

Judicial and Legal Diversity Board

Final Terms of Reference

1. Purpose

The Judicial and Legal Diversity Board brings together organisations from across the justice sector to oversee a shared, strategic work programme to help ensure a high-quality, diverse legal services sector and judiciary.

In carrying out its functions, the Board will respect the constitutional, statutory and governance arrangements of its member organisations. The Board does not direct, mandate or otherwise determine the policies, positions, or activities of representative bodies or other member organisations, but seeks consensus on actions that will help to achieve our shared aims.

Its responsibilities are to:

- Set a strategic vision to strengthen diversity in the legal professions and the judiciary, whilst respecting constitutional boundaries and the independence of the JAC.
- Ensure alignment across projects to help improve diversity within the legal professions and the judiciary, ensuring there is a future legal workforce with the right skills and capabilities for appointment to judicial office whilst respecting constitutional boundaries and the independence of the JAC.
- Demonstrate collective and collaborative engagement on workforce matters within the legal professions, notably diversity.
- Provide a mechanism to respond to any cross-cutting issues or to commission work from sector leaders on diversity issues as required, whilst respecting the specific constitutional and organisational responsibilities of its members.
- Engage with the wider legal system where appropriate, including the involvement of additional stakeholders and partners when required.

2. Accountability

The Board is a strategic forum to ensure alignment of effort across the respective organisations in improving diversity within the legal professions and the judiciary. The Board does not affect the constitutional, statutory or organisational responsibilities or powers of its members. Decision-making will respect these responsibilities. The Board will not make decisions that are binding on member organisations

3. Membership

The standing members of the Board are:

- Lord Chancellor (Co-Chair of the Board)
- Lady Chief Justice (Co-Chair of the Board) supported by a member of senior judiciary, as nominated by the LCJ from time to time.
- Chair of the Judicial Appointments Commission (JAC)
- Chair of the Bar Council
- President of the Law Society
- President of the Chartered Institute of Legal Executives (CILEx)
- Chair of the Legal Services Board (LSB)
- Chief Executive of Judicial Office
- MoJ Policy Director of Judicial and Legal Services Directorate

The Board is co-chaired by the Lord Chancellor and the Lady Chief Justice.

If a leader of a member organisation is unable to attend, the secretariat must agree attendance of their alternative representative who will be fully briefed and will have the authority to speak on

behalf of their organisation. It is acknowledged that an individual representative of an organisation may be unable to bind the organisation without submitting proposals to that organisation's governance processes. The secretariat can also agree to the attendance of observers where appropriate (no more than one per organisation).

To assist in generating ideas and solutions, when and where appropriate, the Board may invite additional attendees to support specific agenda items upon agreement by the Co-Chairs, via the secretariat (such as diversity experts, regulatory bodies, representatives from other government departments/organisations or academics).

4. Frequency and format of meetings

The Board will meet twice a year (usually in May and November) for an hour and a half. On agreement of both Co-Chairs, extraordinary meetings may take place, if the need arises, and meetings may be hosted by other members. Attendance in person is preferred, but remote links will be available via the secretariat where that is not possible.

At times, given their constitutional or organisational responsibilities, board members may have to recuse themselves from commenting on papers/agenda items.

5. Forward Look and work programme

An overarching strategic framework that sets out the shared ambitions at high level will be discussed by members at its inaugural meeting and kept under review.

The Board will then identify a clear cross-cutting strategic work programme to support these ambitions which avoids duplication of work or traversing existing governance structures. At the discretion of the Co-Chairs, the programme of work will be open to further submissions from attendees to ensure emerging issues can be addressed.

The forward look for the Board's agenda will allow oversight of issue within the framework and associated work programmes.

The Task and Finish groups established to take forward work commissioned by the Board may have different people and organisations on them depending on the focus of that work and will respect constitutional responsibilities. The co-Chairs will agree membership of these groups.

6. Secretariat

The MoJ provides secretariat support to the Board, working closely with Lord Chancellor and Lady Chief Justice's Private Office and Judicial Office to agree papers.

An agenda and associated agreed papers will be disseminated to Board members the week before meetings, wherever possible.

Draft minutes will be circulated by the Secretariat within 14 days after the Board. Actions will be clearly assigned to the appropriate member(s), or sub-groups who will be expected to provide an update on progress at the next Board meeting.

The Board arrangements and Terms of Reference will be reviewed on behalf of the co-Chairs by the Secretariat at least every two years.

7. Geographic Scope

The Board's work will relate to the courts and tribunals in England and Wales, as well as tribunals that are reserved from the devolved administrations.

8. Supporting sub-governance

A high-level Steering Group comprised of Deputy Director/Director level officials from each of the member organisations shapes the direction of the programme of work. The Steering Group is responsible for driving the delivery of the workstream prioritised by the Board, setting the Board agendas, drafting discussion papers, progressing actions and populating activity reports. Members of the Steering Group may bring a supporting official to meetings.

The Steering Group is co-chaired by the MoJ and JO and will meet every eight weeks, and after, the main Board to maintain momentum on delivery. The JO will provide secretariat support to the group.

9. Transparency

Board members should not disclose any information relating to the work of the Board which is confidential in nature, or which has been provided in confidence, without authority from the Co-Chairs. This duty continues to apply after members have left the Board.

Subject to the duty of confidentiality, Board members remain free to comment publicly, including to the press, on matters within the Board's remit and on their organisation's own policies and positions. Members are encouraged to inform the Secretariat of intended public commentary, but this does not restrict their ability to speak independently.

Abridged minutes will be published on a dedicated page on gov.uk and full minutes circulated to Board members.