

Judicial Diversity Forum – Progress against 2020/2021 Action Plan

In September 2020 the Judicial Diversity Forum (JDF) published a joint action plan to accompany the release of the first combined judicial diversity statistical report. The action plan outlined four key activity areas that JDF members would use to shape their activities, both individually and collectively, in support of encouraging greater judicial diversity. The four strategic actions follow the judicial career path from developing and honing skills at a professional level, to applying for judicial appointment, and finally securing a judicial role. While JDF members work in collaboration and support of each other's activities and initiatives, the professions, Judicial Appointments Commission and Judiciary all have distinct areas of focus in recognition of the different roles each play in the candidates' journeys to judicial appointment.

The table below outlines the progress JDF members have made against the 2020/2021 action plan.

Activity Area 1: To support a diverse pool of professionals who have the skills and experience to apply for judicial office at all levels	
Led by: The Legal Professions	
Progress by The Law Society	<p>The Law Society, as a professional membership body, works to set expectations and encourage good practice among law firms and other employing organisations. We also engage with and support individual members and aspiring solicitors who face barriers to entry and progression. We recognise our role in ensuring the pool of legal professionals is diverse and reflective of society, across all ranks and levels, and our work to increase the diversity of our profession has continued throughout the last year, with interventions focussed on race, disability, sex, sexual orientation and social mobility.</p> <p>Race: The Combined Statistical Report shows that among solicitors with 15 or more years' PQE, Black, Asian and minority ethnic individuals together make up 12% of the profession. This compares with 14% of the working age population overall. The Law Society published its Race for Inclusion research in December 2020. It was based on a literature and statistical review and focus groups with Black, Asian and minority ethnic solicitors, senior leaders, HR and recruiters. Key findings and good practice recommendations emerging from the research were published on the Law Society website, and we have continued to share them through 2021 and to engage and discuss the research findings with the profession at follow-up roundtables. Acknowledging the importance of intersections, our Women Lawyers Division also held an event on Black women in the profession.</p> <p>The Race for Inclusion research highlighted the relative lack of representation of Black solicitors compared to other ethnic minority groups especially in private practice and senior levels of the largest law firms. We have committed to supporting the 10000 black interns initiative and have helped promote the scheme to law firms so that 118 paid internships will be offered in legal services in 2022.</p> <p>The research also identified the lack of inclusive culture in the large commercial law firms as a key factor behind the stay, progression and well-being gaps for Black, Asian and ethnic minority solicitors in those firms. In 2021, we held a series of roundtables with diversity and inclusion leads in those firms focused on culture, including how to encourage speaking up and support mental health and well-being for all groups.</p> <p>In Black History Month (October 2021) we will host a roundtable discussion with senior leaders to follow on from the research and ask what action has been taken and progress made.</p>

Disability: In November 2020, research on the impact of Covid-19 on disabled lawyers was published. This highlighted the benefits of remote working, provided technology was accessible. To drive action to respond to the findings of the research, The Law Society published 'easy wins' guidance for large and small firms to guide their action planning on disability equality. They also published guidance on reasonable adjustments in the legal sector, including practical examples of adjustments made from 14 firms/organisations and what has worked to best to support disabled people in the profession. Problems accessing reasonable adjustments was a key barrier identified in the Legally Disabled research was project that was published in January 2020. Alongside lawyers in the Disabilities Division, the Law Society has also advocated for a range of assistive technology and support to be available to disabled candidates sitting the Solicitors Qualifying Examination.

Social Mobility: The Law Society is participating in the government-commissioned Social Mobility Taskforce to improve socio-economic diversity at senior levels in the professions. This will include a consultation on what more needs to be done by employers, professional bodies, regulators, and government to accelerate change and improve socio-economic diversity at senior levels. We are working with the SRA, Social Mobility Commission and PRIME Commitment to encourage better data collection and analysis to support socio-economic diversity, including a joint webinar in October 2021. In 2020, we contributed to the development of the Social Mobility Commission toolkit for professional services and continue to promote it to member firms and organisations. In July 2021, we hosted an online event on social mobility for Law Society members with the Bridge Group, focused on the issue of progression and getting greater socio-economic diversity at senior levels. It attracted 167 delegates.

Gender: In 2021, we attracted ten new signatories for the Women in Law Pledge, which was an output of our Women in Leadership in Law project in 2019. The Pledge launched in partnership with the Bar Council and CILEX in 2019. It commits signatories to setting targets for women at senior leadership level, developing an action plan, addressing bias and improving workplace culture, and ensuring senior level accountability. In June 2021, we marked the two-year anniversary of the Pledge with a panel event of signatories, which was attended by 177 delegates online. A theme of the event included the impact of Covid on gender equality in the profession.

