



LORD CHIEF JUSTICE  
OF ENGLAND AND WALES



SENIOR PRESIDENT  
OF TRIBUNALS

# Judicial Diversity Committee of the Judges' Council

Report on Progress  
April 2016 - March 2017

Action Plan  
April 2017 - March 2018

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## Foreword

As Chair of the Judicial Diversity Committee of the Judges' Council, I recommend to you the Committee's progress report for the last 12 months and a diversity action plan, which is being published for the first time ever. The plan will be implemented over the course of the next 12 months, with support from the Judicial Office.

The judiciary remains strongly committed to its aim of achieving greater diversity within its ranks. In the past 12 months, the Judicial Diversity Committee has continued to pursue a variety of initiatives and challenged itself to explore whether more might be done to accelerate progress.

The Committee has been strongly supported by judges from all backgrounds across the courts and tribunals in England and Wales. These judges have played a key role in encouraging, guiding and building the confidence of under-represented groups through work shadowing, mentoring, community outreach, networking events and pre-application workshops.

We recognise that we have more to do. For the period April 2015-March 2016<sup>1</sup>, the judiciary saw some progress on the gender diversity front, but it still has some way to go in increasing both its ethnic diversity and the representation of solicitors in the courts and tribunals.

In the next 12 months, we will –

- continue our dialogue with BAME lawyers better to understand the barriers they face and identify what more the judiciary can do to support them;
- work with the Law Society, Bar Council and CILEx to ensure that we are doing all we can to reach the broadest range of talent;
- encourage more networking among the existing courts and tribunals judiciary;
- run more workshops to support a greater number of candidates from under-represented groups to prepare for the selection process;
- further develop our communications to potential candidates and those who have an interest in judicial diversity; and
- improve the monitoring and evaluation of our initiatives.

Lady Justice Heather Hallett

**Chair of the Judicial Diversity Committee**

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<sup>1</sup> Judicial Diversity Statistics: <https://www.judiciary.gov.uk/about-the-judiciary/who-are-the-judiciary/diversity/judicial-diversity-statistics-2016/>

# The Judicial Diversity Committee

The Judicial Diversity Committee was set up at the end of 2013 to support the Lord Chief Justice in encouraging judicial diversity<sup>2</sup> by bringing together all the different aspects of diversity work within the judiciary.

The Committee consists of representatives from all jurisdictions in the courts and tribunals who are responsible for and committed to increasing diversity and who are currently active in diversity work. The present members are:

- Lord Chief Justice
- Lady Justice Heather Hallett (Chair)
- Mrs Justice Ingrid Simler (Senior Liaison Judge for Diversity)
- Mr Justice Jeremy Baker (Senior Liaison Judge for Diversity)
- His Honour Judge Marc Dight (Lead Diversity & Community Relations Judge)
- His Honour Judge Roger Dutton (representing the Circuit Bench)
- District Judge Marilyn Mornington (representing the District Bench)
- Deputy Senior District Judge (Chief Magistrate) Tanweer Ikram (representing the District Bench (Magistrates' Court) and also the Deputy Lead Diversity and Community Relations Judge)
- District Judge Yvonne Gibson (representing High Court Masters)
- Deputy Upper Tribunal Judge Alison McKenna and Upper Tribunal Judge Paula Gray (representing Judges of the Upper-Tribunal)
- Tribunal Judge Rachael Vasmer (representing Judges of the First-Tier Tribunal)
- Jude Lancaster (representing Tribunal Members)
- Jo King JP (representing the Magistracy)

They are supported in their work by a team in the Judicial Office (JO).

The Committee approved its Strategic Plan in April 2014 and decided to focus its main efforts on targeting women, BAME and social mobility<sup>3</sup> and to concentrate on the areas of appointment, mentoring and career progression. It established a small steering group that meets on a very regular basis to monitor progress.

