



COURTS AND  
TRIBUNALS JUDICIARY

# Judicial Diversity and Inclusion

Update 2021





# Judicial Diversity and Inclusion

Update 2021



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Published by Judicial Office  
11<sup>th</sup> floor Thomas More Building  
Royal Courts of Justice  
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[www.judiciary.uk](http://www.judiciary.uk)

# Contents

Foreword by the Lord Chief Justice	4
Introduction	5
Current levels of representation	7
Judicial Diversity and Inclusion Strategy: 2020 – 2025	10
Creating an environment in which there is a greater responsibility for and reporting on progress in achieving diversity and inclusion	11
Supporting and building a more inclusive and respectful culture and working environment within the judiciary	13
Supporting and developing the career potential of existing judges	16
Supporting greater understanding of judicial roles and achieving greater diversity in the pool of applicants for judicial roles	17
Reporting against specific tasks	22
Summary and next Steps	27

## Foreword by the Lord Chief Justice



In November 2020 we published the Judicial Diversity and Inclusion Strategy which laid out four core objectives to increase the diversity of the judiciary. This was an important milestone for the judiciary which set out our ambitious intentions on diversity and inclusion for the next five years in the knowledge that a diverse judiciary will capture talent that is currently lost to us and help cement the confidence of the public that the judiciary broadly reflects society. Our objectives were high reaching and testing and we committed to reporting on an annual basis to ensure transparency on the progress of the Strategy.

This report gives details of the steps we have taken over the last year to begin to implement the Strategy's ambitions. The actions taken are both important and welcome. They set us on the path to achieving our aim of continuing to increase the diversity of the judiciary at all levels by increasing the number of well qualified applicants for judicial appointment from diverse backgrounds and by supporting their inclusion, retention and progress in the judiciary. Women now make up 39% of all judges in courts and tribunals. The proportion of women has increased in recent years, but women remain under-represented in the courts' judiciary, particularly in senior roles. 10% of all judges in courts and tribunals are from an ethnic minority. 5% of judges are from Asian backgrounds, 1% from Black backgrounds, 2% from mixed ethnic backgrounds and 1% from other ethnic minority backgrounds.<sup>1</sup>

In particular we are offering greater support for leadership judges in their efforts to deliver on the D&I Strategy. This includes twenty-two Diversity and Community Relations Judges who have taken on a newly created "Focal Point" role, the formation of a Diversity and Inclusion Taskforce within Tribunals and the appointment of seven circuit-based Inclusion and Diversity Magistrates.

I would like to thank all those who have taken actions to help support the aims and objectives we set out. I am heartened that much progress had been made over the very difficult months of the COVID-19 pandemic. There is much support being given across the judiciary to implement this Strategy and I encourage all judicial office holders to do what they can to assist its implementation.

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<sup>1</sup> All figures as at 1 April 2021, taken from [Diversity of the judiciary: 2021 statistics - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/diversity-of-the-judiciary-2021-statistics)

## Introduction

The Crime and Courts Act 2013 placed a duty upon the Lord Chief Justice to take such steps as he considers appropriate for encouraging judicial diversity. Lady Justice Simler acts as lead judge on diversity and inclusion, chairing the Judicial Diversity Committee to support the Lord Chief Justice in his statutory responsibilities.

The Committee consists of steering group members: Lord Chief Justice, Mr Justice Jeremy Baker, Mrs Justice McGowan, Mr Justice Saini, Upper Tribunal Judge Gray, His Honour Judge Dight, His Honour Judge Inyundo, Deputy Senior District Judge (Chief Magistrate) Ikram, Employment Judge Balogun; and full committee members, Her Honour Judge Cahill, District Tribunal Judge Gill, District Judge Rich, Tribunal Judge Vasmer, Tribunal Member Lancaster and Duncan Webster JP. Each steering group member has portfolio responsibility for encouraging a particular aspect of diversity and inclusion; and the steering group as a whole, under the direction of the Lord Chief Justice, sets the agenda for achieving the objectives set by the five year Diversity & Inclusion Strategy (the D&I Strategy).

The Lord Chief Justice is also a member of the Judicial Diversity Forum (the JDF), which brings together organisations from across the legal sector to identify ways to support increased judicial diversity. Other members of the JDF are: the Lord Chancellor, the Chair of the Judicial Appointments Commission (Chair of the JDF), the Chair of The Bar Council, the President of The Law Society, the President of the Chartered Institute of Legal Executives, the Chair of the Legal Services Board.

The speed of change in the diversity of the judiciary is affected by a number of features that stem (at least in part) from the fact that the judiciary is a second career dependant in large part on recruitment from the legal professions, and also from the existing make-up of the judiciary. The 'turnover rate' within the judiciary is low<sup>2</sup>. Secondly, the time taken between applying for a judicial role and taking post can be as long as twelve months. Further, there is a statutory requirement for at least five or seven years of post-qualification experience (PQE) for legally qualified judicial posts. The most recent statistics show that of those who applied for court and tribunal positions requiring at least five years' PQE, candidates had around 17 years' experience on average. Of those who applied for positions requiring at least seven years' PQE, candidates had around 25 years' experience on average.

On 15 July 2021 the JDF published, for the second year, a combined statistics report. Like the 2020 report, the 2021 report brings together data about the diversity of the judiciary, judicial appointments and the relevant legal professions (solicitors, barristers and chartered legal executives). This provides not only a picture of the diversity of today's judiciary, but also of the process by which judges are recruited and the diversity of the pool from which much of the judiciary is drawn – the legal professions.

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<sup>2</sup> The Diversity of the judiciary: 2021 statistics - GOV.UK ([www.gov.uk](http://www.gov.uk)) show that 259 of the 5,025 salaried and fee-paid judges within courts and tribunals left post in the previous twelve months.