Sexual Orientation: During LGBT+ History Month in February 2021, we launched a survey for LGBT+ solicitors and allies in the profession. It attracted 617 responses and research findings were published in September 2021. While respondents reported that visible LGBT+ role models were still lacking and more work was needed to progress bi and trans inclusion in the profession, the results highlighted that progress had been made in creating a more inclusive profession, in which more LGBT+ solicitors were comfortable being 'out' at work or with clients compared to a decade ago.

Evaluation: In April 2021 we held a 'D&I Evaluation Week' with an introductory webinar to explain the theory and tools for evaluation and roundtable discussions for large firms, small and medium firms, and in-house legal departments. The aim of the week was to improve knowledge for Diversity and Inclusion leads in the sector, which feedback from the sessions showed it had achieved, and to identify some of the key challenges and issues around evaluation. We will use these insights to inform the Diversity and Inclusion Framework we are developing in 2022.

Progress by The Bar Council

Bar Council has in place a wide range of programmes and activity which seeks to identify and address barriers and assumptions that inhibit the progression of those with a protected characteristic, or those from a non-traditional background, in both joining the profession and developing their career.

Support facilities: Over the past 12 months the organisation has continued to provide a range of different support for members including a telephone helpline (for individuals facing unequal treatment and chambers/others looking to manage issues, develop good equality and diversity practices). Bar Council has provided AI/online reporting systems for incidents of discrimination, harassment and bullying. Equality and diversity training has continued, as well as wider education on these issues across the Bar

Policy and Research: There has also been Guidance/Policy support on compliance with the Bar Standard Board's' (BSB) Equality and Diversity rules as well as good practice, research data on the profile of the profession and trends, and assistance to Bar based diversity networks, for example, FreeBar, Black Barristers' Network and Association of Women Barristers

Equality and diversity programmes: In addition, Bar Council continued to offer a number of discrete Bar Council-led equality and diversity programmes as well as support to other Bar based stakeholders like the Circuits and Specialist Bar Association in order to promote access (e.g. work experience programmes and career advice), retention and progression (e.g. mentoring, practice management support, work distribution and allocation initiatives and a new leadership programme designed to identify and develop diverse leaders). Bar Council also makes a significant contribution to the delivery of the PAJE programme.

During 2020/2021 there has also been additional programmes of work including guidance on income analysis and monitoring (by sex), the creation of a number of anti-racism resources and the promotion of positive action. The organisation has monitored the impact of the Covid-19 pandemic on the retention of barristers by protected characteristic. There has also been enhanced activity to challenge harassment, bullying and discrimination (including increasing use of the Talk to Spot reporting platform).

Progress by CILEX

CILEX remains the primary route for non-graduates and those from diverse and/or disadvantaged backgrounds to access careers in the law. CILEX's alternative path to qualification plays a vital role in opening up the profession to the wealth of talented and ambitious people who might otherwise consider a legal career to be out of reach.

Equality, Diversity and Inclusion (EDI) Membership Survey: CILEX has continued to deliver its annual EDI survey of members to hear the differing perspectives from all their members who face discrimination and prejudice in the workplace. The survey is a key aspect of the organisation's work to understand how issues may be disproportionately affecting groups within their membership and to specifically measure the impact of barriers to inclusion affecting their BAME members. 10% of the CILEX membership completed the 2021 survey. The key findings highlighted evidence of experience of prejudice and lack of recognition within the legal sector, experiences of barriers to progression, a belief among respondents that the justice system is 'losing out' because of discrimination against CILEX lawyers. The survey also identified a clear interest and aspiration from respondents for judicial appointment and a specific desire for permission to attain more senior judicial roles.

Bursary Scheme: This year CILEX has worked alongside the CILEX Foundation- the independent Charity which supports CILEX members and those studying the CILEX route to law – to develop a number of scholarship and bursary schemes.

