



NIJAC

*Northern Ireland Judicial
Appointments Commission*

**NORTHERN IRELAND JUDICIAL APPOINTMENTS
COMMISSION**

**BUSINESS PLAN
2013-14**

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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 2013 to March 2014. The Senior Management Team will review progress against the 2013-14 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.

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 12 other members are appointed by the First Minister and deputy First Minister acting jointly.

The five 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 as legal members on the Commission, and the Commission's five lay members who do not hold (or have never held) a protected judicial office and are not (and have never been) a barrister or solicitor are appointed by the First Minister and deputy First Minister acting jointly and in accordance.

Three Judicial Members are coming to the end of their final term in June 2013; The Lord Chief Justice will be responsible for nominating replacements.

There are two Lay Members and one Judicial Member coming to the end of their first term in June 2013, and a further Judicial Member in October 2013. Offers of renewals will be considered by all parties.

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

The Commission is responsible for selecting on merit people of good character for appointment as judicial office holders, and have regard to the need to encourage diversity in the range of persons available for selection for appointment. To this end our focus has been to implement policy and processes that support the selection of high quality candidates on the basis of merit.

We have designed and embedded new policies and concentrated on our duty to implement a demanding programme of appointments. At the same time, the Commission has dealt with the additional transition of implementing new responsibilities under devolution. We then moved forward by researching and implementing best practice regarding policy development and piloting and implementing new recruitment methodologies such as assessment centres and wider assessment methods throughout all selection exercises. Initial evaluation has shown that this strategy has been effective and after extensive pilots, they have been shown to be both testing and fair. Privacy has been maintained by individual assessment.

This year saw a project which reviewed the processes for renewal to judicial office. Following the review, we have recommended a strengthened process to ensure there are robust processes and checks are in place for existing judicial office holders being renewed to judicial office.

The Commission has also engaged in streamlining information to applicants so that clear candidate information booklets are available and easy to understand. As part of this work, the introduction of personal profiles in January 2013 setting out the knowledge, experience, skills and personal qualities has been positively received. Work continues on this project.

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).

During 2012 QUB successfully tendered for, and delivered follow-up research which primarily focussed upon actual and perceived barriers to women in securing judicial office.

The resultant Research Informed Action Plan will continue to underpin much of the Commission's work, and that of the newly formed Joint Liaison Committee which is comprised of the commission, the Law Society and the Bar Council.

The original 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 fourth year Judicial Shadowing is proving popular and successful. An evaluation in 2012 concluded that the scheme was very much valued by both those who shadowed, and those being shadowed.

The Commission has delivered over 12 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, 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 (NICTS), the Bar Council and the Law Society of Northern Ireland.

Since our establishment on 15 June 2005, 267 people have been recommended and appointed to judicial office. 60 schemes have been advertised. Over 3500 application packs have been issued and over 1400 applications have been returned and assessed. We have also recommended 618 office holders for re-appointment.

There will be various recruitment schemes in the coming year, two of which are of particular note due to the volume of appointments required, and our opportunity to engage with people we have not previously.

During 2013/14, due to welfare reform and its impact upon the business levels of the Appeal Tribunals, there will be a significant increase in the number of appointments sought to be made to that tribunal.

Also, outreach will commence during the period for Lay Magistrates as a large number of appointments are required to be in place during 2014/15. We anticipate considerable interest, and as appointments are required across Northern Ireland our programme of outreach will reflect this.

Key Focus for 2013-14

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 embed and review our policies and procedures to ensure they are fit for purpose and take account of feedback and research undertaken by the Commission through scheme audit and review.
- To develop an updated three year Appointments and Renewals Strategy to guide the policy and operational work of the Commission. The Commission will give specific focus to embedding our new assessment methods, evaluating personal profiles and merit criteria and reviewing shortlisting tests to improve their use to meet best practice guidelines. The strategy will see the implementation of full scheme reviews that will audit and evaluate their effectiveness as part of service improvement but also contribute to policy development.
- 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 scheme evaluations, to help plan, inform and target our work, including outreach.
- To continue implementation of the Research Informed Programme of Action through working in partnership with interested parties such as the Joint Liaison Committee and the Department of Justice (DOJ) regarding e.g. flexible working.
- To agree and implement a new staffing structure which will allow the Commission to fulfil its statutory obligations.

- Following the successful introduction of e-recruit which enables applicants to apply online, monitor and review its effectiveness ensuring it continues to be secure and has brought envisaged benefits to both the Commission and applicants.