## Judicial Diversity and Inclusion - Update 2021

The 2021 report includes the same statistical sets as last year's report, with the inclusion of additional statistics which provide a more detailed analysis of ethnicity and the intersection of diversity characteristics, covering the relevant legal professions, judicial appointments and the judiciary. This detailed data set provides an important evidence base from which to draw in determining what actions are necessary and how these can best be targeted at and tailored to supporting under-represented groups in the judiciary more effectively.

Many salaried judicial office holders held a fee-paid role before joining the salaried judiciary. Fee-paid roles offer the chance to gain experience as a judicial office holder before taking on a salaried role. As at 1 April 2021, 6,294 judicial office holders were fee-paid, 1,527 were salaried full time and 338 were salaried part-time. On 1 April 2021, 12,651 magistrates were in post.

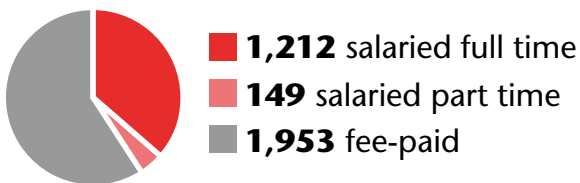


# Current levels of representation

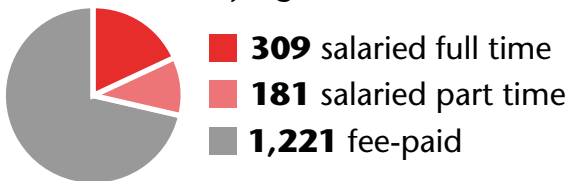
## The Judiciary at 1 April 2021:

**5,025** court and tribunal judges  
**3,134** non-legal members  
**12,651** magistrates

### 3,314 Court judges



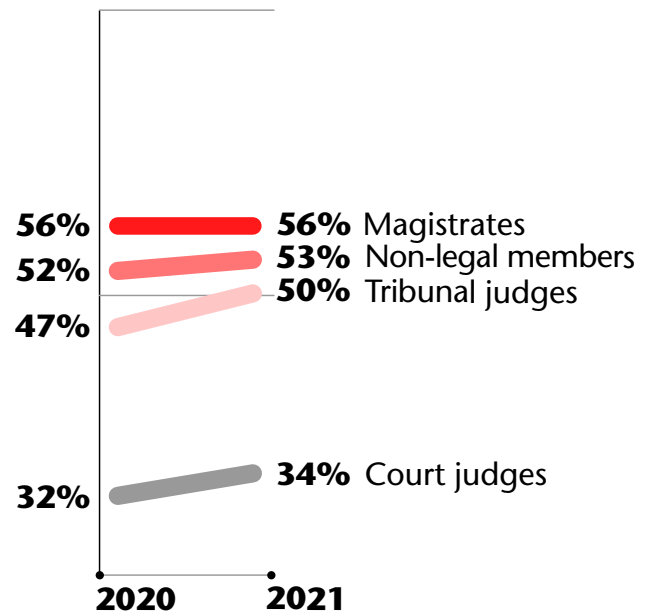
### 1,711 Tribunal judges



## Change in representation since 2020:

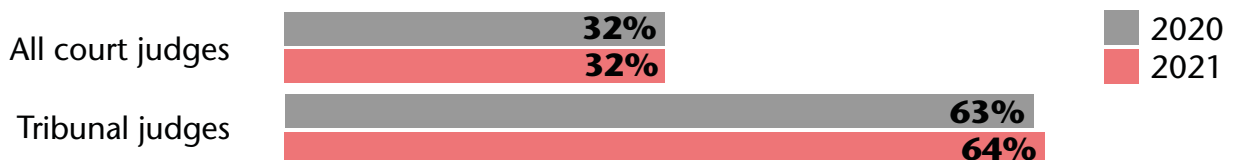
### Women in the Judiciary

**1%** increase in court judges, **3%** increase in tribunal judges, **1%** increase in tribunal members, no change in magistrates<sup>3</sup>



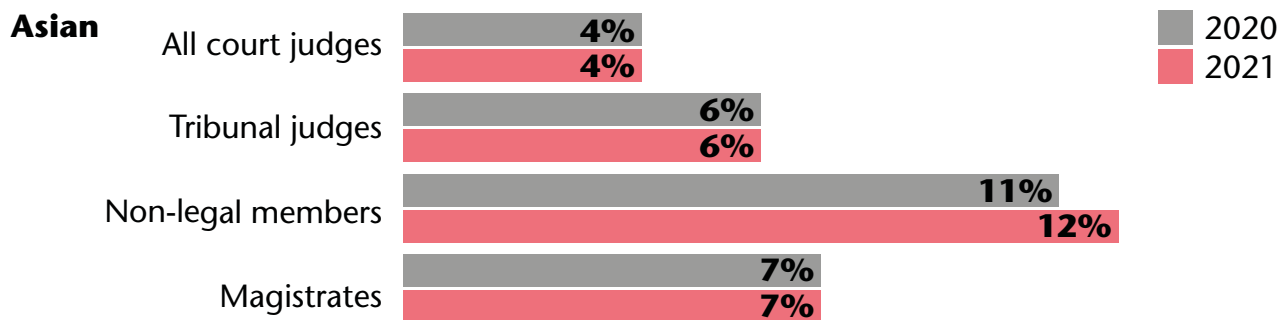
## Professional background

**1%** increase in tribunal judges, no change in court judges from non-barrister backgrounds

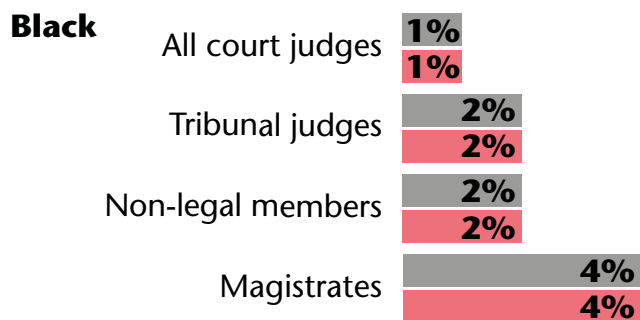


<sup>3</sup> Numbers are rounded to the nearest whole number and therefore actual percentage change(s) may not match totals illustrated.