	<p>The schemes launched in September 2021 and are currently being promoted to support those in financial hardship , especially those from underrepresented groups, to access legal education and training including their own judicial development programme.</p> <p>CILEX members will be able to apply to the CILEX Foundation for assistance not only with the cost of academic courses, but towards other expenses associated with learning and development during a number of funding cycles held throughout the year.</p> <p>Specialist Reference Groups (SRGs): To complement quantitative equality, diversity and inclusion data gained through methods such as surveys, CILEX also runs a number of ‘Specialist Reference Groups’ (SRGs) made up of CILEX members who specialise and/or are interested in key subject areas. There are SRG’s for CILEX members who identify as Black, Asian or from a minority ethnic background, or are interested in issues of race and the promotion of equality. There is also an SRG focused on disability for members with a disability themselves or an interested in disability-related issues. An LGBT group also exists for members who identify as LGBT+ or are interested in these issues, as well as an SRG for members who identify as women or are interested in women’s representation in the legal profession. The SRG’s provide an structure to allow CILEX to hear detailed thoughts, experiences and opinions directly from their membership. This insight will in turn be used to help the organisation develop corporate policies, its knowledge base and external policy positions.</p>
<p>Progress by Solicitors Regulation Authority</p>	<p>Gathering diversity data: The SRA has seen initial improvements in the diversity data disclosed by solicitors on mySRA having launched a campaign to encourage disclosure in May 2021. The campaign was supported by the Law Society and diversity groups in the profession and will continue into 2022. The SRA also carried out its firm diversity data survey in the summer of 2021. The results will be analysed, and the law firm diversity data tool will be updated in late 2021/early 2022 to allow firms to compare their data by firm type, size and work area.</p> <p>Diversity at entry level: The Solicitors Qualifying Examination (SQE) was introduced on 1 September 2021, bringing in a new, more flexible approach to create new and diverse pathways to qualification, while removing unjustified barriers.</p> <p>The SRA’s work to realise the potential diversity benefits of the SQE has progressed. The SQE Equality Diversity and Inclusion risk assessment was updated in April 2021. Kaplan published its Reasonable Adjustments Policy for SQE candidates in December 2020 following close work with disability groups and the Law Society, and got ready to implement a range of adjustments including the provision of assistive technology. A pilot took place in September 2021 to test the future provision of the SQE in Welsh.</p> <p>The SQE Information strategy and a broad programme of engagement is being delivered, including online webinars and events delivered to diversity groups (British Nigerian Law Forum Junior Division, British Ghanaian Lawyers Union, UK Chinese Lawyers Association, Black Solicitors Network and Sole Practitioners Group).</p> <p>There is ongoing work to develop our plans for publishing data, including diversity data about the SQE, through an online survey and roundtables. There is also work ongoing to develop our logic model to support our plans for evaluating the impact of the SQE in the short medium and long term.</p> <p>Promoting diversity in the profession at all levels: The SRA has progressed its work to promote diversity in the profession including continuing support for its Equality, Diversity and Inclusion (EDI) mentoring scheme for law firms which will come to an end in 2021 when</p>

	<p>further resources and good practice will be shared. It has updated its resources on LGBTQ+ inclusion including the guide on trans and non-binary inclusion. There have also been updates to resources on social mobility and support for the work of the Social Mobility Taskforce, in particular workstream one to help deliver the legal sector consultation and roadmap on how government, regulators and sector bodies can incentivise employer action. The organisation is developing further guidance for the profession about its enforcement approach in relation to sexual harassment and for firms on the risks of failing to maintain a healthy working environment.</p> <p>Research to understand challenging diversity issues: The SRA continued to publish its Risk Outlook resources, covering the risk caused by lack of diversity in the profession including a spotlight on social mobility in November 2020. The SRA is now in the process of procuring research into the attainment gap in legal education to support its work on promoting diversity on entry into the profession.</p>
<p>Progress by The Bar Standards Board (BSB)</p>	<p>Work to address barriers to training for the Bar: Over the past 12 months The Bar Standards Board has undertaken qualitative research about the impact of equality policies of Authorised Training and Education Organisations (AETOs) for the vocational component of Bar, and a report to identify and influence best practice. The final draft of the report to identify and influence best practice for AETOs is due to be presented at the Bar Standards Board Equality and Access to Justice Programme Board (October 2021). A literature review identifying best practice has also been completed.</p> <p>The BSB is also continuing to update their research into “Differential Attainment at BPTC and Pupillage” which began in 2017 to reflect changes that have been made to vocational training assessments and highlight any issues around differential attainment between different groups during training. The updates are due to conclude at the end of 2021.</p> <p>Work to encourage race equality at the Bar: The Race Equality taskforce that was established in 2019 has continued momentum, with case studies published in July 2021 and the anti-racist statement published in December 2020. A reverse mentoring scheme that has been piloted successfully and the BSB is currently considering the next steps for the scheme.</p> <p>Work to address bullying, discrimination and harassment at the Bar: The BSB project to address bullying, discrimination and harassment in the profession is now in its final stages. The project examined the pilot Harassment Support Scheme and a review of mechanisms for reporting bullying, discrimination or harassment as serious misconduct. Qualitative research about people’s experience of bullying, discrimination and harassment at the Bar, with a focus on race, disability, sex and sexual orientation was also commissioned. Recommendations following the conclusion of the project are being drafted and will be presented for approval to the Equality and Access to Justice Programme Board in due course.</p> <p>Review of the BSB’s Equality Rules: The BSB had completed the engagement work in relation to the review of the Equality Rules in its handbook. This included engagement and consultation with stakeholders from across the profession and with a range of protected characteristics. A full equality impact assessment of the rules is being finalised. This will inform the organisation’s next steps in relation to the rules.</p> <p>Work to encourage disability inclusion at the Bar: The BSB is engaging with disability experts to influence regulatory good practice. A Disability Taskforce has been set up comprising of external disability experts as well as barristers. We have had the first meeting of the</p>

