



NIJAC

*Northern Ireland Judicial
Appointments Commission*

**NORTHERN IRELAND JUDICIAL APPOINTMENTS
COMMISSION**

**BUSINESS PLAN
2012/13**

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Introduction

The Northern Ireland Judicial Appointments Commission (the Commission) is an independent public body established to bring about a new system for appointing members of the judiciary in Northern Ireland.

This Business Plan outlines the Commission's priorities for the period April 2012 to March 2013. The Senior Management Team will review progress against the 2012/13 Business Plan throughout the year and report back to the Business Committee.

Background

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, the Commission 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.

It selects and appoints, and recommends for appointment, applicants, thereby removing this function from Government Ministers and the political process. The Commission also has 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 (NDPB) sponsored by the Office of the First Minister and Deputy First Minister (OFMDFM).

The Commission comprises of 13 members drawn from the judiciary, legal profession and other professional backgrounds (Appendix A). The Chairman is the Lord Chief Justice of Northern Ireland, Sir Declan Morgan.

The judicial members are nominated by the Lord Chief Justice, with each judicial tier represented. The Bar Council of Northern Ireland and Law Society of Northern Ireland nominate one member each to serve on the Commission, and the Commission's five lay members are public appointments; the First Minister and the deputy First Minister acting jointly are responsible for the appointment and re-appointment of the twelve non judicial members.

Three Lay Members are coming to the end of their final term in June 2012; the First Minister and deputy First Minister will be responsible for appointing replacements.

The Commission is supported by 18 staff, headed by a Chief Executive (Edward Gorringe) who is responsible for the day to day management of the Commission (Appendix B).

The Commissioners and staff have very different responsibilities. The Commissioners are responsible for the strategic direction and overseeing all appointments and outreach activities. They are effectively the Management Board to whom the staff report. Commissioners have an equal say in the work of the Commission and are of equal status.

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 renewals.

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).

Research will continue to be commissioned and delivered upon during the year.

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 the Commission's Guide to Judicial Careers. Now in its third 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 the Commission 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 Courts and Tribunals Service, the Bar Council and the Law Society of Northern Ireland.

Since our establishment on 15 June 2005, 245 people have been recommended and appointed to judicial office. 49 schemes have been advertised; 3133 application packs issued and 1120 applications have been received and assessed. We have also recommended 560 office holders for re-appointment since our establishment.

Key Focus for 2012/13

Our primary focus will continue to be to meet the very demanding programme of appointments and renewals. 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. We intend to revisit the QUB research with targeted focus groups to discuss specific and strategic areas of interest.
- 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 2012/13 of £1.617M. It is expected that around 70% of our budget will be expended on core business, i.e. running appointment schemes 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.

Corporate Governance Efficiencies

The Commission assesses all its work and expenditure in value for money terms. All appropriate corporate governance, 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.

The eRecruit project has the potential to benefit the core activities of all staff working in the Commission. In terms of specific scope, we expect staff from all grades to positively benefit from the introduction of an online application process and supporting HR software as this would process, manage collate and present all of the personal, sensitive data provided by applicants in their returned documentation. The benefits and efficiencies of the new eRecruit system will be cross cutting and we expect to see improvements in the quality and effectiveness of the administrative elements of staffs' work while freeing up their time to for work on quality assurance. We will also expect to benefit from time savings in respect of our record retrieval and compliance with data protection responsibilities.

Northern Ireland Assembly Committee for Justice Review

The Committee for Justice will carry out a review and report on the arrangement for the appointments and removal of judicial office holders by 30 April 2012.

The review is required by Section 29C of the Northern Ireland Act 1998 as amended by Schedule 6 of the Northern Ireland Act 2009 and as set out in the Standing Order 49A which states:

“(1) The statutory committee established to advise and assist the Minister of Justice shall

- (a) review the operation of the amendments made by Schedule 2 to 5 to the Northern Ireland Act 2009;
- (b) report on its review by 30 April 2012; and
- (c) include in its report any recommendations it has for changes to the way in which judicial office holders are appointed and removed.”