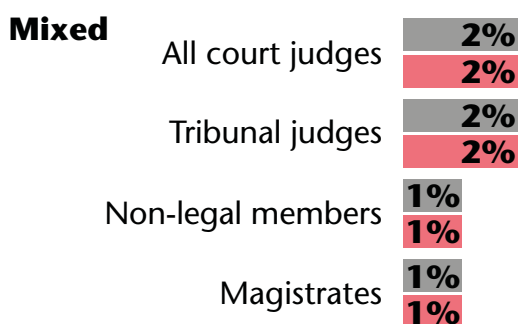
## Black, Asian and minority ethnic judicial office holders



1% increase in court judges and tribunal members, no change in tribunal judges and magistrates<sup>4</sup>



No change across court and tribunal judges, tribunal members and magistrates



No change across court and tribunal judges, tribunal members and magistrates

<sup>4</sup> Numbers are rounded to the nearest whole number and therefore actual percentage change(s) may not match totals illustrated.

**Black, Asian and minority ethnic judicial office holders (continued)**

<b>Other</b>	All court judges	1%
		1%
	Tribunal judges	2%
		1%
	Non-legal members	2%
		2%
	Magistrates	1%
		1%

No change across court and tribunal judges, tribunal members and magistrates<sup>5</sup>

Further information and statistics covering all court and tribunals can be found in the statistical publication available from [GOV.UK](https://www.gov.uk):

[Diversity of the judiciary: Legal professions, new appointments and current post-holders – 2021 Statistics](#)

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<sup>5</sup> Numbers are rounded to the nearest whole number and therefore actual percentage change(s) may not match totals illustrated.

# Judicial Diversity and Inclusion Strategy: 2020 – 2025

The D&I Strategy was published on 5 November 2020. Its overarching aim is to increase the personal and professional diversity<sup>6</sup> of the judiciary at all levels over the next five years by increasing the number of well qualified applicants for judicial appointment from diverse personal and professional backgrounds and by supporting their inclusion, retention and progress in the judiciary.

The D&I Strategy lists four core objectives:

- **Creating an environment in which there is greater responsibility for and reporting on progress in achieving diversity and inclusion**
- **Supporting and building a more inclusive and respectful culture and working environment within the judiciary**
- **Supporting and developing the career potential of existing judges**
- **Supporting greater understanding of judicial roles and achieving greater diversity in the pool of applicants for judicial roles**

Progress against these objectives is set out over the following pages.

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<sup>6</sup> By 'personal and professional diversity' we mean the protected characteristics within the Equality Act 2010 (age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, sexual orientation) and other differences such as socio-economic background, caring responsibilities and gender identity; and also, professional diversity, such as individual career paths and jurisdictional backgrounds.

## Creating an environment in which there is a greater responsibility for and reporting on progress in achieving diversity and inclusion

*Responsibility for progress in and reporting on achieving greater diversity and inclusion will be a requirement of all judicial office holders in leadership and management positions. Leadership judges will be supported in their efforts to promote a respectful and inclusive working environment, encouraging a wider, more diverse pool of talented lawyers to apply for judicial roles in the area for which they have responsibility, and supporting the progress and development of those who are appointed in their area.*

### **Achievements since November 2020**

Leadership judges have been supported in their efforts to promote a more respectful and inclusive working environment within courts and tribunals. Among other things, written guidance and online resources have been developed to help them in meeting their greater diversity and inclusion responsibilities. This has included guidance on recognising and addressing micro aggressions, building cultural awareness and taking inclusive actions. The online resources also include case studies and suggested actions for leadership judges to consider.

The Essential Leadership Programme, a foundation course for new leadership judges, now includes guidance on the role of leadership judges in achieving the aims of the D&I Strategy. While it has covered implicit bias for leaders, emotional intelligence, wellbeing and stress management for some time, the training in these areas has been updated and brought together to stress its importance alongside judicial skills. The role of leadership judges in applying HR guidance and policies has been made clearer, including the need for proactive leadership and providing support to individuals.

Four leadership master classes on two topics have been delivered in 2021. 'Inclusive Leadership' and 'Leading through uncertainty' were delivered in partnership with experts in organisational psychology and focussed on practical steps that leadership judges can take to support their judges through the challenges this year has presented.

## Judicial Diversity and Inclusion - Update 2021

Further work is planned for the autumn, bringing in external expertise to help identify and analyse the extent and nature of the challenges to inclusion, including a deeper exploration of bullying, harassment and discrimination. This complements work that is already underway across the judiciary, under the direction of judicial leaders, and aims to build a better understanding of these issues so that training and other initiatives delivered in 2022 and beyond can address any underlying causes.

Twenty-two Diversity and Community Relations Judges (DCRJ)s took on a newly created “Focal Point” role as DCRJs. This is intended to offer greater support for leadership judges in their efforts to deliver on the D&I Strategy. The role of the DCRJ has also been strengthened (see below).

The Senior President of Tribunals, Sir Keith Lindblom, formed a Diversity and Inclusion Taskforce comprising of judges of the Upper Tribunal, First-tier Tribunal, Employment Appeal Tribunal, Employment Tribunals (England and Wales), Employment Tribunals (Scotland) and a salaried medical member of the First-tier Tribunal. The Taskforce, chaired by Upper Tribunal Judge Markus, works to implement the D&I Strategy in the tribunals by supporting leadership judges in a variety of ways, including providing practical initiatives to advance the D&I objectives, and information and resources to support them. The Taskforce is seeking feedback from judicial office holders about initiatives currently in place and intends to identify and circulate ideas for best practice in this area.

Diversity leads or committees have been introduced by Chamber Presidents across tribunals. They will oversee actions being taken within their tribunals to support the work of the Taskforce and implementation of the D&I Strategy.