	<p>taskforce and one of the groups initial activities will be to put together some case studies about inclusion of different types of disability at the Bar.</p>
<p>Activity Area 2: Support diverse professionals to see a judicial career as an attractive option and ensure they are supported and encouraged to apply for judicial careers</p> <p>Led by: Judicial Diversity Forum (JDF), Legal Professions, Judicial Appointments Commission (JAC), Ministry of Justice (MOJ), Judiciary</p>	
<p>Progress by the Judicial Diversity Forum (JDF)</p>	<p>The Pre-Application Judicial Education Programme (PAJE): The PAJE programme seeks to provide participants from underrepresented groups with in-depth education and training on all aspects of judge-craft. Initially developed as a combination of face-to-face workshops and online training the programme has adapted successfully to the challenges of the Covid 19 pandemic and has continued to run virtual judge-led discussion group courses for candidates from underrepresented groups.</p> <p>The programme has expanded the number of spaces available for participants. Since September 2020 to December 2021, we will have run four discussion group courses, supporting 345 candidates. They have engaged in the programme through attending virtual judge-led discussion group sessions, which are coordinated by the relevant legal professional bodies.</p> <p>The JDF in the process of evaluating the outcomes of the PAJE programme, through participants who attended a judge-led discussion group course a year ago, via the PAJE Annual Survey. The survey was sent to participants who attended the first two courses (Autumn/Winter 2019 and Winter/Spring 2020). The data from the survey is being analysed and the results will give us an early indication of their progress e.g. if they applied for a judicial appointment since completing the PAJE programme, the outcome of that application (if information is available) but also if they decided not to apply and why.</p> <p>We will be sending out the PAJE Annual Survey to those who participated in the Autumn/Winter 2020 course in November (which was originally scheduled for Spring/Summer but postponed due to Covid)</p>
<p>Progress by the Judiciary</p>	<p>The judiciary continues to work collaboratively with the legal profession, the MoJ and with the JAC in providing judicial resource to support programmes and initiatives. There are also specific activities led by the judiciary and the Judicial Office that support and encourage diverse professionals to apply for judicial careers.</p> <p>Judicial Work Shadowing Scheme: The judiciary offer a work shadowing scheme to eligible legal practitioners who are considering a judicial role. The shadowing offered can cover any aspect of a judge's work, both in and out of court. The judiciary successfully responded to the challenges presented by the Covid 19 pandemic by introducing an alternative scheme. This provided legal practitioners the opportunity for video meetings/phone conversations with judges to enable them to gain an insight into the work of a judge. The new scheme launched in mid-December and has resulted in 167 conversations taking place.</p> <p>Increasing interest in senior judicial careers among ethnic minority lawyers: Qualitative research was undertaken to better understand the reasons why highly qualified, senior lawyers from minority ethnic backgrounds do not apply for senior judicial appointment</p>

