

Administrative Justice Council
Terms of Reference 2024 (3rd Term)

Aims

The Administrative Justice Council ('the Council') will have the following aims:

- to keep the operation of the administrative justice system across the UK under review;
- to consider how to make the administrative justice system more accessible, fair and efficient;
- to advise on, and develop, recommendations and proposals to ensure the effectiveness of the administrative justice system;
- to share learning and areas of good practice across the UK;
- to provide a forum for the exchange of information between Governments, the judiciary, ombudsman schemes, academics and those working with users of the administrative justice system;
- to identify areas of the administrative justice system that would benefit from research; and
- to promote the collection of data from across the administrative justice system.

Purpose

The Council's purpose is to help make the administrative justice system increasingly accessible, fair and effective by:

- playing a pivotal role in the development and sharing of good practice;
- promoting understanding, learning and continuous improvement; and
- ensuring that the needs of users are central to the operation and ongoing reform of the system.

Outcomes

The Council will set objectives and measure its effectiveness against the following outcomes:

- those taking administrative decisions do so on soundly-based evidence and with regard for the individual needs of those affected;
- routes of appeal are simple and accessible to those who need them;
- people are assisted to understand how they can best challenge decisions or seek redress at least cost and inconvenience to themselves;
- grievances are resolved in a fair, timely, open and proportionate manner; and
- the advice, recommendations and proposals made by the Council are based on evidence and principle, and the Council advocates for evidence-based policy-making centrally focussed on the needs of users

Membership

The Council will be chaired by the Senior President of Tribunals. A non-judicial deputy chair will deputise in the Chair's absence.

Membership of the Council will include senior representatives drawn from:

- members of the tribunal and administrative court judiciary;
- civil servants concerned with administrative justice;
- public service ombudsman and other public sector complaint handling bodies;
- non-governmental organisations or groups representing the public or 'users' of administrative justice; and
- academics and other experts in the field of administrative justice, including those from and working with devolved administrations.

Membership of the Council will be subject to the approval of the Chair and selected from the above categories, in addition to any other persons that the Chair or Steering Group considers would enhance and inform the work of the Council; the latter may be invited to participate on an ad-hoc, temporary or permanent basis and/or as observers only.

Members will be limited to serving a maximum length of two terms of three years each. Overall attendance will be taken into account when considering re-appointment to the second term.

It will be also advised by two sector-based panels: the academic and advice sector panels.

Thematic working Groups will be convened for a period of 12-18 months to provide solutions to particular challenges within the administrative justice system. These will be made up of experts in the field. Members will be expected to contribute to the production of a final report making recommendations for improvements.

Steering Group

A 'steering group' of core members selected by the Chair or nominated by the Council will oversee and guide the work of the Council.

The Chair will appoint senior representatives from the following to the steering group:

- the Council's Secretariat;
- the Ministry of Justice;
- a senior member of the judiciary;
- a UK public service ombudsman scheme; and
- Chairs of the panels and working groups;

The Council will nominate a further four positions on the steering group, at least one of which must be a senior representative of an organisation representing 'users' of administrative justice.

Format

The activities of the Council will take place through:

- biannual meetings chaired by the Senior President of Tribunals;
- smaller ad-hoc working group meetings of selected members (or other relevant experts) to discuss and propose solutions to specific issues of administrative justice;
- email correspondence between meetings;
- a website to communicate the areas of work and recommendations of the Council;
- planning and strategy meetings of the Steering Group to facilitate the above and agree relevant agenda items;
- panel meetings to discuss and identify potential areas of specific work in administrative justice, including research; and
- an annual roundtable discussion with relevant stakeholders to guide the work of the Council.

Minutes of Council meetings will be published on the Council website together with any formal publications.

Involvement by judicial members must not in any way compromise judicial independence. As such any publications will have a disclaimer that makes it clear that the views do not necessarily reflect those of individual members or their organisations.

The Secretariat will be provided by a small secretariat team consisting of the Secretary to the Administrative Justice Council and the Assistant Secretary to the Administrative Justice Council in the Senior President of Tribunal's Private Office.