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 2012/13

Corporate Plan Objectives	Strategic Objectives	Driver Measures	Outcome Measures	Targets
<p><u>Appointments Process</u></p> <p>To conduct the appointments process and select applicants 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 renewals to judicial offices listed in Schedule 1 to the 2002 Act.</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 renewals against timeframes to meet the business needs of the sponsoring departments.</p>	<p>Produce a report to Business Committee every two months to monitor the delivery of the appointments and renewals programme within timescales.</p>
	<p>2. To implement the transition arrangements for the inclusion of new judicial offices under devolution.</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>Development and agreement of new terms and conditions of service and transition arrangements to judicial office 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>

Corporate Plan Objectives	Strategic Objectives	Driver Measures	Outcome Measures	Targets
	3. To develop and implement new devolved responsibilities regarding determination and agreement of terms and conditions.	Compliance with statutory responsibilities under Justice (Northern Ireland) Act 2002, the Northern Ireland Act 2009 and Equality Codes of Practice and Employment Legislation.	Development of new policies that are required post devolution.	Policies will be reviewed and developed in line with the review cycle.
	4. To develop a new Appointments and Renewals Strategy.	<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>Completion of last three year strategy following the Public Consultation and Review of Policies and Procedures.</p>	<p>To develop a strategy to cover all aspects of the Appointments and Renewals function.</p> <p>To develop a strategy that includes:</p> <ul style="list-style-type: none"> • a SWOT analysis; • a PESTLE analysis; • key development and review areas e.g. wider assessment methods; • Role Profiles; • Policy Review and development; 	<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 produces a new Appointments Strategy.</p>

Corporate Plan Objectives	Strategic Objectives	Driver Measures	Outcome Measures	Targets
			<ul style="list-style-type: none"> • E Recruitment; implementation and efficiency analysis; and • Staffing/HR. 	
	<p>5. To implement a 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 recruitment and selection training and equality training to meet the training needs of Commissioners.</p>	<p>To deliver or co-ordinate training and development events as follows:</p> <ul style="list-style-type: none"> • Selection and Recruitment; and • Assessment Centre Skills for Assessors.

Corporate Plan Objectives	Strategic Objectives	Driver Measures	Outcome Measures	Targets
<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>6. Assist in succession planning by maintaining the database of judicial appointments.</p>	<p>Statutory responsibility to agree with DoJ maximum number to hold judicial office.</p>	<p>Agree recruitment forecasting bi-annually with JCSG.</p>	<p>As highlighted by database.</p>
	<p>7. To carry out equity monitoring of appointment schemes and produce reports of the findings.</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>Administer Business Cases for recruitment requests received from JCSG for Business Committee 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>Produce reports within 14 days of completion of the selection and assessment process for each competition.</p>

Corporate Plan Objectives	Strategic Objectives	Driver Measures	Outcome Measures	Targets
	<p>8. 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.</p>	<p>Compliance with statutory responsibilities under the Justice (Northern Ireland) Act 2002 and the Northern Ireland Act 2009.</p>	<p>Complete in accordance with approved timetable.</p>	<p>Annual report from NISRA on serving judicial office holders to identify areas of under representation by June 2012.</p> <p>Analysis will be further enhanced due to additional data on lay members and legal branch of profession being included.</p>
	<p>9. With regard to the 2008 NISRA/QUB research, continue implementation of the research informed Programme of Action.</p> <p>When 2012 research concluded revise Programme of Action.</p>	<p>Compliance with statutory responsibilities under the Justice (Northern Ireland) Act 2002 and the Northern Ireland Act 2009.</p>	<p>Revisit the QUB research.</p> <p>Periodically review Programme of Action and, if appropriate revise Communications and Diversity Statement.</p> <p>Collaboration with the professional bodies.</p> <p>Collaboration with the employing authorities e.g. NICTS and Departments.</p>	<p>For approval by Policy Committee by September 2012.</p> <p>4 meetings.</p> <p>4 meetings.</p>

