

New action plan to boost judicial diversity

Press release

Under-represented groups will be better supported to become judges following the launch of a new action plan to increase diversity on the bench.



- raft of measures to tackle under-representation in the judiciary
- new statistics provide most complete picture of diversity in the legal system ever
- flexible working hours to help those with childcare

A series of measures are designed to encourage more women and people from BAME backgrounds, or with a disability to apply for judicial roles. These include more flexible working hours, targeted guidance on applications, as well as a review of the eligibility criteria to ensure no one group is being unintentionally deterred from applying.

The plan has been drawn up by the Judicial Diversity Forum (JDF), which includes the Lord Chancellor, Lord Chief Justice, the chair of the Judicial Appointments Commission (JAC) and leaders from the legal professions. It was set up in 2019 to provide strategic direction for improving diversity and to challenge structural barriers to judicial appointment.

Today's (17 September 2020) announcement comes as a new report, for the first time, combines the diversity data of the legal professions, judicial appointments and the judiciary. It revealed that while significant progress has been made – women remain under-represented in judicial roles, making up only 26% of more senior positions in the High Court and above. Meanwhile, despite the number of BAME judges increasing in recent years, they comprise just 8% of all court judges and 12% of tribunal judges.

Lord Chancellor, Robert Buckland QC, said:

Encouraging diversity is vital if we are to have a legal system

that truly reflects and represents the range of voices in our society.

Today's figures show there are more women and people from black and minority ethnic backgrounds in judicial roles than ever before. But we must do more, and this action plan will help to ensure talented people from all walks of life can join the judiciary.

The action plan also includes steps to boost the number of solicitors appointed to the parts of the judiciary where they are currently underrepresented. Other measures consist of:

- A 2 year pilot programme of targeted outreach and support activity by the JAC.
- A unit within the JAC providing advice and guidance to potential candidates from underrepresented backgrounds including BAME, women, disabled and solicitor candidates for specific senior court and tribunal roles.
- A review of the eligibility criteria for appointment with the aim of reviewing and removing any unnecessary barriers that discourage or prevent applications for judicial posts.
- Continued support for Pre-Application Judicial Education programme (PAJE) and a campaign to reach over 200 applicants a year.
- A revised Salaried Part-Time Working policy (SPTW) will be introduced which offers the judiciary a more flexible working offer – accounting for childcare commitments.
- An ongoing recruitment programme to recruitment not only more, but more diverse magistrates.

Notes to editors

Published 17 September 2020

[Open letters between HM Treasury and Bank of England, September 2020](#)

The [remit](#) for the Monetary Policy Committee (MPC) requires an exchange of open letters between the Governor of the Bank of England and the Chancellor of the Exchequer if inflation moves away from the target by more than 1 percentage point in either direction.

As set out in the remit, the open letters are published alongside the minutes of the first MPC meeting that follows the release of the CPI data, or within seven days of the publication of the data if the MPC meeting has already

commenced.

Stronger measures introduced in parts of the North East to tackle rising infection rates

- Parts of the North East escalated to an area of intervention
- New restrictions introduced across the region to curb rising infection rates, agreed in collaboration with local leaders
- Regulations and guidance to come into force on Friday

Following further discussions with local leaders, the Health and Social Care Secretary, NHS Test and Trace, the Joint Biosecurity Centre (JBC), and the Chief Medical Officer for England have agreed to escalate parts of the North East – namely, Northumberland, North Tyneside, Newcastle-upon-Tyne, Gateshead, South Tyneside, Sunderland and County Durham – to areas of national intervention.

From Friday 18 September, regulations will ban the following:

- residents must not socialise with other people outside of their own households or support bubble in private homes and gardens
- hospitality for food and drink will be restricted to table service only
- late night restriction of operating hours will be introduced, with leisure and entertainment venues required to close between 10pm to 5am

Residents are also advised to adhere to the following guidance to further reduce rates of infection:

- not to socialise with other people outside of their own households in all public venues.
- only to use public transport for essential purposes, such as travelling to school or work
- take holidays only within your own household or support bubble
- avoid attending amateur and semi-professional sporting events as spectators

Changes come as cases in the North East have risen to the second highest in the country, after the North West. This decision has been made in close collaboration with local leaders.

Health and Social Care Secretary, Matt Hancock said:

After seeing cases in the North East rise to a concerning level, local authorities requested support for tighter restrictions and we

have taken swift action to accept their recommendations.

We do not take these decisions lightly but I know the people of the North East will work together and break the chains of transmission.

I urge those from affected areas: please, get a test if you are symptomatic, stay at home if you are required to self-isolate, and think: hands, face, space. This is the only way for us to return to a more normal way of life and avoid further restrictions.

These changes are in addition to the nationwide 6-person limit on social gatherings that came into force on Monday. This rule is in place across the country and will sit alongside additional restrictions in some local areas.

Public Health England, the JBC and NHS Test and Trace are constantly monitoring the levels of infection and other data on prevalence of the virus across the country. As has always been the case, measures are kept under constant review to reduce the spread of the virus and save lives.

[Crime news: updated Crown Court fee guidance and new claim forms](#)

News story

Crown Court fee claims guidance updated with new and revised forms for submissions with representation orders on or after 17 September 2020.



Updated guidance and claim forms are now available on GOV.UK for litigators and advocates for Crown Court fee claims.

A number of changes have been made, especially to support the submission of claims for unused material and paper heavy cases.

Why is this happening now?

The updated guidance and forms are needed because most of the criminal legal aid review (CLAR) accelerated measures came into force on 17 September 2020.

What is now available?