	<p>and what practical steps can be taken to increase interest in and the attraction of a judicial career at this level. The research undertaken has been used to guide future initiatives to encourage senior lawyers from minority ethnic backgrounds to judicial role and support future application. The work has resulted in closer linking with work being undertaken by the JAC Targeted Outreach and Research Team with judges actively engaging with, and supporting, work on the complimentary Judicial Guide Scheme. Candidates from the JAC pilot programme are matched as appropriate with a judge and bespoke advice and support from the specially chosen judge with experience of the JAC process and the role the candidate is interested in is provided to participants on the programme. This support has included matching over 50 candidates with senior judges.</p> <p>Judicial Mentoring Scheme: The Judicial Mentoring Scheme pairs eligible lawyers with sitting judges to receive confidential advice, support and guidance with their application to the judiciary. The scheme is open to barristers, solicitors, Fellows of Chartered Legal Executives and professionally qualified legal academics who are either: female, from a Black, Asian or minority ethnic background, lawyers who attended a (non-fee paying) state school and lawyers who were the first generation in their family to attend university. Applicants must be seeking an appointment in the next two years (or at the next available opportunity). It is similarly open to judges seeking to progress to higher office within the same period. The scheme was temporarily suspended in response to the Covid 19 pandemic and reopened in an adapted form in 2021 to enable mentors and mentees to meet online.</p> <p>Judicial application seminars and bespoke judicial application seminars: Despite the challenges of the Covid 19 pandemic the Judicial Diversity Committee has continued to run regular application seminars, supported by the Judicial Appointments Commission. 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.</p> <p>The Judicial Office Press Office showcases examples of judges and magistrates from a range of personal and professional backgrounds. Interviews facilitated by journalists, and our own 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.</p>
Progress by The Law Society	<p>The Law Society has continued to support solicitors interested in a judicial career by providing networking events and seminars, digital resources and support schemes, primarily through our Solicitor Judges Division. We have also conducted an evaluation of this work to inform future planning.</p> <p>Solicitor Judges Division: we have added about 200 new members of the SJD this year, bringing the total membership to nearly 950 solicitors and judges.</p> <p>Networking events and seminars: We delivered five webinars for aspiring and sitting solicitor judges since September 2020, attended by approximately 1,000 solicitors. These have included events aimed at sitting judges looking for further roles, and at the in-house sector, as well as support for applicants in individual appointment rounds. We have also delivered three rounds of PAJE workshops. Feedback from these events has been consistently positive.</p> <p>Online resources: We updated our 'judicial careers' webpage regularly and added guidance notes and additional resources, including case studies of solicitor judges from diverse backgrounds (one of which in partnership with the JAC). We also launched a new section on</p>

	<p>our webpage for the DDJ vacancy this summer, including signposting information from the JAC and a blog by a recently appointed DDJ. Similarly, in October we supported the District Judge recruitment exercise by creating a designated section on our webpage including a new case study with a solicitor DJ. We also supported members interested in tribunal roles, and shared advice from three solicitor tribunal judges ahead of the fee paid FTT and Employment Tribunal exercises. We worked with the Tax Chamber to promote their new support scheme for those interested in joining the chamber as judges and created an article on the scheme to feature in our 'City Update newsletter and on our judicial careers website.</p> <p>'Becoming a judge' workshop for Ethnic minority solicitors: This year we modified the structure of the course which is now delivered remotely and timed it around the opening of the DDJ competition. We also broke down the training into 4 workshops each focuses on a different element of the application. Two workshops took place in June and a further two in October 2021, for a total of 18 participating solicitors.</p> <p>Additional activities: We facilitated informal shadowing opportunities for solicitors including through a new pilot scheme with the IAC in Manchester (August 2021). We worked with High Court judges on promoting the DDJ and DJ vacancies to our members including targeted messaging from the senior judiciary to solicitors. We also worked with the JAC Targeted Outreach Scheme including publishing it in our newsletters, referring eligible solicitors to the scheme and providing additional information to participants who were referred to us.</p> <p>We hosted a round table chaired by our president I. Stephanie Boyce, aiming to bring together the judiciary, the JAC and solicitor groups in order to identify strategies for attracting more solicitors to the Commercial Court/ Business and Property courts. We will work with the JAC and the judiciary on the action items emerging from this discussion including targeted mentoring and support, providing additional resources and guidance to applicants (including on transferable skills) and remaining barriers in the application process.</p> <p>Analysis and Evaluation to inform future interventions: We continue to improve our approach to evaluation of our activities to support aspiring solicitor judges so that we can monitor both the short and long-term impact of our interventions. Our evaluation shows that in fulfilment of our aim to increase our members' interest and confidence in applying for a judicial role, our workshops/webinars increase the likelihood of attendees considering applying for a judicial role. This was the case both for solicitors who have never applied previously, but also for solicitors who have already applied for a judicial role, with the majority of them reporting that the activity either encouraged them or provided them with the confidence to reapply. A similar positive impact was noted for participants' confidence in their ability to meet the competency framework which has grown following the webinar. Almost all participants indicated they would like to attend similar events in the future.</p> <p>We regularly monitor web analytics for our webpage and particular content sections to monitor how they are received. The 'Becoming a judge' careers page was the most viewed of our career pages over the summer.</p>
Progress by CILEX	<p>The CILEX Judicial Development Programme: The CILEX Judicial Development Programme has been running since 2017 and was created with the intention of being a twice-yearly programme for members who wish to learn more about the process for applying for judicial appointment. 46 CILEX fellows have undertaken the programme since its pilot, including Judge Elizabeth Johnson, who is the first female CILEX judge to have ever been appointed to the judiciary. Elizabeth has also recently celebrated another judicial success as she has now been made a full time Judge only 2 years after first being appointed as a part time tribunal judge.</p>