Finance

The Commission has been provided, by OFMDFM, with a draft opening budget, which still has to be confirmed, for 2013-14 of £1,569,000 Resource and £1,562,000 Grant in Aid. It is expected that around 71% of our budget will be expended on core business, i.e. running appointment schemes and the associated diversity and communications work and around 29% will be expended on corporate planning, resources and governance. The majority of expenditure relates to staff salaries, accommodation costs and support services received.

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.

Tribunal Reform and Unification

The NICTS consulted with the Commission during 2012-13, and further, wider, formal consultation is expected during 2013-14. Whilst we can not pre-empt the outcome it is likely that more roles will be deigned judicial offices, therefore the Commission will have more offices to recruit to.

Other issues relating to terms and conditions and deployment will be explored which may impact upon the Commission's work and capacity.

It is unlikely that any legislative change will happen prior to 2015 but it is imperative the Commission is fully informed about proposed changes and continues to constructively participate in the consultation.

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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 2013-14

Corporate Plan Objectives	Strategic Objectives	2013/14 Targets and Actions
Programme of Appointments		
To conduct a programme of appointments 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.	1. Deliver and manage a programme of appointments to judicial offices listed in Schedule 1 to the 2002 Act within time scales agreed with client organisations.	By 31 March 2014, commence 10 new appointment schemes.
		The Business Committee will approve and monitor the timescales and progress of Appointments and Renewals. The Committee will achieve this by reviewing a Report from the Head of Appointments at all (5) Committee meetings during 2013-14.
	2. Administer the renewal of appointment process to meet the business needs of the NI Courts and Tribunals Service.	The Head of Appointments will provide OFMDFM with a Scheme Tracker Report for review at each quarterly Accountability Meeting.
		By 31 March 2014 the Appointments Team will administer a programme of 31 renewals of appointments.
		By 31 March 2014 the Appointments Team will produce a Renewals Report to Business Committee at all (5) of its meetings during 2013-14.

Corporate Plan Objectives	Strategic Objectives	2013/14 Targets and Actions
	3. Develop an updated three year Appointments and Renewals Strategy to guide the policy and operational work of NIJAC.	By 30 June 2013, the Head of Appointments will produce a draft paper detailing the strategic initiatives to be approved by Plenary.
		By 30 June 2013, a new structure will be agreed by Plenary to support the Appointments and Renewals Strategy.
		By 3 Oct 2013, the Head of Appointments will produce a draft three year Appointments and Renewals Strategy for approval by Plenary.
	4. Development and implementation of an Appointments Learning and Development Programme for Commissioners and Staff to ensure the continuous improvement to the assessment and selection function and positive experience of applicants.	By 31 Jan 2014, the Head of Appointments will produce and implement the Appointments and Renewals Strategy.
		By 31 July 2013, production of the Appointments Learning and Development Programme for Commissioners and Staff.
		By 31 March 2014, implementation of the Appointments Learning and Development Programme for Commissioners and Staff.
Diversity		
To continue 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	5. Implementation of a Research Informed Programme of Action resulting from the NISRA/QUB (2008) and QUB (2012) research.	By 31 May 2013 approval of the Research Informed Programme of Action by the Policy Committee.
		The Policy Committee will be presented with a Research Informed Programme of Action Update by the Head of Diversity and Communications at all (4) of its Committee meetings during 2013-14.

Corporate Plan Objectives	Strategic Objectives	2013/14 Targets and Actions
	<p>6. Ensure appropriate judicial complement in place by: a) making timely appointments by assisting in succession planning by regularly updating and maintaining databases of judicial appointments, and b) seeking timely DOJ agreement when an increase to complement is sought.</p>	<p>Judicial Appointments Database is checked weekly, updated after scheme closes and then formally reconciled with NICTS every 6 months ahead of Joint Business Planning Meetings.</p>
		<p>Within 20 working days of receipt, Scheme Business Cases will be circulated and approved by the Business Committee.</p>
		<p>Within 10 working days of receipt, a decision on requests for increase to complement will be issued to Plenary. Request for Agreement will issue to DOJ within 10 working days of receipt of Plenary approval.</p>
	<p>7. Evaluation of the effectiveness of schemes in securing widest possible applicant pool and an evaluation of applicant experience of the Scheme Process.</p>	<p>Within six weeks of the successful applicant accepting the post, a Scheme Evaluation Report will be produced and presented by the Chair of the Selection Panel to Plenary.</p>
	<p>8. Produce an Equality Monitoring Report for each Appointment Scheme.</p>	<p>Within six weeks of the successful applicant accepting the post, Produce an Equality Monitoring Appendix and Summary to be included within the overall Scheme Evaluation Report.</p>
<p>9. Produce an Annual Equality Monitoring 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>By June 2013, produce the 2012-13 Annual Equality Monitoring Report.</p>	