Work is underway to amend the terms of reference of governance structures within the Magistracy to include specific diversity and inclusion responsibilities. All role descriptions for magistrates undertaking selected or elected responsibilities are being amended to refer expressly to the need to promote diversity and inclusion.

Seven circuit-based Inclusion and Diversity Magistrates have been appointed and will contribute to a range of diversity work, including providing a source of knowledge and good practice and supporting local leadership magistrates to implement the objectives within the D&I Strategy.

Training for new leadership magistrates was reviewed and adapted prior to delivery in January to May 2021 to further support magistrates to meet their diversity responsibilities (including dealing with issues fairly and with regard for the diversity of the bench and the wider community and in ensuring that all systems and processes on the bench, including election/selection procedures, are fair and transparent). The training will be reviewed again prior to the next round of training in 2022.

All courts and tribunals judicial office holders can now self-classify their diversity characteristics (including in relation to disability, religion or belief, sexual orientation, caring responsibility, marital status, gender identity and social mobility). They are being strongly encouraged to do so in order to achieve the required declaration rate to allow for publication within the next two years. However, the option to select ‘prefer not to say’ has been retained.

## Supporting and building a more inclusive and respectful culture and working environment within the judiciary

*We will continue to ensure that all serving judicial office holders feel supported and included, whatever their personal or professional background. Their lived experience will be better understood, respected and valued, and will be considered when policies, practices and initiatives are developed.*

### **Achievements since November 2020**

The D&I Strategy included the aim of appointing lead diversity and inclusion judges to support and enable better, more inclusive ways of working at each level and in each jurisdiction across the judiciary. The steering group members of the Committee were appointed as lead judges, with published portfolios on the Judicial Intranet in March 2021. Since then, each member has had an enhanced role in their portfolio area and has reported to the Committee on a regular basis on activities and progress in achieving the D&I Strategy objectives.

In July 2021 the Judicial Executive Board agreed a programme of work to scope, design and deliver training that will support the building of a stronger, more inclusive and respectful culture and working environment across the judiciary. The programme will build on work already underway within the judiciary, with delivery of training and other initiatives expected to start in 2022.

A survey of all training delivered by the Judicial College was undertaken from May 2021 onwards to identify the current levels of understanding and provision in relation to matters of diversity and inclusion and identify potential areas for change and improvement. The survey is phase one of the College's training audit and responses have been analysed and recommendations are being presented to the Judicial College Board to agree next steps and timescales.

Additionally, in early 2021 new questions were added to Judicial College course evaluation/feedback sheets to improve the information collected about how diversity and inclusion is threaded through its training activities. Diversity and Inclusion has been introduced as a standing item in reporting to and for discussion at the Judicial College Board.

The Equal Treatment Bench Book is reviewed regularly – with a substantive review every three years. The most recent substantive review of the Equal Treatment Bench Book concluded – and an updated version was published – in February 2021. This was supported by a series of communications highlighting changes in the judiciary. The publication is a main feature in cross-jurisdictional training events including the Faculty Induction Seminar (which all new judges complete within their first 12 months) and the Business of Judging

## Judicial Diversity and Inclusion - Update 2021

seminar. E-alerts are sent to the judiciary on topics of particular interest and/or when changes are introduced.

The HR service offered to both leadership judges and judicial office holders has been strengthened and will be further supplemented by a new digital platform to provide quick and easy access to HR advice and guidance. The platform has improved accessibility and enabled the provision of timely, relevant, accurate, HR support and advice. Further work remains necessary to improve information and data capture and retention in relation to different HR functions.

The Judicial Whistleblowing Policy was published in June 2021 (following a period of thorough and considered development), with a statement supporting its publication from the Lord Chief Justice and Senior President of Tribunals. Fourteen Nominated Judicial Office Holders, from a range of jurisdictions and backgrounds, were appointed and trained to provide support to those wishing to raise a concern through grievance or whistleblowing procedures. Each Nominated Judicial Office Holder has been allocated a Senior HR Advisor who will provide advice and guidance on the implementation of the new policy.

Judicial Workplace Guidance and a Workplace Adjustments Passport have been developed to support judicial office holders with a disability in identifying and recording, with HMCTS Delivery managers, any workplace adjustments.

The Judicial Health and Wellbeing Strategy, aligned with the Judicial Diversity and Inclusion Strategy, was published in February 2021. The strategy outlined a plan of action built on six core objectives to be delivered over four years. These are:

- promoting the judicial welfare offer;
- centralising welfare information and having a visible and clear route for access to services;
- raising awareness of the importance of mental wellbeing;
- building an inclusive culture across the judiciary;
- prevention: actions to support the judiciary to stay healthy and sitting;
- intervention: actions to support judicial office holders during periods of sickness absence.

The health and wellbeing strategy is supported by e-learning, podcasts and news articles on the Judicial Intranet. These include an article on the importance of creating an environment where judicial office holders feel comfortable talking about their mental wellbeing and on the importance of building personal resilience.

The welfare support provided to the judiciary includes access to the Judicial Helpline, a confidential counselling service providing emotional and/or psychological support. Support is available on managing both work and personal matters, including workplace conflict, stress, bereavement and family relationships. As part of this service, all judicial



office holders can have access to counselling sessions with a qualified professional. Subject to assessment, trauma support is also available. The service also provides bespoke, confidential, annual professional support conversations for salaried judges working in crime, family and immigration.

In May 2021, the Lord Chief Justice and Senior President of Tribunals announced the launch of the first judicial wellbeing survey. The survey included questions that would provide a better understanding of the working culture across the judiciary, with questions also directed at respondents' experiences of bullying, harassment and discrimination.

The results from the survey will help to create a better understanding of the wellbeing requirements of judicial office holders across the judiciary and of views on the range and quality of the current welfare support and whether more work needs to be done to promote these services. The results will also help to identify wellbeing topics that would be of most benefit to the judiciary and provide data that will assist in understanding the extent to which workplace culture supports inclusivity.

