



NIJAC

*Northern Ireland Judicial
Appointments Commission*

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Contents

	PAGE
Who we are	3
Our Statutory Responsibilities	4-6
Our Guiding Principles	7
Our Structure	8-9
Accountability	9
Complaints	10

Who we are

The Northern Ireland Judicial Appointments Commission (NIJAC) was established on 15 June 2005.

We are an independent public body established to bring about a new system for appointing members of the judiciary in Northern Ireland.

We were established under the Justice (NI) Acts 2002 & 2004 which implemented the recommendations of the Northern Ireland Criminal Justice Review.

Upon the devolution of justice on 12 April 2010, the Northern Ireland Act 2009 extended our statutory duties even further.

At this time, our sponsoring department changed from the Northern Ireland Courts Service to the Office of the First Minister and deputy First Minister (OFMDFM).

OFMDFM's role is one of oversight, ensuring accountability for our governance and finance.

Our Statutory Responsibilities

The Northern Ireland Act 2009 sets out our additional statutory obligations, mainly that NIJAC is now an appointing body with a say over the judicial complement and determining certain elements (non-financial) of some Terms and Conditions.

Appointments by Her Majesty (Crown Appointments¹)

*Excerpt from The Northern Ireland Act 2009
Chapter 3 Schedule 3*

Her Majesty's power to appoint a person to a listed judicial is exercisable on the Lord Chancellor's recommendation.

The Lord Chancellor's power to recommend a person for appointment to a listed judicial office is exercisable only (and must be exercised) as follows.

The Commission is responsible for the selection of persons for recommendation for appointment to listed judicial offices (including, deciding the timing of any selection or selection process).

When the Commission selects a person it must notify the Lord Chancellor.

The Lord Chancellor must, as soon as reasonably practicable, recommend the selected person for appointment to the office in question.

The Commission must (in particular) exercise its power to ensure that any vacancy in a listed judicial office is filled.

Appointments by the Commission (non Crown Appointments²)

The Commission is responsible for the selection of persons for appointment to listed judicial offices (including, deciding the timing and method of any selection process).

When the Commission selects a person it must appoint the person to the office in question.

The Commission must (in particular) exercise its power to ensure that any vacancy in a listed judicial office is filled.

Maximum Numbers

The Commission must, with the agreement of the justice department, determine the maximum number of persons who may hold the judicial office at any time.

The Commission may from time to time, with the agreement of the justice department, revise the determination.

¹ These are mainly full-time substantive posts in various Courts and Tribunals throughout Northern Ireland e.g. High Court Judge, County Court Judge, District Judge, District Judge (Magistrates' Courts) and Chief Social Security Commissioner/Chief Child Support Commissioner.

² These are mainly fee-paid posts in various Courts and Tribunals throughout Northern Ireland e.g. Deputy District Judge (Magistrates' Courts), Deputy Statutory Officers, fee-paid members of Tribunals including: Appeal Tribunals, Northern Ireland Valuation Tribunal, Health & Safety Tribunal, Charity Tribunal for Northern Ireland, Industrial Tribunals and Fair Employment Tribunal, Northern Ireland Traffic Penalty Tribunal for Northern Ireland etc. It should also be noted that Tribunal membership can consist of legal professionals and people from other professional backgrounds i.e. medical, finance, HR and health and social care.

General Provision about Selections

Appointments and recommendations for appointment to listed judicial office must be made solely on the basis of merit.

The Commission must at all times engage in a programme of action.

A programme of action complies if:

It is designed to secure, so far as it is reasonably practicable to do so, that appointments to listed judicial offices are such that those who hold such offices are reflective on the community in Northern Ireland.

It requires the Commission, so far as it is reasonably practicable to do so, to secure that a range of persons reflective of the community in Northern Ireland is available for consideration by the Commission whenever it is selecting a person to be appointed, or recommending for appointment to a judicial office, and is approved by the Commission for the purposes of this Schedule.

In summary, in addition to being an appointing body (non Crown appointments), we have a leading role in succession planning to ensure all listed judicial offices are recruited to as and when required, and a statutory obligation to determine some Terms and Conditions.

The guiding principles which underpin our work to ensure to ensure we fulfil our statutory obligations are outlined below.

- **Independence** - we are independent of Government. We make decisions on whom to appoint or recommend for appointment, and we work to achieve a judiciary which is reflective of the community in Northern Ireland.
- **Merit** - we select to appoint, or select and recommend for appointment, solely on the basis of merit.
- **Diversity** - we implement a programme of action which supports our aim of producing a judiciary that is, as far as reasonably practical, reflective of the community in Northern Ireland.
- **Fairness** - we will be fair in our decision making.
- **Transparency** - we will be open about our policies, procedures and activities.
- **Accountability** - we will explain our activities, and where appropriate, the reasons for our decisions.
- **Partnership** - we will work closely with interested parties to share learning and to improve our work.

We ensure that anyone who applies for judicial office will undergo an assessment and selection process which assesses their knowledge, skills and attributes fairly and openly.

We recognise and value diversity and seek to promote equality while ensuring that merit remains the overriding principle for selection.

Our Structure

Membership

The Commission consists of 13 members who are known as ‘Commissioners’.

They have been drawn from the judiciary, legal profession and other walks of life.

Information on each of our Commissioners is available online at www.nijac.gov.uk

Commissioners

- The Right Honourable Sir Declan Morgan (Chairman), the Lord Chief Justice of Northern Ireland
- Mrs Sinéad Burns, Lay Magistrate
- The Right Honourable Lord Justice Coghlin, Lord Justice of Appeal
- Mr Peter Cush, Barrister at Law
- Mr Donal Flanagan OBE, Lay Member
- Mr John G Gordon, Solicitor
- District Judge Amanda Henderson (Magistrates’ Courts)
- Mrs Ruth Laird, Lay Member
- Her Honour Judge Loughran, County Court Judge
- Professor John Morison, Lay Member
- Dr Raymond Mullan OBE, Lay Member
- Professor Nichola Rooney, Lay Member
- The Honourable Mr Justice Weatherup, High Court Judge.

Committees

NIJAC’s work is carried out and ratified through a Committee Framework.

Further information on the framework is available online at www.nijac@gov.uk.

NIJAC is supported by a staff of 18 and headed by the Chief Executive, Mr Edward Gorringer.

Accountability

We publish an annual report which is laid before the Northern Ireland Assembly, and an annual business plan which sets out in detail our objectives for each year.

Under Schedule 2 of the Justice (NI) Act 2002 our annual report must include equity monitoring information on persons who have applied and persons who have been appointed, or recommended for appointment, by NIJAC during the financial year to which it relates.

The report does not identify any person or include information from which the identity of any person could be readily ascertained.

Complaints

The Northern Ireland Judicial Appointments Ombudsman, Mr Karamjit Sukhmindar Singh CBE, was appointed by the Queen on 25 September 2006 to investigate complaints against the judicial appointments process.

Further information on the ombudsman is available at: www.nijao.gov.uk.



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