



NIJAC

*Northern Ireland Judicial
Appointments Commission*

**NORTHERN IRELAND JUDICIAL APPOINTMENTS
COMMISSION**

BUSINESS PLAN 2011-2012

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BACKGROUND

The Northern Ireland Judicial Appointments Commission

The Northern Ireland Judicial Appointments Commission (the Commission) was established on 15 June 2005 under the Justice (Northern Ireland) Acts 2002 and 2004. This legislation implements the recommendations of the Northern Ireland Criminal Justice Review.

Following the devolution of justice on 12 April 2010, under the Northern Ireland Act 2009 we were given new responsibilities, including becoming an appointing body, with influence over the judicial complement, and determination over certain terms and conditions in agreement with sponsoring departments who hold the budgets for judicial offices.

The Commission is an independent executive Non-Departmental Public Body comprising 13 members who were appointed by the Lord Chancellor and drawn from the judiciary, the legal profession and members of the public who are not qualified lawyers (Appendix A). The Chairman is the Lord Chief Justice of Northern Ireland, Sir Declan Morgan.

On devolution we changed sponsorship department to OFMDFM, they will now be responsible for the appointment and re-appointment of Commissioners

The Commission is supported by a secretariat of 18 staff, headed up by Edward Gorrige (Appendix B).

The Commission's roles and responsibilities

The Commission has five key roles:

1. To select and appoint and recommend for appointment, in respect of all listed judicial offices up to and including High Court Judge.
2. To recommend applicants solely on the basis of merit.
3. To engage in a programme of action to secure, so far as it is reasonably practicable to do so, that appointments to listed judicial offices are such that those holding such offices are reflective of the community in Northern Ireland.
4. To engage in a programme of action to secure, so far as it is reasonably practicable to do so, that a range of persons reflective of the community in Northern Ireland is available for consideration by the Commission whenever it is required to select a person to be appointed, or recommended for appointment, to a listed judicial office.
5. To publish an annual report setting out the activities and accounts for the past year.

Our work to date

Since being established we have concentrated on our very demanding programme of appointments and re-appointments.

At the same time, we have continued to research and implement best practice regarding policy development and new recruitment methodologies. This has allowed the recommendation and appointment of the most able applicants on the basis of merit. Assessment Centres are now in place following extensive

pilots and evaluation has shown them to be testing and fair. Privacy has been maintained by individual assessment.

In October 2008 we published research into the barriers and disincentives to judicial office. This independent research was carried out by the School of Law, Queens University Belfast (QUB) and the Northern Ireland Statistics & Research Agency (NISRA).

The research continues to inform the Commission's programme of work, as does ongoing evaluations and feedback.

The research led to the launch of the first ever Judicial Shadowing Scheme (open to lawyers, doctors and land valuation professionals) in Northern Ireland and the publication of NIJAC's Guide to Judicial Careers. Now in its second year Judicial Shadowing is proving popular and successful.

The Commission has delivered over 16 dedicated outreach events, and has been represented at many more; encompassing the legal and medical professions, land valuation experts and the wider community/ voluntary sector. This has raised awareness of NIJAC and, the work of courts and tribunals and continues to encourage more people, both lay and professional, to apply.

We continue to engage with the Lord Chief Justice's Office, the Northern Ireland Court and Tribunal Service, the Bar Council and the Law Society of Northern Ireland.

Since our establishment on 15 June 2005 222 people have been recommended and appointed to judicial office. 42 competitions have been advertised, 2808 application packs issued and 947 applications have been received and assessed. We have also recommended 506 office holders for re-appointment since our establishment.

Key Focus for 11/12

Our primary focus will continue to be to meet the very demanding programme of appointments and re-appointments. In addition we shall concentrate on the following related key areas:-

- To continue to review our policies and procedures following our public consultation and our competition by competition analysis. Specific focus will be on further analysis of our assessment methods, including the implementation of the use of Assessment Centres.
- To continue to use the research findings into the identification of barriers and disincentives to applying for judicial office for the legal profession, plus information forthcoming from competition evaluations, to help plan, inform and target our work, including outreach.
- To continue implementation of the research review and associated action plan, through working in partnership with interested parties.
- To ensure a continued smooth transition under devolution, including the transfer to another sponsor department, securing corporate/support services, agreeing framework documents, settling terms and conditions for staff and introducing the new roles and responsibilities included in the Northern Ireland Act 2009.
- To oversee the pilot and implementation stage of our e-recruit package to allow applicants to apply on line in a safe and effective manner, bringing benefits for both the Commission and applicants..