The Judicial Office has worked with the Ministry of Justice and Her Majesty's Courts and Tribunals Service to introduce a requirement to capture data on Salaried Part-Time Working (SPTW) applications and decisions. The data will allow a comparison of the diversity characteristics of those who apply for SPTW with the requests granted and not granted. The data will allow leadership judges to monitor and review the use and management of the SPTW scheme.

Research into the experience of recently appointed judicial office holders joining the judiciary has been undertaken, with the results feeding into actions being set in place to ensure an inclusive and supportive joining experience is provided.

A review of grievance policies and guidance has commenced and will continue to ensure that these documents are fit for purpose and support inclusion within the judiciary.

The terms of appointment for the 122 judges who act as DCRJs have been revised and updated to reflect their enhanced role in supporting the D&I Strategy. As diversity role models, DCRJs will be on hand to assist other members of the judiciary with diversity issues in their respective courts and tribunals. A training event for DCRJs, opened by the Lord Chief Justice, was held in March 2021. The event was aimed at enabling DCRJs effectively to support the objectives of the D&I Strategy, both directly and through leadership judges, and to enhance their understanding of implicit bias and inclusion.

Twenty-two Diversity and Community Relations Magistrates have been appointed in a role that will echo that of the DCRJs. The Diversity and Community Relations Magistrates will engage with their local community, generating a better understanding of the justice system and encouraging under-represented groups to consider a future role within the courts, tribunals or magistracy.

## Supporting and developing the career potential of existing judges

*All serving judicial office holders will be supported and encouraged to develop and fulfil their potential whatever their personal or professional background.*

### **Achievements since November 2020**

The development of individual judicial office holders has been supported by the use of appraisal and career conversations. Appraisals have provided judicial office holders with support and feedback from a judicial peer, providing the opportunity to discuss best practice and identify developmental actions. Salaried judges have been given the opportunity to discuss their aspirations and development needs with their leadership judge in a focussed career discussion. Training and written resources have been developed to assist leadership judges in providing focussed support to all judicial office holders whatever their personal or professional background. The resources include the leadership guidance pages on the judicial intranet, which provide guidance and case studies on holding career discussions and suggested actions leadership judges may wish to take. 2020 saw the launch of the Flexible Deployment and Assignment Framework which will facilitate increased opportunities to deploy judges between jurisdictions.

Since November 2020 over 600 judicial office holders have signed up for seminars which provided information and advice to assist judges considering appointment to another judicial role. This included a series of seminars arranged in September 2021 by Mrs Justice Theis and Mrs Justice Stacey in each circuit across England and Wales. The seminars, held in advance of a District Judge recruitment campaign in October 2021, were each led by a Designated Civil Judge or Designated Family Judge. Over 280 judicial office holders attended with tribunal judges and judges of the employment tribunal also encouraged to sit in/have contact with a salaried District Judge.

A judicial career portal, designed to provide an accessible contact point for legal professionals and judges interested in joining the judiciary or applying for a new judicial role, launched in October 2021.

An enhanced mentoring scheme has been developed by the Business and Property Court division of the High Court. The scheme offers mentoring to section 9(4) deputy High Court judges looking to build their evidence for an application for full-time appointment. A peer mentoring scheme which provides circuit judges with an opportunity to work with a more experienced colleague, is being piloted on the South Eastern Circuit.

The Judicial College reviewed its leadership training in Spring 2021, in line with its commitment to support leadership judges in meeting their diversity responsibilities. Senior Leadership Induction training now includes elements directed at achieving better inclusion and raises wider awareness of implicit associations and cognitive biases that most affect those in leadership roles.

## Supporting greater understanding of judicial roles and achieving greater diversity in the pool of applicants for judicial roles

*We will make even greater use of online platforms and resources to support and build outreach within schools, local communities and within the legal profession.*

*Targeted activities, steered by stronger data, analysis and insights, and delivered together with the legal professions, CILEX and the Judicial Appointments Commission, will reach, support and encourage a wide range of well qualified applicants from diverse personal and professional backgrounds into the judiciary.*

*We will use improved data and analysis to target activities aimed at encouraging greater diversity within the magistracy.*

### **Achievements since November 2020**

Leadership judges across the judiciary are providing advice and support to highly qualified individuals from diverse personal and professional backgrounds to apply for salaried judicial roles.

Judges within the Employment Tribunal (England and Wales) have worked to attract and support a wide range of applicants. This has included those who may not usually consider applying for a judicial role and/or come from a 'non-traditional' background. Regional Employment Judges have offered potential candidates work experience opportunities to assist understanding of the role of an employment judge.

A specialist programme has been developed by judges of the Commercial Court and the Business and Property Courts working in association with the Law Society, the London Solicitors Litigation Association, the City of London Law Society and the Commercial Litigators' Forum to provide senior lawyers interested in applying to join the Commercial Court with a programme of shadowing, focussed mentoring and support.

Since November 2020 over 1100 lawyers have signed up for application seminars run by the judiciary. The judge-led seminars provided up to date guidance and advice on the selection process and judicial role and were supported by attendance from a Judicial Appointments Commission commissioner, panel member or other appropriate member of staff. A judicial career portal, designed to provide an accessible contact point for legal professional and judges looking to join the judiciary or apply for a new judicial role, launched in September 2021.

## Judicial Diversity and Inclusion - Update 2021

Whilst the Judicial Work Shadowing Scheme has been suspended due to the impact of COVID-19 a substitute scheme, 'Conversation with a Judge' was introduced. The substitute scheme offers those considering a judicial career an insight into the work of a judge. The new scheme launched in mid-December and has resulted in 167 conversations taking place.

The judicial mentoring scheme was also suspended but has since reopened in an adapted format for the mentor and mentee to meet online. The scheme provides a safe environment to discuss issues inhibiting application to judicial office, establish what skills and experiences are needed and identify what further development may be required. Since mid-December 12 applicants have been matched with a judge through the mentoring scheme.