<sup>2</sup> The Crime and Courts Act 2013 amended the Constitutional Reform Act 2005 and placed a duty upon the Lord Chancellor and the Lord Chief Justice to take such steps as each considers appropriate for the purpose of encouraging judicial diversity.

<sup>3</sup> Social Mobility is measured through two questions: (1) whether participants attended a state school and (2) whether they were the first generation in their family to attend university.

# Committee's Activities

## April 2016 to March 2017

### New Judicial Careers Portal

JO launched the new Judicial Careers Portal<sup>4</sup> in March 2016 and has been continuing to develop it to support the Committee's activities. The portal enables potential candidates to register once and apply to attend outreach events, participate in the shadowing and mentoring schemes and apply to support programmes.

JO is now able to manage these initiatives more efficiently and in addition, monitor diversity, seek feedback from participants and track their progress towards a judicial appointment.

The portal has also allowed for more accurate reporting of these initiatives and the JO will be using this capability to evaluate the effectiveness of each initiative.

### Networking Events

This past year, the JO has worked with the JAC, universities and professional bodies to host several outreach events. The primary purpose of these events is to attract suitably qualified lawyers from groups currently under-represented in the judiciary and to enable them to explore the possibility of a future judicial career. The events provide a panel of varied speakers and an opportunity to meet serving judges.

At the first event at Birmingham Magistrates' Courts (May 2016) just over 50 delegates registered. The Judicial Careers Portal had not been developed to support outreach events at the time of this event and so we are unable to provide a meaningful breakdown of the diversity backgrounds of those who attended.

The second event in London (November 2016) was attended by 132 delegates. Of those that provided diversity information, 96 (79%) were women, 58 (50%) were BAME, 78 (60%) were solicitors and 54 (41%) demonstrated social mobility.

The most recent event in Newcastle (March 2017) was attended by 46 delegates. Of those that provided diversity information, 29 (63%) were women, 6 (13%) were BAME, 28 (61%) were solicitors and 29 (63%) demonstrated social mobility.

Feedback from delegates was positive:

*"I found the event very inspiring and encouraging and believe that if these sorts of*

<sup>4</sup> <https://jwss.judiciary.gov.uk/>

*initiatives were available earlier on in my career I may well have applied for judicial/tribunal member appointment in the past.”*

*“The event was inspiring and delivered with a notable enthusiasm. It was much better than expected and has spurred me on to look into a judicial appointment even more.”*

*“I found the event helpful in focusing the direction and steps I need to take to further my application to join Judiciary”*

A report on the November 2016 London event is available at:

<https://www.judiciary.gov.uk/about-the-judiciary/who-are-the-judiciary/diversity/judicial-diversity-event-report-becoming-a-judge-november-2016/>

## Judicial Work Shadowing Scheme (JWSS)

The Scheme<sup>5</sup> provides the opportunity for qualified legal practitioners who are considering applying for their first judicial appointment and judges wishing to move up the judicial ladder to spend up to three days observing the work of judges in the courts in England and Wales and the tribunals in the UK. It aims to widen the pool of applicants applying for judicial office by de-mystifying the judicial role and offering experience of being a judge.

The Scheme<sup>6</sup> has received 546 applications in the last 12 months. Of those providing diversity information, 342 (64%) were from women, 145 (28%) were BAME lawyers, 353 (69%) were solicitors, 10 (2%) were legal executives, and 260 (48%) demonstrated social mobility.

Of the solicitors, barristers and legal executives, 324 (67%) were employed by a law firm or were a member of chambers, 31 (6%) were Government Legal Service lawyers and 23 (5%) Crown Prosecution lawyers.

The following table provides a full breakdown of the occupational background of participants. This is the first year that this data has been collected and there is therefore no comparison to previous years.