Corporate Plan Objectives	Strategic Objectives	Driver Measures	Outcome Measures	Targets
			<p>Conduct outreach to the legal profession and law students.</p> <p>Conduct tailored outreach to the medical profession in collaboration with relevant tribunals.</p> <p>Conduct tailored outreach via civic society to promote judicial office generally, and lay posts in particular.</p>	<p>8 events/seminars.</p> <p>2 events.</p> <p>2 events.</p>
<p><u>Accountability</u></p> <p>To make effective and efficient use of our resources in order to achieve our objectives.</p>	<p>10. Ensure the Commission is staffed to full compliment, to allow to operate effectively, delivering on objectives, plans and statutory remit.</p>	<p>Compliance with Statutory responsibilities.</p>	<p>Staffed to full complement.</p>	<p>Commission is staffed to full complement with permanent staff who are equipped with the skills to deliver the Commission's objectives.</p>

Corporate Plan Objectives	Strategic Objectives	Driver Measures	Outcome Measures	Targets
	11. Ensure the Commission demonstrates the highest levels of information assurance, safeguarding candidate information.	DFP and Cabinet Office Guidance, FOI Act and Data Protection Act.	Commission's assets are handled, stored and shared in accordance with best practice.	<p>To treat information in accordance with the Commission's Information Security Policy and Policies referred to therein.</p> <p>To ensure the Risk Management and Accreditation Document Set (RMADS) on the IT infrastructure is up to date and has received departmental accreditation.</p>
	12. Produce the 2011/12 Annual Report and Accounts within the agreed deadlines and with an unqualified audit opinion.	Compliance with statutory requirements, and the Financial Reporting Manual (FReM) issued by DFP.	<p>An unqualified audit opinion from the Northern Ireland Audit Office (NIAO).</p> <p>The Annual Report and Accounts laid before the NI Assembly.</p>	To lay an unqualified Annual Report and Accounts before the NI Assembly within the agreed OFMDFM and NIAO deadlines.

Corporate Plan Objectives	Strategic Objectives	Driver Measures	Outcome Measures	Targets
	13. Ensure sound financial management and control, and delivery of value for money when meeting Commission objectives within budget.	Compliance with DFP and Sponsorship Department's targets and policies.	Achievement of budget targets. Achievement of efficiencies.	Operate within allocated budget avoiding overspend and managing under spend within tolerance level of 0.5% by the year end. Delivery of a cumulative 3% efficiency saving in the 2011-15 budgets.
	14. Secure from the sponsorship department the required level of resources to deliver the Commissions 2012/13 objectives.	Comprehensive spending review.	Agreed 2012/13 Budget with OFMDFM to enable the Commission to deliver on objectives. Monitoring Round deadlines met.	By 31 March 2012 have an agreed 2012/13 budget sufficient to meet the Commission's 2012/13 objectives.

Corporate Plan Objectives	Strategic Objectives	Driver Measures	Outcome Measures	Targets
	<p>15. Deliver effective a Risk Management system and maintain an effective system of internal control.</p>	<p>DFP and OFMDFM guidelines and directions.</p> <p>Risk Management Handbook.</p> <p>The Orange Book, Management of Risk – Principles and Concepts.</p>	<p>Risk Register monitored, reviewed and updated at the Senior Management Team meetings.</p> <p>Risk Register reviewed by the Audit and Risk Management Committee at each meeting.</p> <p>Quarterly Stewardship Statements produced by each Business Manager and reviewed by the Audit and Risk Management Committee (ARMC).</p> <p>Internal Audit Plan agreed annually with the ARMC.</p> <p>Business Continuity Plan in place, reviewed and tested regularly.</p> <p>Satisfactory reviews by the sponsorship department.</p>	<p>Statement of Internal Control signed by the Accounting Officer included in the 2011/12 Annual Report and Accounts.</p> <p>Stewardship Statement for the Commission, signed by the CEO/Accounting Officer, submitted on a quarterly basis to OFMDFM.</p> <p>A satisfactory Assurance rating from Internal Audit.</p>