Judges have continued to support the Pre-Application Judicial Education programme. The programme offers a series of digital resources and judge-led discussion groups to support talented lawyers from under-represented groups to feel more equipped, confident and prepared when considering applying for a future judicial role. The programme has adapted successfully to the challenges of the COVID-19 pandemic and has continued to run virtual discussion groups for candidates from under-represented groups.

The Judiciary and JAC have collaborated on publishing a series of pen portraits of recent high court judge appointees to outline pathways into and within the judiciary to assist candidates interested in a high court role. The JAC has also published a 'pathways' series of case studies highlighting judges from a range of diverse backgrounds and roles to showcase the many and varied routes to the Bench.

Judges have continued to provide mentoring to support the Judicial Development Programme offered by the Chartered Institute of Legal Executives (CILEX), with three cohorts run in January, March and May 2021.

Judges have provided bespoke advice and support to under-represented groups aiming to apply for senior court and tribunal roles. The pilot programme, launched by the JAC in September 2020, provides additional targeted support to improve outcomes for participants. Judges support the programme through involvement with a complementary Judicial Guide Scheme in which candidates are matched with a judge who has experience of the JAC recruitment process and the appropriate judicial role. To date, the programme has received 195 applications and matched over 50 candidates with senior judges.

Significant work is ongoing with the judiciary, the MoJ and HMCTS in respect of recruitment to the magistracy, with a view to ensuring that it is attractive to a broader range of potential candidates. A successful pilot of a marketing scheme has taken place with a view to increasing the number of applications, including those from younger and more diverse candidates. It is intended that a wider marketing scheme will be implemented in early 2022, targeting a different demographic to the current magistracy and including people who may not have been aware of the opportunity for appointment as a magistrate.

Steps are being taken to introduce a more streamlined and digitalised process for application to the magistracy. In the future, candidates applying for appointment to the magistracy will be required to complete mandatory questions in respect of diversity, which includes an option “prefer not to say” for those who are unwilling to provide this information. Questions included will make it possible to capture more fully the socio-economic diversity of candidates to the magistracy at every stage of the recruitment process.

The Committee has evaluated and reviewed the Deputy High Court Support Programme, Judicial Work Shadowing Scheme, Judicial Mentoring Scheme, with ongoing evaluation being undertaken for the application seminars, all to ensure that limited resources are used to best effect. The Committee has identified that:

- Between 2015 and 2018 over 1,300 lawyers participated in the Judicial Work Shadowing Scheme, with 70 (5%) participants subsequently appointed as Judges. 93% of the participants stated that the scheme helped them decide whether a Judicial role was right for them.
- Evaluation of the Judicial Mentoring Scheme showed that between 2015 and 2018 over 200 lawyers participated in the scheme, with 24 (12%) subsequently appointed as judges. 83% of those surveyed stated that the scheme enabled them to gain an insight into the role of a judge.
- 109 lawyers participated in the Deputy High Court Support Programme between 2015-18, with 21 (19%) participants subsequently appointed as judges. Participants described scheme elements as ‘extremely useful’ but also commented that ‘you still had to figure out quite a bit of it yourself’.

The evaluation has been used to inform future approaches to the three initiatives, for example, pairing elements of the Deputy High Court Support Programme with the pilot programme offered by the JAC Targeted Outreach Team.

Despite the challenges posed by COVID-19, in the 12 months prior to April 2021, Diversity and Community Relations Judges have reached over 8,500 school, college and university students, community members and legal professionals.

## Judicial Diversity and Inclusion - Update 2021

Many planned school visits had to be cancelled but visits to schools that went ahead, included a visit by the Lord Chief Justice to Stoke Damerel Community College in Plymouth and by Her Honour Judge Sarah Venn to Saxon Mount School in St Leonard's On Sea, a school for children and young people with a range of Special Educational Needs. Her Honour Judge Bloom linked with the Avenue Centre for Education in Luton to provide work experience placements to young people who have either been permanently excluded from mainstream school or who are at risk of exclusion.

The Business and Property Courts, the Commercial Court and the Technology and Construction Court judges in the Rolls Building have continued to engage with the Sutton Trust via the Rolls Building Art and Education Trust, participating in online activities aimed at encouraging school students from less advantaged backgrounds to access leading universities and careers. The initiatives have included producing video clips about the work of the courts for use at the Sutton Trust's virtual conference and participating in career seminars and workshops with students.

Judges in the Commercial Court worked with the charity IntoUniversity to deliver a new pilot scheme for students in their final year of school. IntoUniversity offers an innovative programme that supports young people from disadvantaged backgrounds to attain either a university place or another chosen aspiration. Each student spent a day with a judge from the Commercial Court, sitting with them in court and discussing the role of the judge and the nature of commercial law and disputes outside court. The students ended the day informally by meeting judges alongside junior barristers from the Commercial Bar Association, exploring routes to the judiciary and the legal professions, the qualifications needed, the support available and the experience of practise at the Bar and life on the Bench. This successful pilot is likely to be repeated, and it is hoped, replicated elsewhere.

Work is ongoing on a further pilot collaboration between Upper Tribunal Judge Bruce (from the Immigration and Asylum Chamber) and Professor Alan Dignam of Queen Mary's, University of London, to develop a scheme that will provide enrichment visits and ongoing support to young people who have expressed an interest in pursuing a career in law. The scheme will pair law undergraduates with sixth formers and aims to increase the life chances of young people at risk of social exclusion. Each pair will be given a 'taster week' of different career paths within the legal professions, including an opportunity to meet and see judges at work in courts and tribunals across London.

Two new videos exploring "A day in the Life of" judicial office holders have been published (both on social media channels and on the [UK Judiciary - YouTube](#)). The videos, since viewed over 20,000 times, are specifically aimed at supporting the outreach to schools and young people and will also assist wider understanding of the judiciary and the rule of law and help enhance perceptions about the diversity of the judiciary.

The Judicial Office Press Office has showcased examples of judges and magistrates from a range of personal and professional backgrounds. Interviews are posted on the judicial website and social media channels and have been well received on social media and have been picked up by media outlets leading to even broader positive coverage.