Finance

The Commission has been provided, by OFMDFM, with a budget for 2011-2012 of £1.668M. It is expected that around 70% of our budget will be expended on core business, i.e. running appointment competitions and the associated diversity and communications work and around 30% will be expended on corporate planning, resources and governance. The majority of expenditure relates to staff salaries, accommodation costs and support services received. We are mindful that the lease in Headline Building comes to an end in January 2012. We commenced early discussions with OFMDFM to ensure that suitable and cost effective arrangements are put in place. It is not known at this time whether NIJAC will remain in Headline Building or will move to other accommodation

Efficiencies

The Commission assesses all its work and expenditure in value for money terms. All appropriate procurement and tendering guidance is adhered to, to ensure value for money is achieved and demonstrated. As we enter the period of this plan we are mindful of our need to make extensive savings and efficiencies to meet the Assembly's challenging financial objectives. We will continually review our processes, procedures and priorities and communicate closely with OFMDFM to ensure that our objectives are met in an efficient and effective manner while ensuring that a continued high level of service is maintained. Considerable savings were made in 10/11 through the move to IT Assist. This and the re-assessing of other corporate services will allow the Commission to make further ongoing efficiencies in the coming years.

Devolution

On devolution the Commission's sponsorship department changed from the Northern Ireland Court and Tribunal Service to OFMDFM. Devolution of justice has impacted on NIJAC in two main areas: firstly the change in

sponsorship department has impacted upon the provision of corporate/support services and secondly, the new roles and responsibilities the Commission has been tasked with, under the Northern Ireland Act 2009. We continue to monitor the impact of the new services and responsibilities to ensure their seamless introduction, continued efficiency and value for money.

The Northern Ireland Act 2009 amended the post-devolution provision made in the Justice (Northern Ireland) Acts 2002 and 2004, to reflect the political agreement reached by the First Minister and Deputy First Minister. Under the 2009 Act the Commission took on new responsibilities relating to appointments to and removals from, judicial office. The Commission became both the assessing and appointing body for the vast majority of judicial offices. Recommendations will continue be made through the Lord Chancellor, for those judicial offices which are appointed to by Her Majesty the Queen. For non-excepted offices, NIJAC will be responsible for the determination and agreement of terms and conditions with budget holders from the sponsoring departments.

The Act also places a duty on the Commission to agree with the Department of Justice the maximum number of persons who may hold a listed judicial office at any time.

We are also mindful of the review of functions relating to judicial appointments and removals which is required under the 2009 Act and the requirement for the NI Assembly to review and report on these functions by 1 May 2012.

From 1 May 2012, no new members may be appointed to the Commission unless the Northern Ireland Assembly so resolves.

Contact details

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OBJECTIVES

This Business Plan sets out how we will achieve the objectives set out in our Corporate Plan and outlines how these objectives will be delivered and measured, and within what timetable, during 2011/12

Corporate Plan Objectives	Strategic Objectives	Driver Measures	Outcome Measures	Targets	Status
<p><u>Appointments Process</u></p> <p>To conduct the appointments process and select candidates on merit for appointment, and recommendation for appointment, in respect of all listed judicial offices up to and including High Court judge.</p>	<p>1. Manage and deliver a programme of appointments and re-appointments to judicial offices listed in Schedule 1 to the 2002 Act.</p> <p>2. To implement the transition arrangements for the inclusion of new judicial offices under devolution.</p> <p>3. To develop and implement new devolved responsibilities regarding determination and agreement of terms and conditions.</p>	<p>Compliance with statutory responsibilities under Justice (Northern Ireland) Act 2002, the Northern Ireland Act 2009 and Equality Codes of Practice and Employment Legislation.</p>	<p>Delivery of a programme of appointments and re-appointments against timeframes to meet the business needs of the sponsoring department.</p> <p>Development and agreement of new terms and conditions of service and transition arrangements to judicial office within timescales.</p> <p>Development of Policies including a Quality Assurance Policy.</p>	<p>Produce a report to Business Committee every two months to monitor the delivery of the appointments and re-appointments programme within timescales.</p> <p>Produce a report to Business Committee every two months to measure progress and monitor the successful transition of new judicial offices.</p> <p>Policies developed by Oct 2011.</p>	