	<p>Four cohorts of eight chartered legal executives have been enrolled onto the programme during 2020/2021. There are plans to take further groups through the programme in November 2021 and January 2022. The CILEX Foundation is also now accepting applications to the programme providing another route for members to apply. In light of this, CILEX anticipate an increase in interest and have a target of taking 80 members through the programme during 2021 and 100 in 2022.</p>
<p>Progress by the JAC</p>	<p>The JAC selects candidates for judicial office in England and Wales and has a statutory duty to select candidates solely on merit, who are of good character and to encourage diversity in the range of people available for judicial selection. Diversity considerations are at the heart of what we do, and we are committed to supporting the creation of a judiciary which better reflects the society it serves, including through our role as Chair of the Judicial Diversity Forum. We have a range of processes in place to ensure that suitably qualified candidates from underrepresented groups are informed about judicial appointment opportunities and processes and are supported and encouraged to apply when they are ready.</p> <p>Outreach: Despite the challenges presented by the pandemic and the continued requirement for remote working, the JAC has continued to deliver an extensive programme of outreach activity over the past 12 months aimed at attracting high quality fields of diverse candidates for forthcoming recruitment exercises. JAC Commissioners and senior staff have attended more than 40 outreach events, including those designed to either promote specific vacancies, engage potential applicants from underrepresented groups in the process of judicial appointment, and provide support to individuals completing development programmes including the Pre-Application Judicial Education Programme. Direct outreach with current and future applicants continues to form a key area of focus for the JAC in our efforts to demystify the application process and ensure that candidates from</p> <p>During the past year there has also been further development of the online outreach and engagement materials designed to support and inform candidates about JAC selection processes. The JAC had developed its social media content to encourage greater engagement with digital audiences with infographics to help visually explain and simply the selection process, from application to recommendation. Via social media the JAC has promoted selection activity, outreach opportunities and engaged with key audiences including diversity specific partners, to enhance the reach of our selection promotion. The JAC has published a wide range of case studies featuring successful applicants from a wide range of backgrounds to promote the many and varied routes to the judiciary, including a detailed 'Pathways into the judiciary' series launched during the summer of 2021 and featuring personal testimonies from individuals with differing professional and personal circumstances who have all taken alternate routes to the judiciary. There are now more than 30 case studies available on the JAC website from individual across a range of backgrounds to help inspire potential and current applicants, and the JAC will continue to explore ways to further expand this offering in the future.</p> <p>The JAC also collaborated with colleagues in the Judicial Office to publish pen portraits of the most recent high court judge appointments. The pen portraits highlight pathways into, and within, the judiciary to assist candidates who are interested in a High Court role. Current biographies also include socio-economic information by highlighting that many current high court appointees were educated through the state school system and/or were the first in their families to attend university.</p> <p>Targeted Outreach: Following the agreement by the MOJ to fund a two-year pilot the JAC launched the Targeted Outreach Programme on 9 September 2020. The programme provides tailored one-to one support from 3 former JAC Commissions to candidates from underrepresented groups with an interest in applying for key targeted roles (namely High Court; Deputy High Court; Circuit Judge; Recorder and Upper Tribunal).</p>

