



Policy for non-members joining Civil Justice Council (CJC) working groups

The CJC's statutory functions are set out in the Civil Procedure Act 1997. They include a function to keep the Civil Justice system under review, consider how to make it more accessible, fair, and efficient it and advise, and make recommendations to the Lord Chancellor, the judiciary, and the Civil Procedure Rule Committee on the development of the civil justice system.

The work undertaken by the council can be proposed by Council members, The Government, the judiciary, or external stakeholders. Commonly they address a specific issue or part of the civil justice system. Proposals for new work streams are considered by Council in line with the CJC's work prioritisation criteria.¹ It is usual for the Council to operate by convening dedicated working groups.

Working groups report to the full Council at quarterly meetings via written or oral updates. The Groups conclusion, frequently a report, will be published on the CJC's website.

Membership of working groups is critical to the ability of the CJC to fulfil its functions. Working group membership also allows the council to draw on the widest possible expertise, sufficiently diverse perspectives, and frequently immense goodwill, from the whole civil justice system and beyond.

1. Aims of this policy

- a. To make clear the policy for non-members joining CJC working groups.
- b. To ensure the Council have as diverse a range of views, stakeholders, and experts as possible in all CJC working groups, and to ensure working groups receive well-informed, evidence-led contributions.
- c. To ensure active consideration of membership when forming working groups.

2. Process

- a. The identification of members for a working group will follow a pre-defined and clear process.
- b. The process may differ depending on the topic and goals of each working group. For example, an information sharing or gathering working group may be larger in size.
- c. Membership can be considered by open application or nomination.
- d. The Executive Committee in conjunction with the Council shall consider the following when deciding membership of working groups:
 - i. The value a member can add to the group.
 - ii. Having a range of internal and external members.
 - iii. Geographical considerations.
 - iv. External stakeholders' interests.
 - v. Representation of underrepresented stakeholders or groups.
 - vi. Diversity of membership.
 - vii. Manageable membership size to ensure workable discussions.
 - viii. Other elements which it considers particularly relevant

¹ <https://www.judiciary.uk/wp-content/uploads/2019/12/Work-Prioritisation-Criteria-Dec-2019.pdf>

- e. Depending on the needs of the working group, applicants or nominees may not always be selected.
- f. Proposed working group members are expected to declare any relevant interests prior to joining.
- g. Membership of working groups is individual, if representing an organisation or interest the same representative should attend meetings.

3. Continued Membership/ Membership renewal

- a. Where appropriate to do so, membership of working groups should be reviewed periodically, at least every 2 years.
- b. The purpose of individual working groups will dictate how frequently their membership shall be reviewed. For example, groups working towards a short-term project may not need to review their membership, whereas ongoing working groups should review their membership at chosen increments.
- c. Working groups shall recognise that suitable members may express their interest in joining a group after it has been formed and will consider late additions where suitable.
- d. The Executive committee of the CJC in conjunction with the Council shall consider the following when reviewing membership of working groups:
 - i. Shifts in focus of the group.
 - ii. The aims of the working group going forward.
 - iii. Individuals who may now be beneficial to the group.
 - iv. Changes in stakeholders or external stakeholders' interests.

4. Representation

- a. Membership must include a full member of the CJC, either as Chair or Rapporteur to the full Council.
- b. Chairs of working groups should consider whether members are sufficiently representative of those the work of the group shall affect.
- c. The Council shall endeavour to include sufficiently diverse representatives in all working groups.
- d. In each case the Council shall consider where more representatives are needed, or whether having a wider working group(s) and/or advisory group(s) would be beneficial.

If you have any queries regarding the policy, please email cjc@judiciary.uk.