

Administrative Justice Council

Terms of Reference 2022 (2nd 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, academics and those working with users of the administrative justice system; and
- to identify areas of the administrative justice system that would benefit from research.

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 be appointed to 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;
- legal professional 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.

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

It will be also advised by three panels: the academic, advice sector and pro bono panels.

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;
- Chairs of the three panels; and
- the Ombudsman Association

The Council will nominate a further two 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 or correspondence.

JUSTICE will provide the Council with an independent, non-partisan and dedicated secretariat function. This will include an element of policy work, acting as a liaison between ministers and civil servants and the Council.

The Council is funded by the Ministry of Justice and charitable sources.