Corporate Plan Objectives	Strategic Objectives	2013/14 Targets and Actions
External Communications		
To regularly communicate helpful information, advice and guidance to targeted audiences to stimulate interest and raise awareness; encourage applications from under-represented groups	10. Deliver a Research Informed Programme of Action by continued website development, circulation of articles, publications and outreach events, and improve understanding of the application process and what judicial office entails; demonstrate openness and transparency and that appointments are made solely on merit.	<p>By 31 March 2014, produce a minimum of 3 external media articles on Increased Awareness of the Commission.</p> <p>By 31 March 2014, have 4 collaboration meetings with the professional bodies.</p> <p>By 31 March 2014, have 4 collaboration meetings with the employing authorities e.g. NICTS and Departments.</p> <p>By 31 March 2014, have held 8 outreach events to the legal profession and law students.</p> <p>By 31 March 2014, have held 4 tailored outreach events to the medical profession in collaboration with relevant tribunals (2 GP events & 2 'other' events).</p> <p>By 31 March 2014, have held 7 tailored outreach events via the Civic Society to promote judicial office generally, and lay posts in particular (6 Lay Magistrate events & 1 Mental Health Review Tribunal event).</p> <p>By 31 March 2014, publish a Guide to Judicial Careers and Judicial Shadowing Guide.</p>

Corporate Plan Objectives	Strategic Objectives	2013/14 Targets and Actions
Accountability and Governance		
To make effective and efficient use of our resources in order to achieve our objectives.	11. Ensure the Commission is staffed to full complement to allow it to operate effectively, delivering on objectives, plans and statutory remit.	By 30 April 2013, agree and implement a new staffing structure which will allow the Commission to fulfil its statutory obligations. By 31 March 2014, have in place a full complement of staff who are bedded in, and equipped with the skills to deliver the Commission's objectives.
	12. Ensure the Commission demonstrates the highest levels of information assurance, protecting the information it receives, processes and manages for the purposes of judicial appointments in accordance with best practice, therefore safeguarding candidate information.	By 31 March 2014, newly appointed staff will be fully trained in Information Security.
		By 31 December 2013, newly appointed Commissioners will be fully trained in Information Security.
	By 31 March 2014, the Senior Management Team will have sat as a Security Forum on 4 occasions.	
	13. Ensure data is held in accordance with the Data Protection Act and disposed of in accordance with NIJAC Disposal of Documents Schedule. The schedule complies with the requirements in the Public Records Act (NI) 1923.	By 31 August 2013, documents will be disposed of in accordance with the Commission's Disposal of Documents Schedule which was laid in the NI Assembly earlier in the year.
14. Produce and publish an Annual Report and Accounts in adherence to the Accounts Direction given by the Office of the First and Deputy First Minister in accordance with Paragraphs 5 and 7 of Schedule 2 of the Justice (Northern Ireland) Act 2002.	By 31 October 2013, the Annual Report and Accounts will be laid before the NI Assembly.	

Corporate Plan Objectives	Strategic Objectives	2013/14 Targets and Actions
	15. Maximise use of resources through sound financial management and controls, and achievement of efficiency targets.	By 31 March 2014 to operate within allocated budget avoiding overspend and managing under spend within tolerance level of 0.5%.
		By 31 March 2014, delivery of a cumulative 3% efficiency saving.
	16. Agree and secure the required level of resources to deliver the Commission's objectives with the sponsorship department.	By 31 March 2013 have agreed an indicative 2013-14 budget with OFMDFM that is sufficient to meet the Commission's objectives.
	17. Deliver an effective Risk Management system and maintain an effective system of internal control.	<p>During 2013-14 the Risk Register will be monitored, reviewed and updated at 4 Senior Management Team Meetings.</p> <p>The Business Committee will ensure that procedures are in place for the identification and assessment of risk, and those risks impacting on the achievement of the Commission's objectives are identified and reported on correctly in the Risk Register. The Committee will achieve this by reviewing the Risk Register at all (5) Committee meetings during 2013/14.</p>