Corporate Plan Objectives	Strategic Objectives	Driver Measures	Outcome Measures	Targets
	<p>16. Operate effective corporate governance processes and practices within the Commission.</p>	<p>MPMNI, MS&FM, DFP and OFMDFM guidelines and directions.</p> <p>HMT Good Practice Guide on Corporate Governance in Central Government Departments.</p> <p>Good Governance - Effective Relationships between Departments and their Arm's Length Bodies.</p>	<p>ARMC and Business Committee meetings held throughout the year, reviewing and monitoring the Commission.</p> <p>Audit Committee guidance and checklists published by NAO issued to the ARMC regularly.</p> <p>Quarterly meeting of Fraud Forum.</p> <p>Commissioners trained throughout the year on any new policies and procedures.</p> <p>Sponsorship and corporate governance processes and practices in place by OFMDFM in relation to the Commission as their Arm's Length Body, adhered to.</p>	<p>Commission runs effectively while adhering to Government guidance and best practice.</p> <p>A clean 'Report to those charged with Governance' from the NIAO.</p> <p>All corporate governance returns are made on time to the sponsorship department.</p> <p>Annual Report and Accounts laid in the NI Assembly.</p>

Corporate Plan Objectives	Strategic Objectives	Driver Measures	Outcome Measures	Targets
			<p>Quarterly Sponsorship Liaison meeting in place with OFMDFM.</p> <p>Regular training and refresher courses given to staff on Commission Policies.</p> <p>All Commission policies and procedures implemented, updated and adhered to, throughout the year.</p> <p>Committees and Plenary adherence to standing orders and terms of reference.</p> <p>Management of Service Level Agreements and contracts. Manage delivery of all services and ensure correct procurement procedures have been adhered to.</p>	

Corporate Plan Objectives	Strategic Objectives	Driver Measures	Outcome Measures	Targets
			<p>Ensure correct level of authorisation granted for all expenditure.</p> <p>Keep under review performance and value for money.</p> <p>Management Statement and Financial Memorandum adhered to.</p>	

Corporate Plan Objectives	Strategic Objectives	Driver Measures	Outcome Measures	Targets
<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 openness and transparency and that appointments are made solely on the basis of merit.</p>	<p>17. 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>Launch online recruitment.</p>	<p>A minimum of 3 articles.</p> <p>By Sept 2012</p>
	<p>18. To maintain a publication scheme as 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>Freedom of Information Act.</p>	<p>Appropriate information made available through website and responses to written queries.</p>	<p>Targets contained in the guidelines are adhered to.</p>

**Business Plan Objectives
List of Abbreviations**

ARMC	Audit and Risk Management Committee
DFP	Department of Finance and Personnel
DOJ	Department of Justice
FOI	Freedom of Information
FReM	Financial Reporting Manual
HMT	HM Treasury
JCSG	Judicial and Customer Services Group, Northern Ireland Courts and Tribunals Service
MPMNI	Managing Public Money Northern Ireland
MS&FM	Management Statement and Financial Memorandum
NIAO	Northern Ireland Audit Office
NICTS	Northern Ireland Courts and Tribunals Service
NIJAC	Northern Ireland Judicial Appointments Commission
NISRA	Northern Ireland Statistics and Research Agency
OFMDFM	Office of the First Minister and Deputy First Minister (sponsor department)

PESTLE	Political, Economic, Sociological, Technological, Legal, Environmental. PESTLE analysis is an audit of an organisation's environmental influences to guide strategic decision making.
QUB	Queen's University Belfast
RMADS	Risk Management Accreditation Document Set
SWOT	Strengths, Weaknesses, Opportunities, Threats. SWOT analysis is a strategic planning method used to evaluate the strengths, weaknesses/limitations, opportunities and threats involved in a project or in an organisation