Work Shadowing - Barrister, Fellow of the Chartered Institute of Legal Executives and Solicitor
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<b>Legal Profession</b>	<b>Numbers</b>	<b>Percentage</b>
Crown Prosecution Service	23	5%
Employed-in-house in a company	60	12%
Government Legal Services	31	6%
Judicial Office	5	1%
Law Centre	2	0%

<sup>5</sup> JO relies on the goodwill of colleagues in Her Majesty's Courts and Tribunals Service (HMCTS) to ensure that all applicants are given placements within good time and in the chosen jurisdictions and locations.

<sup>6</sup> Further information on the scheme can be found at <https://www.judiciary.gov.uk/about-the-judiciary/judges-career-paths/information-about-shadowing-a-judge/>

<b>Legal Profession</b>	<b>Numbers</b>	<b>Percentage</b>
Law firm/chambers	324	67%
Local Authority	21	4%
Magistrates' Courts' Legal Advisor	6	1%
University	12	2%
Voluntary Organisations (including Citizen's Advice Bureau)	2	0%
Total	486	100%
Unknown/Prefer not to say	24	

At the time of application to the scheme, the majority of applicants held on average 16 years' post qualification legal experience.

## Judicial Role Models

In the past 12 months, we have used the pool of Judicial Role Model Judges to inspire and encourage under-represented groups to apply for a judicial appointment. They have done so through outreach events as speakers and networking judges, in online videos as personal case studies, and at application workshops where they have shared their own experience of applying. As mentors, they have provided guidance, advice, motivation and a safe space to discuss any concerns

There are currently 163 judicial role models from across the courts and tribunals, of those that provided diversity information, 78 (48%) are women, 133 (82%) are white and 21 (13%) BAME judges.

## Positive Action Judicial Mentoring Scheme and application workshop

The judicial mentoring scheme and application workshops support women, BAME lawyers and or lawyers who can demonstrate social mobility to apply for their first judicial appointment and judges to progress to higher office.

The Scheme is currently supporting 110 mentees of whom 56 have applied within the last 12 months.

Of the applicants who have applied in the last 12 months and provided diversity information, 44 (79%) are women, 31 (61%) are BAME, 41 (77%) are solicitors and 31 (55%) demonstrated social mobility.

Two workshops took place in January and February 2017 to support over 30 mentees who were intending to apply for forthcoming selection exercises. The workshops were supported by a Judge and a JAC representative and provided guidance and advice on how to prepare for the selection process and understand how best to demonstrate their suitability.

## Dedicated Support Programmes

The Committee launched dedicated programmes to support candidates intending to apply for the High Court Judge and Deputy High Court Judge selection exercises run by the JAC. The programmes were again restricted to women, BAME and those who could demonstrate social mobility.

Thirty participants were selected to each programme. In the High Court programme, 22 (73%) were women, 10 (33%) BAME, 17 (57%) demonstrated social mobility, 13 were solicitors and 2 legal academics. Participants included courts and tribunals judges and non judicial office holders.

In the Deputy High Court Judge programme, 24 (80%) were women, 12 (40%) were BAME, 15 (50%) demonstrated social mobility, 15 were solicitors and 3 legal academics. Participants included In-house counsel, law firm partners, Government Legal Service lawyers, legal academics and barristers from chambers.

The JO will be conducting a full evaluation of the programmes once the selection exercises have concluded.

## Diversity and Community Relations Judges

The role of a DCRJ is to act as a link between the judiciary and the community, increasing public trust in the law and encouraging judicial diversity. They also try to eradicate myths on what it is like to be a judge. There are currently 102 DCRJs from the courts and tribunals. The annual return from the DCRJs show that they have already reached in excess of 4,000 university students, 4,000 school children, 1800 legal professionals and 1200 members of their respective communities.