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	<p>3. To review and implement an Appointments strategy following the strategic review and consultation of appointments policies and procedures that will detail the Appointments development work and new initiatives.</p>	<p>Compliance with statutory responsibilities under Justice (Northern Ireland) Act 2002, the Northern Ireland Act 2009 and equality Codes of Practice / employment legislation.</p>	<p>To continue to implement the project plans of the work of the Competency and Consultee Sub Group.</p> <p>To implement the outcomes of the strategic review of Consultees for a two year period.</p> <p>To continue to develop and review appointments and re-appointments policies and procedures taking into account equality proofing and requirements for the future implementation of Section 75 of the Northern Ireland Act 1998.</p> <p>To work in partnership with the Diversity and Governance Teams to implement an E – Recruitment system to improve internal</p>	<p>Commission fulfils statutory duties under Employment legislation and governing statutes such as the Justice Act and operates within the spirit of s75 legislation,</p> <p>Commission fulfils its Appointments Strategy and implementation of agreed policies and procedures.</p> <p>Implementation of a pilot phase for E – Recruitment.</p> <p>Work with the Lead in</p>	

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			<p>appointment systems and external communication with the applicant pool.</p> <p>Implementation of assessment centres for appointments competitions</p>	<p>the Governance Team to identify risk management and security issues and take necessary action.</p> <p>To develop a new generic application form that is fit for purpose for the new on-line system.</p>	
	<p>4. To implement a refresher assessment and selection learning and development programme for Commissioners and staff to continuously improve the assessment and selection function.</p>	<p>Compliance with Equality Law and Diversity best practice.</p>	<p>Arranging and/or delivering</p> <ul style="list-style-type: none"> • Recruitment and selection training. • Equality and diversity training. • Assessment Centre Training • Commissioners (and staff) ensuring compliance with employment & equality and legislation and HR/diversity best practice. • Court observations for staff where necessary. 	<p>To host training events / one to one coaching sessions for Commissioners and staff.</p> <p>To provide an ongoing selection and recruitment refresher training programme.</p> <p>Provision of assessment centre and role play training as required.</p>	

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<p><u>Diversity</u></p> <p>To engage in a programme of action to secure, so far as it is reasonably practicable to do so, a judiciary in Northern Ireland that is as reflective of our society as can be achieved consistent with the requirement of appointment on merit.</p>	<p>5. Assist in succession planning by maintaining the database of judicial appointment.</p> <p>6. To carry out equity monitoring of appointment competitions and produce reports of the findings.</p>	<p>Statutory responsibility to agree with DOJ maximum number to hold judicial office</p> <p>Compliance with statutory responsibilities under Justice (Northern Ireland) Act 2002, the Northern Ireland Act 2009 and the Data Protection Act 1998.</p>	<p>Agree recruitment forecasting bi-annually with JCSG.</p> <p>Administer Business Cases for recruitment requests received from JCSG for Business Cte approval.</p> <p>Collate and evaluate equity information for each competition.</p> <p>Maintain and check equity information confidentially and in accordance with data protection principles.</p>	<p>As highlighted by database</p> <p>Produce reports within 14 days of completion of the selection and assessment process for each competition.</p>	

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	7. To carry out an annual equity monitoring exercise and to produce a report summarising the position regarding applications for judicial appointments during the year, and the position regarding judicial office holders, compared with the applicant pool.	Compliance with statutory responsibilities under Justice (Northern Ireland) Act 2002 and the Northern Ireland Act 2009.	Complete in accordance with approved timetable.	Annual report from NISRA on serving judicial office holders to identify areas of under representation by June 2011. Analysis will be further enhanced due to additional data on lay members and legal branch of profession being included.	
	8. Having now completed the NISRA/QUB research, continue implementation of the Research Review and associated action plan.	Compliance with statutory responsibilities under the Justice (Northern Ireland) Act 2002 and the Northern Ireland Act 2009.	Annually review the Communications Strategy and revise combined Communications and Diversity Statement. Collaboration with the professional bodies. Collaboration with the employing authorities e.g. NICTS and Departments.	For approval by Policy Committee by September 2011. 4 meetings. 8 meetings.	