Appendix A - Membership of the Commission

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

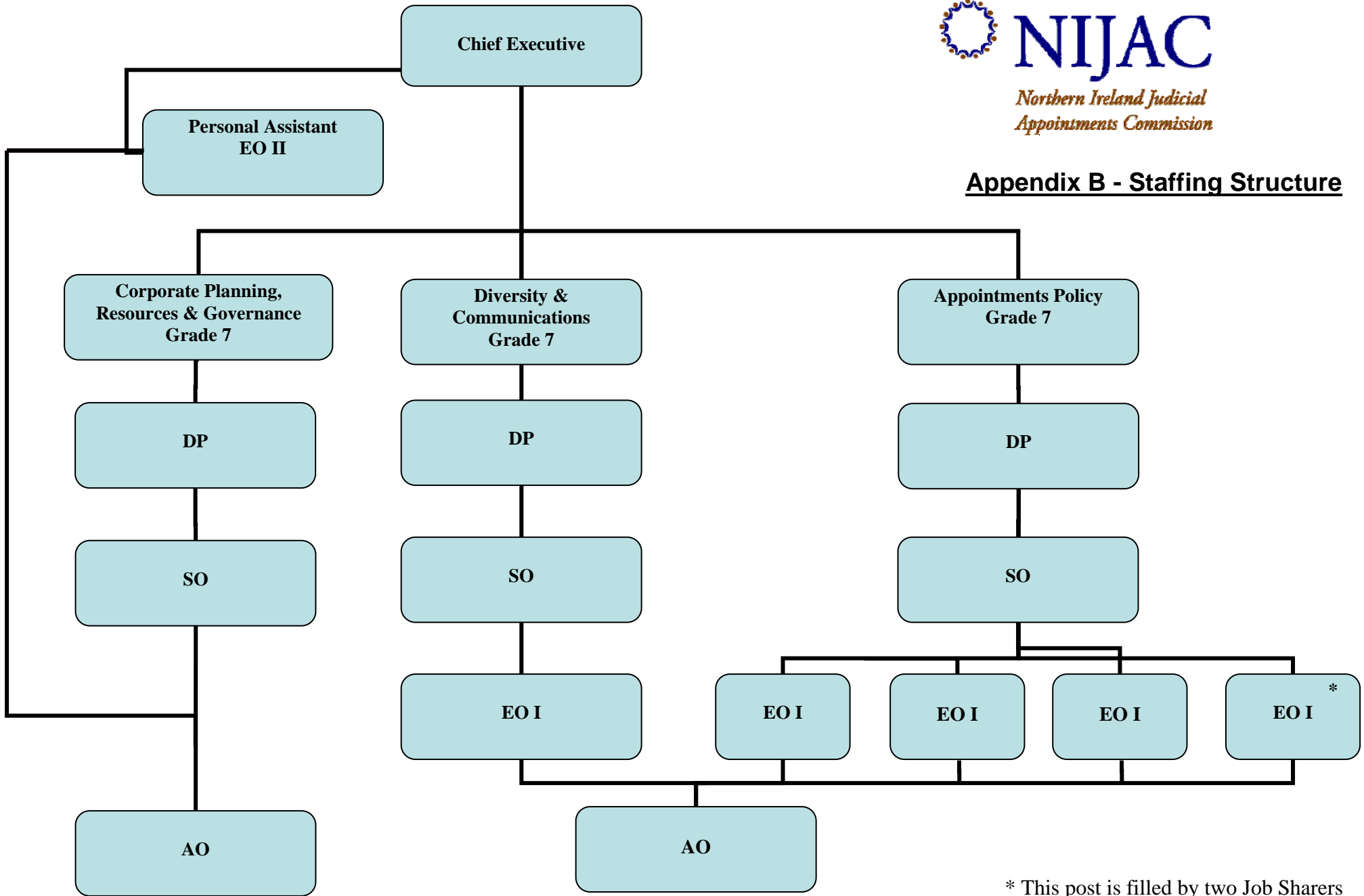
Members: Mrs Sinead Burns, Lay Magistrate
The Right Honourable Lord Justice Coghlin, Lord Justice of Appeal
Mr Donal Flanagan OBE, Lay Member
District Judge (Magistrates' Courts) Henderson, District Judge
Mrs Ruth Laird, Lay Member
Her Honour Judge Loughran, County Court Judge
Mr James McNulty, Barrister at Law
Professor John Morison, Lay Member
Dr Raymond Mullan OBE, Lay Member
Mr Alastair Rankin, Solicitor
Professor Nichola Rooney, Lay Member
The Honourable Mr Justice Weatherup, High Court Judge

At the end of their first term, judicial members are re-appointed for a period of 5 years, the lay members are re-appointed for 4 years and the legal members for a period of 3 years.

All members are non-executive and independent.

Pen pictures of all Commission members can be found on our website www.nijac.gov.uk.

Appendix B - Staffing Structure



* This post is filled by two Job Sharers