The updated guidance covers:

1. unused material
2. paper heavy cases
3. cracked trials
4. sending cases to the Crown Court

The new and revised forms cover:

- unused preparation work
- special preparation work

What else is on the way?

A further separate consultation on how litigators are paid for pre-charge engagement with the prosecution will take place in the autumn.

A new payment fee to cover 'sending hearings' for cases moving on to the Crown Court comes into force on 19 October 2020. Amendments are being made to the 2017 crime contract to support this change and will be published soon.

The next phase of CLAR will be a wide-ranging and independently-led review of the criminal legal aid system.

This will be run alongside work to ensure that fee schemes, especially crime lower ones, are consistent with and enable wider reforms.

Further information

[Crown Court fee guidance](#)

[LF1 claim litigator fees](#) – for litigator forms

[AF1 claim for advocate graduated fees](#) – for advocate forms

[Extension of 2017 crime contract to 31 March 2022](#) – 24 August 2020 news

article after publication of CLAR consultation response

[Criminal Legal Aid Review](#) – MOJ consultation hub

Published 17 September 2020

[CMA acts to protect competition on UK-US airline routes](#)

The next year will see the expiry of remedies in place under a set of binding commitments that the European Commission accepted in 2010 after a competition investigation into the Atlantic Joint Business Agreement (AJBA). Five airlines are currently signed up to the AJBA: 3 members of the International Airlines Group (British Airways (BA), Iberia and Aer Lingus), and American Airlines (AA) and Finnair. BA and AA are the key UK and US parties to the AJBA.

Under the terms of the AJBA, these airlines have agreed not to compete on routes between the UK and the US. The 2010 commitments were designed to protect competition by requiring the AJBA airlines to release slots to competitors and provide other measures supportive of competition on certain routes.

The Competition and Market Authority's (CMA) investigation to date has examined the competition impact on UK-US routes from the AJBA. It assessed the competition from other airlines on each route and the benefits that the AJBA may deliver including improved schedules, connections and new routes. The CMA identified possible competition concerns on routes between London and each of Boston, Chicago, Dallas, Miami and Philadelphia.

In May 2020, the [CMA consulted on a new set of binding commitments](#) offered by BA and AA to try to resolve the CMA's competition concerns. The airlines offered to make slots available at London Heathrow or Gatwick airports for up to 10 years as part of a wider package of measures.

Consultation respondents referred to the exceptional circumstances brought about by the coronavirus (COVID-19) pandemic and some requested that the CMA should 'roll-over' the 2010 commitments and/or pause its investigation until the sector is in recovery. Moreover, there remains considerable uncertainty about the extent and duration of the impact of the pandemic on the transatlantic aviation sector and this has increased materially since May.

The CMA cannot be confident that its assessment of competition concerns, and any remedies that might address them, would adequately reflect the post-pandemic state of competition in the longer term. It has therefore decided

not to accept the proposed 10 year binding commitments. Instead, the CMA will keep its investigation open and has imposed 'interim measures', effectively [extending the terms of the 2010 commitments](#) for an additional 3 years until March 2024, by which time it is expected that the airline sector should be in a more stable position. Airlines currently operating slots on London to Boston, Dallas and Miami routes pursuant to the 2010 commitments will continue to operate these slots for an additional year, until March 2022 at which point a tender process will take place for these slots for the remaining 2 years. A tender process will be undertaken this autumn in relation to a second slot on the London to Boston route.

The CMA plans to complete its investigation prior to March 2024 and, if appropriate, put in place a longer-term remedy, before the interim measures expire. It will have responsibility for ensuring the ongoing implementation and enforcement of the measures during this period.

Ann Pope, Senior Director, Antitrust at the CMA, said:

The CMA launched this investigation because we were concerned that, with the expiry of the current commitments, consumers might lose out. Without the CMA's measures the competition concerns on the key routes between the UK and the US remain. On some of these routes there are either few or no other airlines offering direct flights to passengers.

It is clear from market developments and responses to our consultation in May that we cannot be confident that the commitments we had been considering will resolve our competition concerns at this time. We are therefore imposing interim measures to extend the effect of the current commitments until the CMA can complete its review of the agreement once the sector is in recovery.

More information on this investigation can be found on the [Atlantic Joint Business Agreement case page](#).

Notes to editors:

1. The CMA is today publishing a decision to impose interim measures directions on the AJBA under section 35 of the Competition Act 1998 and a decision not to accept the commitments offered by the AJBA in May 2020. This is the first time that the CMA, since its formation in 2014, has imposed interim measures.
2. The imposition of interim measures directions is not a finding of infringement under the Competition Act 1998 or the TFEU. The AJBA has made representations to the effect that their position on the issuing of these interim measures should not be construed as implying that the AJBA agrees with any preliminary concerns identified by the CMA in its ongoing investigation.
3. The agreements relating to the slots serving Boston, Dallas and Miami

from London Heathrow that are currently being used by Delta and Virgin Atlantic will be extended for a year (i.e. to March 2022). These slots will then be tendered for a further 2 years if there is an application from an airline that is independent of and unconnected with the AJBA parties – otherwise Delta and Virgin may continue to use the slots for the remaining 2 years. In addition, a tender will also be held for an additional slot to serve Boston from London Heathrow or Gatwick for a period of 3 years. This second Boston slot had previously been operated by Norwegian, which surrendered the slot and it is now available for use from March 2021.

4. The interim measures directions do not include the route between London and Philadelphia. The European Commission in its decision in the AA/US Airways merger put in place remedies to resolve its merger-related competition concerns in relation to that route. The operation of these remedies remain the subject of ongoing court proceedings before the General Court of the European Union and no competition has operated on this route since 2018.
5. The CMA has engaged with the European Commission and the US Department of Transportation throughout the investigation to date.