There are a variety of school engagements taking place, including with schools in socially deprived areas. DCRJs undertake visits to schools and also invite schools to their courts and tribunals to give them first hand experience of how justice is administered. They also judge numerous mock trials and moots and have participated in a Dragons' Den initiative<sup>7</sup> where young people have pitched ideas for community based projects to a panel of dragons. One court alone has had school and student visits on 43 occasions during the course of the year. A judicial awareness course written by a DCRJ for pupils has continued to be a success and has been run at nine separate schools over this period. DCRJs have also contributed to the work of other organisations who reach young people to enhance their understanding of the justice system, such as the National Justice Museum Education<sup>8</sup> at the Royal Courts of Justice.

Other activities have included hosting visits from overseas judges and court interpreters (e.g. Slovenia, Japan, China and Latvia) to enhance understanding of our justice system more widely. They also serve as sources of advice on diversity issues to their peers as interest in the diversity agenda is widespread and growing.

DCRJJs undertake these activities both voluntarily and in their own time.

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<sup>7</sup> In conjunction with the National Citizen Service

<sup>8</sup> National Justice Museum Education is part of the registered charity, National Justice Museum and was previously known as the National Centre for Citizenship and the Law (NCCL)



## Annual DCRJ training event

DCRJJs meet once a year at an annual training event where they share lessons and experiences from the previous year and learn from outside experts ways in which they can improve their outreach work. Last year, the focus was on interfaith dialogue where the judges met with senior religious leaders from different faith groups (including a leading Imam, a Bishop from the Church of England, Hindu representatives and a Rabbi). This was to gain insights into engaging more effectively with faith communities in their regions and to enhance mutual understanding between faith leaders and the judiciary.

In this reporting period, for example, one judge gave a presentation on the role of the judiciary to the Ramagharia Sikh Gurudwara temple in Birmingham and outlined legal remedies available to protect vulnerable members of society; another attended a 'Sharing Ramadan' event at Dar Ul Isra mosque in Cardiff in collaboration with a charity called Bridges for Communities, another had a Malaysian party visit the Employment Tribunal and observe a case as they were interested in the UK approach to the law protecting religion in the work place. One DCRJ contributed to a Church of England leadership programme aimed specifically at encouraging more BAME clergy into senior positions.

## Roundtable discussion with BAME lawyers

Lady Justice Heather Hallett hosted a roundtable discussion with BAME lawyers to learn from their experiences and identify what more the judiciary can do support BAME lawyers to apply successfully for a judicial appointment.

The outcome of this discussion has helped shape our plans for the next 12 months. The concerns that could not be addressed in this plan will be discussed separately with the JAC, professional bodies and MoJ.

## Video case studies

The Judicial Office has published eight video case studies of judges on the judicial website and on YouTube. <https://www.judiciary.gov.uk/about-the-judiciary/judges-career-paths/videos-judges-talk-about-their-judicial-careers/>. The videos provide personal stories from a mixed group of judicial office holders about why they chose a judicial career and how they got there, some of the challenges and rewards along the way, and advice for others embarking on the same course.

The differing backgrounds of the judges themselves also serves to reinforce the message that diversity matters and the judiciary is open to all on merit. The judges who have contributed thus far include barristers and solicitors including two Circuit Judges, a District Judge (Magistrates Court), Deputy District Judge and a Recorder who also sits as a Deputy High Court Judge. Three are from a BAME background and two are women.

We shall increase the number of case studies and add to the diversity of experience.

# Committee's Plan for April 2017 to March 2018

The Judiciary's Diversity Action Plan builds on the work done to date by the Judicial Diversity Committee<sup>9</sup> and the Judicial Diversity Forum<sup>10</sup> by setting out a cycle of activities under the headings of *Attract & Support*; *Select & Appoint*; *Develop*; and *Evaluate & Inform*. The plan focuses on increasing the diversity of the judiciary in England and Wales.

The Judicial Office (JO) will support the Judiciary and work in partnership with the legal profession, the Judicial Appointments Commission and the Ministry of Justice in its delivery.

In addition to the actions outlined in this plan, the JO will continue to operate Judicial Work Shadowing and Mentoring Schemes and support the Diversity and Community Relations Judges in their community engagement activities.