Examples include:

- [A conversation with His Honour Judge Jinder Singh Boora | Courts and Tribunals Judiciary](#)
- [A conversation with Recorder Mary Prior QC | Courts and Tribunals Judiciary](#)
- [Victoria McCloud, a transgender judge, wants a more diverse judiciary | Law | The Times](#)
- <https://www.bbc.co.uk/programmes/m000xr7t>
- <https://www.standard.co.uk/news/uk/old-bailey-london-oxbridge-university-of-kent-england-b951513.html>
- <https://www.judiciary.uk/announcements/judges-make-history-as-first-all-female-court-of-appeal-sits-in-wales/>

The Magistrates in the Community programme, delivered by the Magistrates' Association (MA), has reached more than 120,000 people, with over 5,000 volunteer sessions since 2019. The majority of these were delivered to schools, but almost 700 were delivered to a variety of community groups including mosques, synagogues, rotary clubs, National Federation of Young Farmers' Clubs, Chinese high court judges, trainee police officers and people with sight loss. Outreach was reduced in 2020 due to COVID-19 restrictions, but MA branches have shown ingenuity in continuing to reach schools and community groups via online presentations.

## Reporting against specific tasks

### **Creating an environment in which there is a greater responsibility for and reporting on progress in achieving diversity and inclusion**

Task	Update
<p>By Spring 2022 a specific core value making leadership judges responsible for taking actions to achieve greater diversity and inclusion will be introduced.</p>	<p>Underway. Job descriptions for leadership roles are being updated to incorporate a specific core value of the need to promote diversity and inclusion and ensure that a supportive and welcoming environment is provided for all judges, regardless of personal or professional background. The value will also include the need to challenge inappropriate behaviour and to ensure dignity at work for all.</p>
<p>By Spring 2022 all leadership magistrates will be responsible for encouraging an inclusive and respectful culture and working environment.</p>	<p>Underway. All role descriptions for magistrates undertaking selected or elected responsibilities are being amended to expressly contain references to the need to promote diversity and inclusion.</p>
<p>From 2022 leadership judges and magistrates will be supported and equipped to meet their diversity responsibilities.</p>	<p>Underway. Training for new leadership magistrates was reviewed and adapted prior to delivery.</p>
<p>By Autumn 2022 leadership judges will report the actions they have taken to support greater diversity.</p>	<p>Underway. Support and resources have been put in place to enable leadership judges to report actions.</p>
<p>By March 2021 all judicial office holders will be encouraged to self-classify against a wider range of diversity characteristics.</p>	<p>Underway. All courts and tribunals judicial office holders can now self-classify this information.</p>
<p>We will continue to publish statistics of the diversity of appointed court judges, tribunal judges, non-legal members of tribunals and magistrates on an annual basis.</p>	<p>Completed. 2021 statistics published on 15 July 2021.</p>



**Supporting and building a more inclusive and respectful culture and working environment within the judiciary**

Task	Update
<p>By Spring 2021 lead diversity and inclusion judges will be appointed who will support and enable better, more inclusive ways of working at each level and in each jurisdiction across the judiciary.</p>	<p>Completed. Lead diversity and inclusion judges appointed in March 2021.</p>
<p>By 2022 there will be training and support for all judicial office holders to gain a deeper understanding of diversity and inclusion, to take an anti-discriminatory approach, and to promote positive behaviour and a culture of respect that is sensitive to different needs and intolerant of any discrimination, bullying and harassment.</p>	<p>Underway. In July 2021 the Judicial Executive Board agreed a programme of work to scope, design and deliver training that will support the building of a stronger, more inclusive and respectful culture and working environment across the judiciary. The programme will build on work already underway within the judiciary, with delivery of training and other initiatives expected to start in 2022.</p>
<p>By the end of 2021, we will undertake an audit of all training to identify what training is being delivered in the area of diversity and inclusion.</p>	<p>Underway. A survey of all training delivered by the Judicial College was undertaken from May 2021 onwards to identify the current levels of understanding and provision in relation to matters of diversity and inclusion and identify potential areas for change and improvement. The survey is phase one of the College’s training audit and responses have been analysed and recommendations are being presented to the Judicial College Board to agree next steps and timescales.</p>
<p>From 2021, we will monitor and review the extent and impact of training in diversity and inclusion regularly through Judicial College governance.</p>	<p>Underway. in early 2021 new questions were added to Judicial College course evaluation/feedback sheets to improve the information collected about how diversity and inclusion is threaded through its training activities. Diversity and Inclusion has been introduced as a standing item in reporting to and for discussion at the Judicial College Board.</p>

Task	Update
<p>All training offered supports the increasing diversity of the judiciary, ensuring everyone feels included.</p>	<p>Underway. Diversity and Inclusion has been introduced as a standing item in reporting to and discussion at the Judicial College Board.</p>
<p>Following the ongoing review of the Equal Treatment Bench Book (ETBB), we will ensure the right programme of communication and training is in place to embed judicial understanding of the topics covered.</p>	<p>Underway. The most recent substantive review of the <u>Equal Treatment Bench Book</u> concluded – and an updated version was published – in February 2021. This was supported by a series of communications highlighting changes in the judiciary. The publication is a main feature in cross-jurisdictional training events including the Faculty Induction Seminar (which all new judges complete within their first 12 months) and the Business of Judging seminar. E-alerts are sent to the judiciary on topics of particular interest and/or when changes are introduced.</p>
<p>By 2022 HR support and services will be reviewed to ensure they take account of the experience and requirements of all judicial office holders whatever their background and support them in their roles.</p>	<p>Underway. The HR service offered to both leadership judges and judicial office holders has been increased and will be further supplemented by a new digital platform. Research into the experience of judicial office holders joining the judiciary has been undertaken.</p>
<p>Diversity and Community Relations Judges and magistrates will continue to meet with local communities, acting as an important link between the judiciary and the local community.</p>	<p>Underway. The terms of appointment for the 122 Judges who act as Diversity and Community Relations Judges (DCRJs) have been revised and updated to reflect their enhanced role in supporting the Judicial Diversity and Inclusion Strategy.</p>

