need to submit a 9 pages application form. Judicial Appointment Commission includes 15 members (a barrister, a solicitor, 5 judges, a tribunal member, a lay magistrate, 6 lay people including the chairman, with the support over 100 staff). The Judicial Appointment Commission were took responsibilities which were on the hand of the Lord Chancellor and Department for Constitutional Affairs and only retains the responsibility of Lord Chancellor's selected candidates under his authority. The Judicial Appointment Commission's chairman Baroness Usha Prashar declared that," Appointing members to the High Court will be the first recommendation made by the Judicial Appointment Commission 2006....... ' Tap on the shoulder is no longer valid'...... Refined the criteria for what makes a good judge and streamlined and simplified the selection process..... new system will be transparent, impartial and scrupulously fair........... The Judicial Appointment Commission is committed to improving diversity and widening the pool of judicial applicants".[2]