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			Conduct outreach to the legal profession and law student population.	8 events/seminars.	
	9. Desk based research into non-legal posts to continue.		Continue research into the barriers to judicial appointment for the medical profession. Conduct tailored outreach to the medical profession in collaboration with relevant tribunals	As per Terms of Reference for the Medical Research Group. 2 events	
			Conduct tailored outreach via civic society to promote judicial office generally, and lay posts in particular	2 events	
<u>Accountability</u>	10. To continue to work	Statutory	Constructive discussion	The Commission's	

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To make effective and efficient use of our resources in order to achieve our objectives.	with the OFMDFM to ensure a smooth transition under devolution, agree SLAs and framework documents with interested parties, settle secondment arrangements for staff to ensure that the Commission can operate effectively and meet its objectives.	imperative.	and negotiation with OFMDFM and others.	work progresses without interruption upon devolution. New roles and relationships are effectively handled.	
	11. To ensure that the Commission demonstrates the highest levels of information assurance.	DFP Guidance and FOI Act and Data Protection Act	Commission's assets are handled, stored and shared in accordance with best practice.	Update RMADS and receive departmental accreditation. Prepare commission for ISO 27001 assessment.	
	12. To publish the Annual Report and Accounts 2010/11	Statutory imperative.	To receive an unqualified audit opinion from Northern Ireland Audit Office.	To publish Annual Report and Accounts within timetable agreed with NIAO.	
	13. By March 2012 to	Comprehensive	Timetable and processes	To have sufficient	

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	secure from the sponsorship department the required level of resources to deliver the Commissions 2012/13 objectives.	spending review.	to be agreed with the sponsorship department.	resources to meet the Commission's 2012/2013 objectives.	
	14. To maintain internal financial and stewardship controls within the Commission, which meet government guidelines.	MPMNI MS&FM DFP + OFMDFM guidelines + directions.	Assurances and risks monitored at Audit and Risk Management Committee meetings. <ul style="list-style-type: none"> • Provision of agreed management information to the Commission. • Financial summaries • Reviews under audit plan • Audit and Risk Management Committee updates 	Statement of Internal Control signed by Accounting Officer following Stewardship Statements signed by Business Managers. Assurances received under strategic internal Audit Plan Reviews	
	15. To demonstrate strong corporate governance at all times.	MPMNI MS&FM DFP + OFMDFM	Arrange meetings of Audit and Risk Management Committee, review audit	Commission runs effectively while adhering to	

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		guidelines + directions	<p>plan and respond to any audit recommendations made.</p> <p>Implement and update policies and procedures in respect of the Commission's human and other resources, throughout the year.</p> <p>Review and adhere to standing orders and terms of reference.</p> <p>Risk management policy adhered to and risk register monitored and agreed action implemented.</p> <p>Required codes of conduct adhered to throughout year.</p> <p>Relationship with sponsor department, formalised in agreed Management</p>	<p>Government guidance and best practice.</p> <p>Monitor provision of services received under SLAs.</p>	

Corporate Plan Objectives	Strategic Objectives	Driver Measures	Outcome Measures	Targets	Status
			<p>Statement and Financial Memorandum and in agreed SLAs, is reviewed and maintained.</p> <p>Gifts and Hospitality Register maintained throughout year.</p> <p>Fees policy adhered to throughout the year.</p> <p>Assets Register updated and maintained throughout the year.</p> <p>Code of Practice – adhered to throughout the year.</p> <p>Maintain IT Risk Management Accreditation and Documentation Set.</p>		

Corporate Plan Objectives	Strategic Objectives	Driver Measures	Outcome Measures	Targets	Status
<p><u>External Communications</u></p> <p>To communicate helpful information, advice and guidance to targeted audiences to stimulate interest and raise awareness; encourage applications from under-represented groups; improve understanding of the application process and what judicial office entails; demonstrate</p>	<p>16. To continue to implement the communication/diversity strategy to include continued website development, including online applications, circulation of articles and publications.</p>	<p>Best practice.</p>	<p>Increased awareness of Commission in external press.</p> <p>Print publications such as Guide to Judicial Careers and Judicial Shadowing but at least have available online.</p> <p>Test and pilot online recruitment.</p> <p>Launch new website</p>	<p>A minimum of 3 articles.</p> <p>By Sept 2011</p> <p>By Sept 2011</p>	
	<p>17. To maintain a publication scheme as</p>	<p>Freedom of Information Act.</p>	<p>Appropriate information made available through</p>	<p>Targets contained in the guidelines are</p>	

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<p>openness and transparency and that appointments are made solely on the basis of merit.</p>	<p>approved by the Information Commissioner's office and respond to all Freedom of Information Act and Data Protection Act queries within the set guidelines.</p>		<p>website and responses to written queries.</p>	<p>adhered to.</p>	