The Judicial Office will produce an annual report on our progress against this plan, which will be published in the interests of openness and accountability.

Serving judges and potential judges in the legal profession will be informed of every aspect of the plan directly and through traditional and social media. In particular the judiciary will make sure its outreach and communications complement the efforts of the Judicial Appointments Commission.

## Attract and Support

**Objective 1:** We will be proactive in encouraging a wide range of applicants to the judiciary from diverse personal and professional backgrounds and support them to apply for a judicial appointment.

	<b>Actions</b>	<b>Delivery Date</b>
1	To work with charities and schools to enhance understanding of the justice system and inspire young people to consider a career in the law.	April 2017 onwards
2	To connect with Black, Asian and Minority Ethnic (BAME) groups and identify at least five events where Diversity and Community Relations Judges (DCRJs) and Judicial Role Models can engage with potential first-entry level lawyers from under-represented groups across England and Wales.	April 2017-March 2018

<sup>9</sup> Judicial Diversity Committee of the Judges' Council: Progress Report - <https://www.judiciary.gov.uk/wp-content/uploads/2016/07/judicial-diversity-committee-progress-report-13-16.pdf>

<sup>10</sup> In 2015, the work of the Judicial Diversity Forum and Judicial Diversity Taskforce was combined in order to co-ordinate activities, identify new opportunities for action and enable greater efficiency. [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/438207/judicial-diversity-taskforce-annual-report-2014.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/438207/judicial-diversity-taskforce-annual-report-2014.pdf)

3	To undertake a feasibility study on the introduction of a scheme to employ Judicial Assistants in the High Court to provide support to High Court Judges (e.g. clarifying issues before a hearing, identifying and summarising important facts, procedural history and legal issues). This could encourage greater diversity and social mobility by inspiring and supporting young law student/lawyers from non-traditional backgrounds early on in their legal careers. To consider whether the scheme should be aimed post-qualification, mid-qualification and pre-qualification.	Proposal to be submitted to the Judicial Executive Board <sup>11</sup> by May 2017
4	To work with the Judicial Appointments Commission, academic institutions and professional bodies <sup>12</sup> to host outreach events to attract diverse talent, enable delegates to connect with judges and learn about judicial roles in the courts and tribunals and to understand better the application process.	November 2017 March 2018
5	To run two positive-action programmes to support high quality lawyers, legal academics and judges from minority groups (women, ethnic minorities and those from low socio-economic backgrounds <sup>13</sup> ) to prepare for two salaried or entry level selection exercises due to be run by the JAC in 2017-2018. Priority will be given to s9(4) Deputy High Court Judge and High Court Judge selection exercises.	May 2017
6	To run two application workshops a year for 30 mentees on the Judicial Mentoring Scheme (open to women, ethnic minorities and those from low socio-economic backgrounds). One workshop will be for lawyers seeking their first appointment and the second for judges seeking to progress to senior posts.	January 2018 & February 2018
7	To work with the JAC to run six one-day workshops for under-represented groups in each of the six circuits (London & South East, South West, Midlands, Wales, North West and North East)..	April 2017 – March 2018
8	To maintain a regular dialogue with lawyers from BAME backgrounds through roundtable discussions to inform the judiciary's activities and identify what more might be done to encourage applications for judicial appointment.	April 2017 onwards
9	To implement a communications strategy to encourage women, BAME lawyers and lawyers from non-traditional educational backgrounds and under-represented parts of the professions to apply for their first judicial appointment, and support, and encourage judges from the same background to progress to more senior roles.  Activities will include a series of workshops to help us improve our communications with the eligible pool and short video case studies to increase the profile of judges from non-traditional backgrounds.	April 2017 – March 2018

11 The Lord Chief Justice exercises leadership responsibilities through, and with the support of, the Judicial Executive Board. Its members include: Lord Chief Justice (Chair), Master of the Rolls, President of the Queen's Bench, President of the Family Division, Chancellor of the High Court, The Vice-President of the Court of Appeal Criminal Division, Chairman of the Judicial College, Vice President of the Queen's Bench Division, Senior President of Tribunals, Senior Presiding Judge and the Chief Executive Judicial Office.

