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not later than

Monday 26 October 2015

STRICT ADHERENCE TO THIS ARRANGEMENT WILL GREATLY FACILITATE THE PROMPT PUBLICATION OF THE BOUND VOLUMES OF PROCEEDINGS IN GENERAL COMMITTEES

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The Committee consisted of the following Members:

Chair: Geraint Davies

† Beresford, Sir Paul (Mole Valley) (Con)
† Cadbury, Ruth (Brentford and Isleworth) (Lab)
Campbell, Mr Gregory (East Londonderry) (DUP)
† Campbell, Mr Ronnie (Blyth Valley) (Lab)
Donelan, Michelle (Chippenham) (Con)
† Doyle-Price, Jackie (Thurrock) (Con)
† Grant, Mrs Helen (Maidstone and The Weald) (Con)
† Heappey, James (Wells) (Con)
Jenrick, Robert (Newark) (Con)
† Jones, Graham (Hyndburn) (Lab)
† Mackinlay, Craig (South Thanet) (Con)
† Rayner, Angela (Ashton-under-Lyne) (Lab)
† Rees, Christina (Neath) (Lab)
† Turner, Karl (Kingston upon Hull East) (Lab)
† Vara, Mr Shailesh (Parliamentary Under-Secretary of State for Justice)
† Vickers, Martin (Cleethorpes) (Con)
Wilson, Sammy (East Antrim) (DUP)
† Wragg, William (Hazel Grove) (Con)

Daniel Whitford, Committee Clerk

† attended the Committee
The parliamentary Under-Secretary of State for Justice (Mr Shailesh Vara): I beg to move, That the Committee has considered the draft Maximum Number of Judges Order 2015.

It is a pleasure to serve under your chairmanship this morning, Mr Davies. I anticipate that this sitting will be brief.

The effect of the draft order is simply to increase the number of Court of Appeal judges by one. The number is set by statute under section 2 of the Senior Courts Act 1981, which currently provides for a maximum of 38 Court of Appeal judges. In March 2015, Lord Justice Pitchford, an existing Court of Appeal judge, was appointed by the Home Secretary to lead an inquiry into undercover policing and the operation of the Metropolitan police’s special demonstration squad. The inquiry, which began on 17 July, was established under the Inquiries Act 2005 and is anticipated to conclude around the end of 2018.

Having been appointed as such, Lord Justice Pitchford remains a Court of Appeal judge and remains counted in the current complement of 38. However, he is unable to fulfil any duties in the Court of Appeal while he leads the inquiry. To ensure that the total number of Court of Appeal judges available for deployment remains at current levels, it is necessary to increase their number by one. There is no method for revising the number of Court of Appeal judges other than by this order. This is a reasonable amendment that aims to maintain the complement of Court of Appeal judges while one of their members is engaged in other important work.

Ruth Cadbury (Brentford and Isleworth) (Lab): I note that only eight women are Court of Appeal judges. I do not know how many are black and minority ethnic, but only 7% of judges across all courts and tribunals are BME. Might this be an opportunity to improve the diversity of gender and ethnicity in the judiciary. This might be an opportunity to improve the diversity of gender and ethnicity in the judiciary. That said, we have no real objection. Will the Minister clarify those points?

Mr Vara: I am very happy to do so. Before I do, may I take the opportunity to congratulate the hon. Lady on her relatively recent appointment as shadow Solicitor General? The position carries huge responsibility. I wish him well and look forward to working with him.

We are making this appointment because, in the general scheme of things, 38 is not a large number of Court of Appeal judges. Taking one away from that contingent would have an impact on the current number of cases and how they are progressed. It is important that we continue with the current flow of dealing with cases, which is why we have this new appointment. Any future appointment is a matter to be considered at a later date. At the moment, we are simply filling an existing gap.

The hon. Gentleman rightly raised the issue of diversity. I made some comments about that earlier. I emphasise those and add that diversity is critical. We note that only eight women are Court of Appeal judges. I do not know how many are black and minority ethnic, but only 7% of judges across all courts and tribunals are BME. Might this be an opportunity to improve the diversity of gender and ethnicity in the judiciary. This might be an opportunity to improve the diversity of gender and ethnicity in the judiciary. That said, we have no real objection. Will the Minister clarify those points?

Mr Vara: On that point, Mr Davies, I would like to take this opportunity to thank Lord Justice Pitchford on behalf of the Government for agreeing to take the lead on this inquiry. I commend the draft order to the Committee.

Ruth Cadbury (Brentford and Isleworth) (Lab): I note that only eight women are Court of Appeal judges. I do not know how many are black and minority ethnic, but only 7% of judges across all courts and tribunals are BME. Might this be an opportunity to improve the diversity of gender and ethnicity in the judiciary. This might be an opportunity to improve the diversity of gender and ethnicity in the judiciary. That said, we have no real objection. Will the Minister clarify those points?

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have to ensure that the judiciary, at all levels, is representative of mainstream society. Given the interest that he declared, he will be aware that, at a certain level, there is diversity. It is crucial that we have that diversity in the upper echelons of judiciary—more women, more people from ethnic minorities and more people from other social backgrounds. I, for one, am very keen on that. I have regular meetings with the judiciary and the commission that appoints judges to ensure that that matter is foremost in their minds.

Question put and agreed to.

11.38 am
Committee rose.