Membership of the Commission

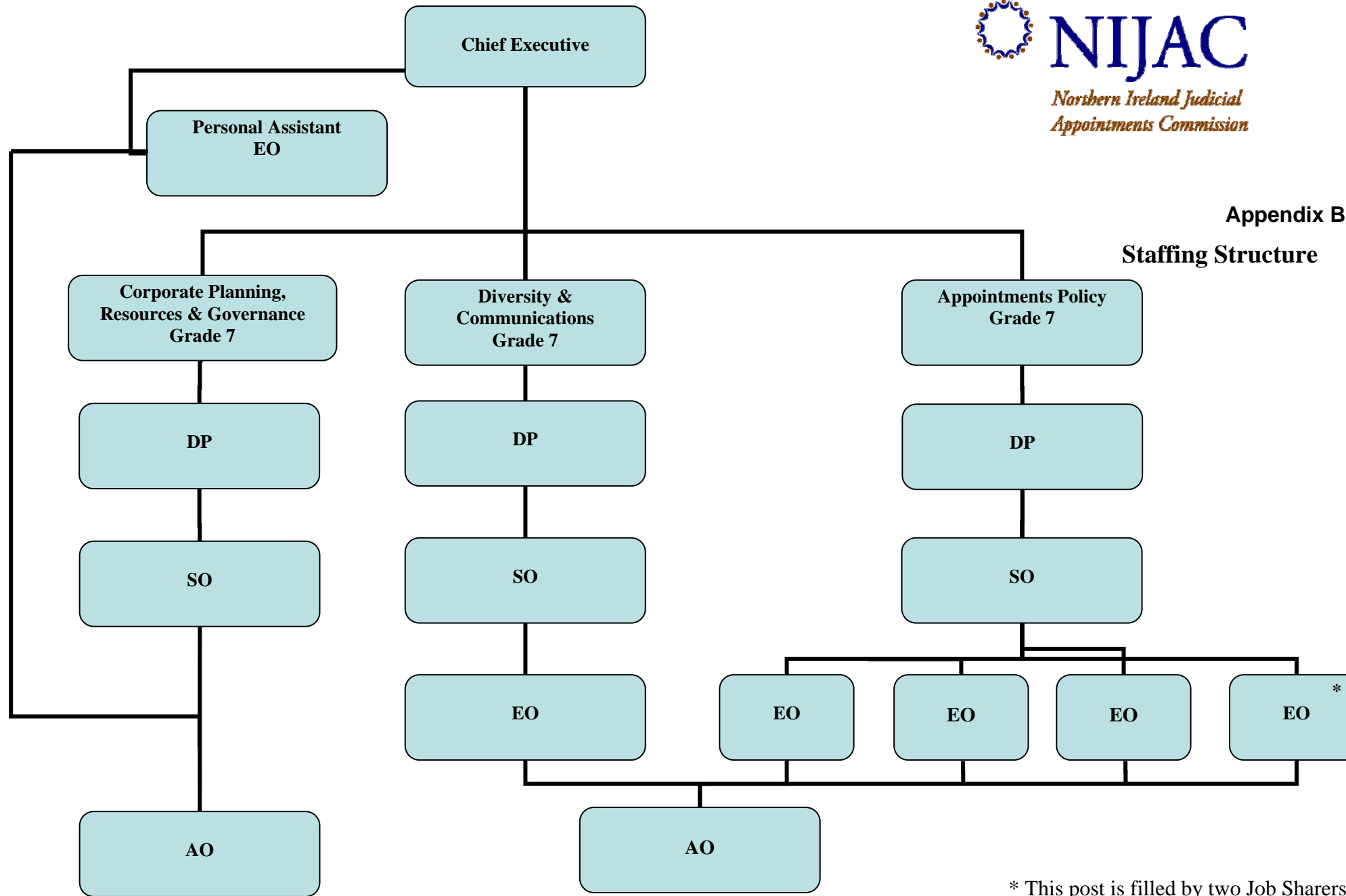
Chairman: The Right Honourable Sir Declan Morgan, Lord Chief Justice of Northern Ireland.

Members: Mrs Sinead 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 Gordon, Solicitor
District Judge (Magistrates' Court) Henderson, District Judge
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

The judicial members have been re-appointed for a period of 5 years, the lay members have been re-appointed for 4 years and the legal members for a period of 3 years.

Profiles of all Commissioners can be found on our website under 'Who we are'.

Appendix B
Staffing Structure



PROTECT

* This post is filled by two Job Sharers