	<p>The programme opened for applications on 9 November and in the first 9 months has received 205 applications, including from recent near- miss candidates from the JAC's target groups who were invited to apply, with good representation across the JAC's target groups. 107 candidates have been accepted onto the programme to receive direct support from one of the former JAC Commissioners, while the remaining applicants have all received tailored advice on preparing for a judicial appointment and information on support programmes run by other JDF partners, including PAJE. To date, 66% of candidates accepted onto the programme are women, 66% of participants are from Black, Asian or a minority ethnic background. 55% of participants are solicitors and 14% are disabled. All candidates on the programme come from at least one of the JAC's target groups. In January 2021, the programme established a guide scheme where suitable candidates are also matched to judge for additional support and guidance. The guide supplements discussions about judicial career paths, can help navigate JAC selection methods and might suggest how an individual might aptly increase visibility and profile. The team is continuing to widen its cadre of judicial guides to ensure the continued growth scheme in the coming year. As of August 2021, 4 candidates have been successful in the key selection exercises and 6 candidates successful for other judicial roles.</p>
<p>Progress by the JAC and Judicial Office</p>	<p>Pen Portraits: The JAC and Judicial Office collaborated with colleagues in the Judicial Office to publish pen portraits of the most recent high court judge appointments. The pen portraits highlight pathways into, and within, the judiciary to assist candidates who are interested in a High Court role. Current biographies also include socio-economic information by highlighting that many current high court appointees were educated through the state school system and/or were the first in their families to attend university.</p>
<p>Progress by the MOJ</p>	<p>Salaried Part Time Working (SPTW): The revised Salaried Part-Time Working policy was published in October 2020. The availability of part-time working supports a more flexible working arrangement, for both new and existing judges, which contributes to encouraging diversity in the judiciary.</p> <p>The revised policy includes a clearer and more transparency decision-making process. It makes clear that all requests for SPTW patterns will be considered consistently and that robust business/operational reasons will be required to refuse requests. It will improve the availability and visibility of SPTW in judicial recruitment, as the assumption is that all salaried vacancies are advertised as available for part-time working consideration unless they are statutory or robust business/operational reasons which means that SPTW would not be deemed suitable. Appointment materials provides clarity on where this is the case.</p> <p>Review barriers to certain legal professionals e.g. CILEX members to apply for judicial office: A further update on this action will follow in due course. The MOJ currently awaits a view from the recently appointed Lord Chancellor.</p>
<p>Activity Area 3: Ensure application processes are open and fair</p> <p>Led by: The Judicial Appointments Commission (JAC)</p>	

Progress by the JAC

In support of our statutory duties to appoint candidates on merit, who are of good character and to encourage diversity, we are committed to ensuring that our selection processes are fair, open and free from bias. We are committed to continual review and improvement of our selection tools and seek regular independent review to instil confidence in our selection processes.

Response to Covid 19: In December 2020 the JAC completed a diversity impact assessment of remote working during the COVID-19 period which showed that the new remote selection process has not led to any disproportionate negative impacts on the diversity of applicants applying or progressing through selection exercises. Selection exercise teams continued to offer flexibility by way of reasonable adjustments for candidates impacted by Covid 19 for all exercises.

Name blind sifting: The JAC has introduced name blind shortlisting for all exercises requiring a paper sift. All of the JAC's shortlisting tools are now "name blind".

Equal Merit: The JAC completed the first full year of applying the Equal merit provision to all stages of its selection exercises. In 2020–21, seven recommendations were made following application of the equal merit approach. The equal merit approach was applied to five exercises at the shortlisting stage, which enabled 133 candidates to progress in those exercises.

Selection Materials: The JAC has continued to robustly review all shortlisting and selection materials to ensure that they are fair, free from bias and do not unfairly advantage or disadvantage any candidate on the basis of their diversity characteristic or professional background. Shortlisting and selection day materials for all exercises undergo review by the JAC Diversity and Engagement Team, Operations Team, Policy and Independent Advisory Group.

During the past 12 months the JAC has also explored the potential to use a pre-recorded role play as part of its shortlisting methods, trialling the new approach on the 2020/2021 First-tier Tribunal and Employment Tribunal judge competition. Initial evaluation conducted with the Work Psychology Group showed that the tool enhanced standardisation, differentiated between candidates, and did not adversely impact on target group progression. Some practical adjustments to the format are being explored in readiness for its use in the 2022 Road Users Charging Adjudicators exercise.

Support for selection panels: The support for selection panels outlined in the original action plan continues across all JAC exercises. Panel members continue to be thoroughly briefed by selection teams on the JAC's policies of fair selection and receive training in unconscious bias. JAC Commissioners continue to support exercise teams throughout all stages of the selection process and selection day observations and panel report moderations continue. The JAC has also provided selection panels with direct technical assistance to enable panels to continue to deliver fair, efficient and free from bias remote selection days. The JAC has increased its cadre of JAC coordinators to assist panels and candidates throughout this process.