**Supporting and developing the career potential of existing judges**

Task	Update
<p>By 2022, leadership judges will provide focussed support for the career aspirations of all serving judicial office holders, including those from less traditional backgrounds.</p>	<p>Underway. Conversations are being held by leadership judges to support career aspirations of judicial office holders.</p>
<p>From 2022 training, support and guidance will be given to leadership judges to assist them in providing focussed support for the career aspirations of their judges in a fair, objective and inclusive way.</p>	<p>Underway. Resources for leadership judges include guidance pages on the judicial intranet, which provide guidance and case studies on holding career discussions and suggested actions leadership judges may wish to take.</p>

**Supporting greater understanding of judicial roles and achieving greater diversity in the pool of applicants for judicial roles**

Task	Update
<p>We will attract, encourage and support applications for judicial office from the widest and most diverse pool of well-qualified candidates possible.</p>	<p>Underway. Since November 2020 over 1700 lawyers and judicial office holders have signed up for application seminars held by the judiciary.</p>
<p>We will continue to work with the MoJ and HMCTS to ensure a wide, diverse pool of applicants is encouraged to apply to join the magistracy.</p>	<p>Ongoing. A successful pilot designed to increase the number of applications from younger and more diverse candidates has been undertaken. It is intended that a wider marketing scheme targeting a diverse pool of applicants will be implemented in early 2022.</p>
<p>By Autumn 2021 the Judicial Diversity Committee will evaluate and review the initiatives it offers, using the findings to focus future activity.</p>	<p>Completed. The Judicial Diversity Committee has evaluated and reviewed the Deputy High Court Support Programme, Judicial Work Shadowing Scheme, Judicial Mentoring Scheme, with ongoing evaluation undertaken for the application seminars.</p>
<p>We will continue to work with the Judicial Appointments Commission to review and improve selection processes.</p>	<p>Work is ongoing.</p>
<p>By Autumn 2021 we will further expand our outreach to support wider understanding of the rule of law and judicial roles, including reaching more students from socially deprived areas.</p>	<p>Ongoing. Outreach to schools has continued but has been impacted by the challenges posed by COVID-19. 21 Diversity and Community Relations Judges have reached over 8,500 school, college and university students, community members and legal professionals.</p>
<p>Diversity and Community Relations Judges and magistrates will continue to engage with the wider community to dispel the myths that surround the judiciary, giving people a more accurate understanding of the role of the judge and the justice system.</p>	<p>Underway. Diversity and Community Relations Judges have reached over 8,500 school, college and university students, community members and legal professionals.</p>

## Summary and next Steps

The Judicial Diversity and Inclusion Strategy was published in November 2020. It set our aim to increase the personal and professional diversity of the judiciary at all levels over the next five years by increasing the number of well qualified applicants for judicial appointment from diverse personal and professional backgrounds and by supporting their inclusion, retention and progress in the judiciary.



This is the first annual update report setting out the actions we have taken across the courts and tribunals judiciary to meet that aim and begin implementing the four core objectives within the Strategy. Notwithstanding the COVID-19 pandemic, a great deal of work has been done by members of the Judicial Diversity Committee, Judicial Office staff members and many others, to whom I am particularly grateful.

I am particularly pleased to be able to report on the guidance and support put in place to help leadership judges and magistrates implement the objectives of the Strategy. We have created new responsibilities for some judges (Focal Point Diversity and Community Relations Judges and Inclusion and Diversity Magistrates) who have been trained to offer support to leadership judges and magistrates in delivering the D&I Strategy. The Senior President of Tribunals, Sir Keith Lindblom, has put in place a Diversity and Inclusion Taskforce, supported by diversity leads and committees within tribunal chambers, who will work alongside the Focal Point judges.

The Judicial College has undertaken a training audit to identify areas for improvement in its delivery of diversity and inclusion training, and has supplemented existing training to support leadership judges in discharging their D&I responsibilities, including delivering master classes on 'Inclusive Leadership' and 'Leading through uncertainty'.

Much work has been done to reach, encourage and support a wider range of well qualified applicants from diverse personal and professional backgrounds into the judiciary. This has included targeted outreach, career conversations and mentoring. Over 1700 lawyers and judicial office holders have signed up for judge-led application seminars. Judges have acted as judicial guides to support the JAC pilot programme in providing additional targeted support to improve outcomes for under-represented groups seeking judicial appointment to senior court and tribunal roles. Significant work is also being done to encourage greater diversity within the magistracy including a pilot marketing scheme to attract those who may not have been aware of the opportunity for appointment as a magistrate.

## Judicial Diversity and Inclusion - Update 2021

A Judicial Health and Wellbeing Strategy was published in February, and a judicial wellbeing survey was launched in May. The results from the survey will help to create a better understanding of the wellbeing requirements of judicial office holders and provide data that will assist in understanding the extent to which workplace culture supports inclusivity. Further work is planned to identify and analyse the extent and nature of the challenges to inclusion, including a deeper exploration of bullying, harassment and discrimination. A Judicial Whistleblowing Policy was published in June. Nominated judges have been trained to assist those judicial office holders with concerns in raising them.

Despite the challenges posed by COVID-19 outreach activities to communities, schools and universities have continued. Diversity and Community Relations Judges have reached over 8,500 school, college and university students, community members and legal professionals.

This summary provides a flavour of the actions taken and the work being done to implement the D&I Strategy. The report sets out in more detail what we are doing in relation to each of the core objectives, and what has been achieved so far.

I am not complacent and remain well aware that there is a great deal more to do. The Strategy objectives were deliberately stretching and will take time to deliver, but we will continue to report the progress we have achieved towards these on an annual basis.

**Lady Justice Simler,  
Chair of the Judicial Diversity Committee of the Judges' Council**