12 The Law Society, The Bar Council, Chartered Institute of Legal Executives, Government Legal Services and the Crown Prosecution Service

13 Lawyers and judges who attended a (non fee paying) state school or were the first generation in their family to attend university.

10	The Judicial College will work with the 'Pre-application Judicial Education Working Group <sup>14</sup> ' to identify and make available suitable on-line training modules on judge-craft to help potential candidates improve their readiness for their first judicial appointment.	November 2017
11	To work with the Chartered Institute of Legal Executives (CILEx) to develop their Judicial Development Programme to encourage and support its members to apply for a judicial appointment.	April 2017 – March 2018

## Select & Appoint

**Objective 2:** We will work with the Judicial Appointments Commission (JAC) to: provide feedback on the appointments process; encourage and support candidates from under-represented groups; improve candidates' experience of the selection process; and encourage the provision of constructive feedback.

	<b>Actions</b>	<b>Delivery Date</b>
12	To share with the JAC any feedback the Judiciary receives on the appointments process, through its engagement with under-represented groups	April 2017 onwards
13	To encourage applications from a wider pool of applicants by helping the JAC remove the requirement for jurisdictional knowledge for salaried posts in assessment tools.	April 2017 onwards

## Develop

**Objective 3:** To develop strategies to enable career development and progression of under-represented groups within the judiciary.

	<b>Actions</b>	<b>Delivery Date</b>
14	To improve career support to judges from all levels of the judiciary by ensuring that conversations are taking place to address personal aspirations, with tailored development opportunities (such as bespoke training, challenging cases or coaching). These conversations have begun to take place in the High Court and will be piloted on the Midland Circuit. The Judicial Career Paths map will be developed further and communicated more widely.	Pilots expected to launch Summer 2017.
15	To create networking opportunities particularly for Women, BAME, and Social Mobility groups to bring judges together to share experiences, discuss common issues and barriers, offering talks from senior judges to give insight into their careers.	Meetings to commence before October 2017
16	To develop online diversity and unconscious bias modules and on-line guidance for all judicial office holders	Summer 2017

<sup>14</sup> The Pre-Application Judicial Education Working Group is a group of the Judicial Diversity Forum, created to investigate the possibility of implementing judicial training to encourage greater judicial diversity

## Evaluate & Inform

**Objective 4:** To evaluate and monitor data to help assess where our resources and efforts have maximum impact, in order to inform the start of the cycle (Attract & Support; Select & Appoint; Develop).

	<b>Actions</b>	<b>Delivery Date</b>
17	To commit to the effective collection, monitoring and evaluation, and accurate publication of diversity data. In particular, steps will be taken to (1) improve the declaration of ethnicity and (2) collect educational backgrounds for all existing judges and tribunal panel members for the purpose of monitoring social mobility.	April 2017 – March 2018
18	To undertake a review on the operation and effectiveness of the Judicial Work Shadowing and Mentoring Schemes and make recommendations for improvement.	January 2018
19	To place before the Judicial Executive Board (JEB) for review the Judicial Office's diversity statistics and progress against the Diversity Action Plan on a quarterly basis to ensure that action is led by the senior judiciary. Quarterly meetings with Lady Justice Hallett as Diversity Champion will provide challenge to our progress against the Diversity Action Plan, and inform our future work.	Every quarter
20	To collect feedback more effectively and evaluate all our initiatives in order to assess their success and inform where best to focus our resources for maximum impact.	Analysis to be made available to JEB by October 2017

# Annex A

## The Judicial Diversity Cycle