Focused research: During the past 12 months the JAC, in collaboration with Ministry of Justice Statisticians, has concluded its focused 'deep dive' statistical research into the progression of JAC target groups. The purpose of this analysis was to control for the effect of selected factors in relation to the progress of different groups through selection tools, in order to understand the differences in success for target groups in both legal and non-legal JAC recruitment exercises. Specific factors included gender, ethnicity, current legal profession and Oxbridge attendance. Findings will be published at the end of 2021 and a further qualitative research, into the qualifying test initially,

	<p>undertaken to explore why legally qualified candidates from Black, Asian and minority ethnic backgrounds, and also solicitors, progress less well. This work will be a key project for 2021/2022.</p> <p>Combined Statistics Report: The JAC contributed to the publication of the second combined statistics report published in July 2021 in collaboration with the legal professions and judiciary. The statistics covered the period 1 April 2020 – 31 March 2021 and included data on 33 selection exercises conducted in that period. Additional data sets on enhanced ethnicity and the intersectionality between gender, ethnicity and profession background was also included with the JAC providing data for all exercises conducted during the period 1 April 2018 – 31 March 2021 to enable full transparency and robust statistical analysis. This accounted for 93 competitions in total.</p> <p>International Research Project: In May 2021 The Targeted Outreach Team commenced its international research project, focused on exploring the measures used by other common law jurisdictions to improve judicial diversity, with the aim of considering the viability of their use in England and Wales. The research is being conducted in collaboration with the National Centre for Social Research and findings are expected to be published in early 2022.</p> <p>Candidate feedback: Over the past 12 months the JAC has revised its approach to securing candidate feedback and now invites candidates to provide diversity monitoring information as part of our efforts to monitor the progression and experiences of candidates from the JAC’s four key target groups. Candidate feedback is sought at several key stages in the exercise process including application, after key shortlisting stages and post selection day. ‘Dry run’ candidates are also encouraged to provide feedback to the JAC selection teams to assist with the development of shortlisting and selection materials.</p> <p>Throughout the period 2020/2021 the JAC has continued to provide candidates who are unsuccessful at qualifying test stage with their average score. A more detailed feedback report is also published on the JAC website which provides further details on the test, pass-marks and the relative performance of candidates. ‘Near-miss’ candidates applying for fee-paid roles are offered individual feedback following selection day to help inform future applications, and all unsuccessful candidates applying for salaried roles invited to selection day will be offered individual feedback.</p> <p>Mandatory Retirement Age: The JAC introduced transitional arrangements for candidates following the government’s decision to raise the Mandatory Retirement Age. The policy is such that for exercises launching after the government announcement should consider candidates who can offer a reasonable length of service before reaching retirement at 75 as opposed to 70.</p> <p>Diversity Checkpoints: The JAC has continued to monitor the progression of its four key target groups throughout application, shortlisting and post selection day stages for all exercises (legal and non-legal). In addition, social mobility is also monitored as part of the checkpoint process. This ongoing monitoring enables the JAC to identify issues or concern promptly.</p>
<p>Progress by the JAC and Judiciary</p>	<p>Ensuring ethnic diversity in selection panels: From April 2021 the JAC is committed to at least 14% Black, Asian and Minority Ethnic representation for its selection panels, in addition to its commitment to gender balance (based on 2011 Census data, that 14% of the working age population in England and Wales are from Black, Asian and minority ethnic backgrounds). The ethnic diversity of JAC lay panel members and also of the pool of judicial panel members has been increased in recent years to support meeting this commitment.</p>

Activity Area 4: Support retention and progression through the Judiciary

Led by: The Judiciary

Progress by the Judiciary

The Judicial Diversity and Inclusion Strategy: The strategy was published in November 2020. Since then the Judicial Diversity Committee has been liaising with others across the judiciary and legal professions to implement the strategy. The overarching aim within the strategy is 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 backgrounds and by supporting their inclusion, retention and progress in the judiciary. The strategy adopts the following 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

A comprehensive update on actions taken to implement the strategy will be published in November/December 2021. Actions include:

- A judicial careers 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 September 2021.
- Development of Judicial Workplace Guidance and a Workplace Adjustments Passport, to support judicial office holders with a disability in identifying and recording, with HMCTS Delivery managers, any workplace adjustments.
- The creation of a leadership hub, designed to help leadership judges in meeting their diversity and inclusion responsibilities, assist in effective career discussions, and to assist them in providing support to all judicial office holders whatever their personal or professional background.

A Judicial Health and Wellbeing Strategy was published on the Judicial Intranet 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.

	<p>Judicial application seminars: The Judicial Diversity Committee has continued to run a comprehensive programme of seminars and outreach activity for judges considering promotion to another judicial role. 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.</p>
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