Corporate Plan Objectives	Strategic Objectives	2013/14 Targets and Actions
		<p>During 2013/14 the Audit & Risk Management Committee (ARMC) will review the comprehensiveness, reliability and integrity of the assurances provided to them regarding NIJAC's internal controls, risk management processes and governance. The Committee will sit 4 times to achieve this.</p> <p>By 30 June 2013 the Governance Statement for 2012/13 will be considered by the ARMC, signed by the Accounting Officer and included in the Annual Report and Accounts.</p> <p>During 2013-14 each quarter, every Business Manager will submit to the Accounting Officer a Stewardship Statement for their Business Area.</p> <p>By 30 June 2013, the ARMC will review and approve the Internal Audit Strategy and Work Plans for 2013-14 to ensure that the scope is appropriate, and prioritise tasks as necessary.</p> <p>By 28 February 2014, the ARMC will consider the 2013-14 Internal Audit Reviews from Internal Audit, and review and monitor the adequacy of management responses to internal audit findings and ensure recommendations are implemented.</p> <p>By 31 December 2013, the Senior Management Team will conduct a test of the Business Continuity Plan and review the current plan.</p>

Corporate Plan Objectives	Strategic Objectives	2013/14 Targets and Actions
	18. Adherence to Sponsorship and corporate governance processes and practices in place in relation to Arm's Length Bodies.	<p data-bbox="1352 245 2192 344">During 2013-14 the Accounting Officer will submit an Arms Length Body Stewardship Statement to the Sponsoring Department each quarter.</p> <p data-bbox="1352 349 2192 480">By the second working day each month, an NDPB Consumption Return will be submitted to OFMDFM detailing resource and cash consumption to date and forecasted resource and cash consumption for the remainder of the year.</p> <p data-bbox="1352 485 2192 651">By 31 March 2014, 4 quarterly Arms Length Body Performance Reports will be submitted to OFMDFM. Each will include a process report on Business Plan Targets, the Risk Register, a Financial Management Highlight Report, a Consultancy Projects Report and a Staffing & Personnel Highlight Report.</p> <p data-bbox="1352 655 2192 754">The Management Statement and Financial Memorandum will be reviewed as part of the quarterly accountability meetings between the Sponsor Department and the Commission.</p> <p data-bbox="1352 759 2192 826">Quarterly Accountability meetings will take place between NIJAC and the OFMDFM Sponsorship Team.</p> <p data-bbox="1352 831 2192 922">During 2013-14 submit minutes of Plenary (4 meetings) (when approved by Plenary) and Audit & Risk Management Committee (4 meetings) (15 days after each meeting).</p>

Corporate Plan Objectives	Strategic Objectives	2013/14 Targets and Actions
	<p>19. Operate and maintain effective and transparent corporate governance processes and practices within the Commission.</p>	<p>By 31 March 2014, ARMC and Business Committee will meet throughout the year, reviewing and monitoring the workings of the Commission. The Business Committee will meet 5 times and the ARMC will meet 4 times.</p> <p>Audit Committee guidance and checklists published by the National Audit Office issued to the ARMC regularly. By 30 June 2013, the ARMC will have completed an Audit Committee Self Assessment Checklist, assessing their performance against best practice for the previous year (2012-13).</p> <p>Internal Fraud procedures are in place for detection, monitoring and reporting of fraud. By 31 March 2014, the Senior Management Team will have sat as a Fraud Forum on 4 occasions.</p> <p>Fraud detection, monitoring and reporting overseen by Sponsor Department. The Quarterly Fraud Return will be produced quarterly (March, June, September & December) and submitted to OFMDFM.</p> <p>Fraud detection, monitoring and reporting is overseen Internally by the ARMC. By 31 March 2014, the ARMC will have reviewed the Quarterly Fraud Returns at their 4 sittings.</p> <p>By 30 September 2013, an unqualified 'Report to those charged with Governance' will be issued by the Northern Ireland Audit Office.</p>
	<p>20. Ensure the effectiveness and efficiency of the Commission and its Committees.</p>	<p>By 31 March 2014 the Senior Management Team will have reviewed monthly, a log of work to be completed by each Committee and report this back to each Chair.</p>

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
Mrs Briedge Gadd, Lay Member
District Judge (Magistrates' Courts) Henderson, District Judge
Mrs Fiona Keenan, Lay Member
Her Honour Judge Loughran, County Court Judge
Mr James McNulty, Barrister at Law
Mr Alastair Rankin, Solicitor
Professor Nichola Rooney, Lay Member
Mr Lindsay Todd, Lay member
The Honourable Mr Justice Weatherup, High Court Judge

At the end of their first term, judicial members may be re-appointed for a second term.

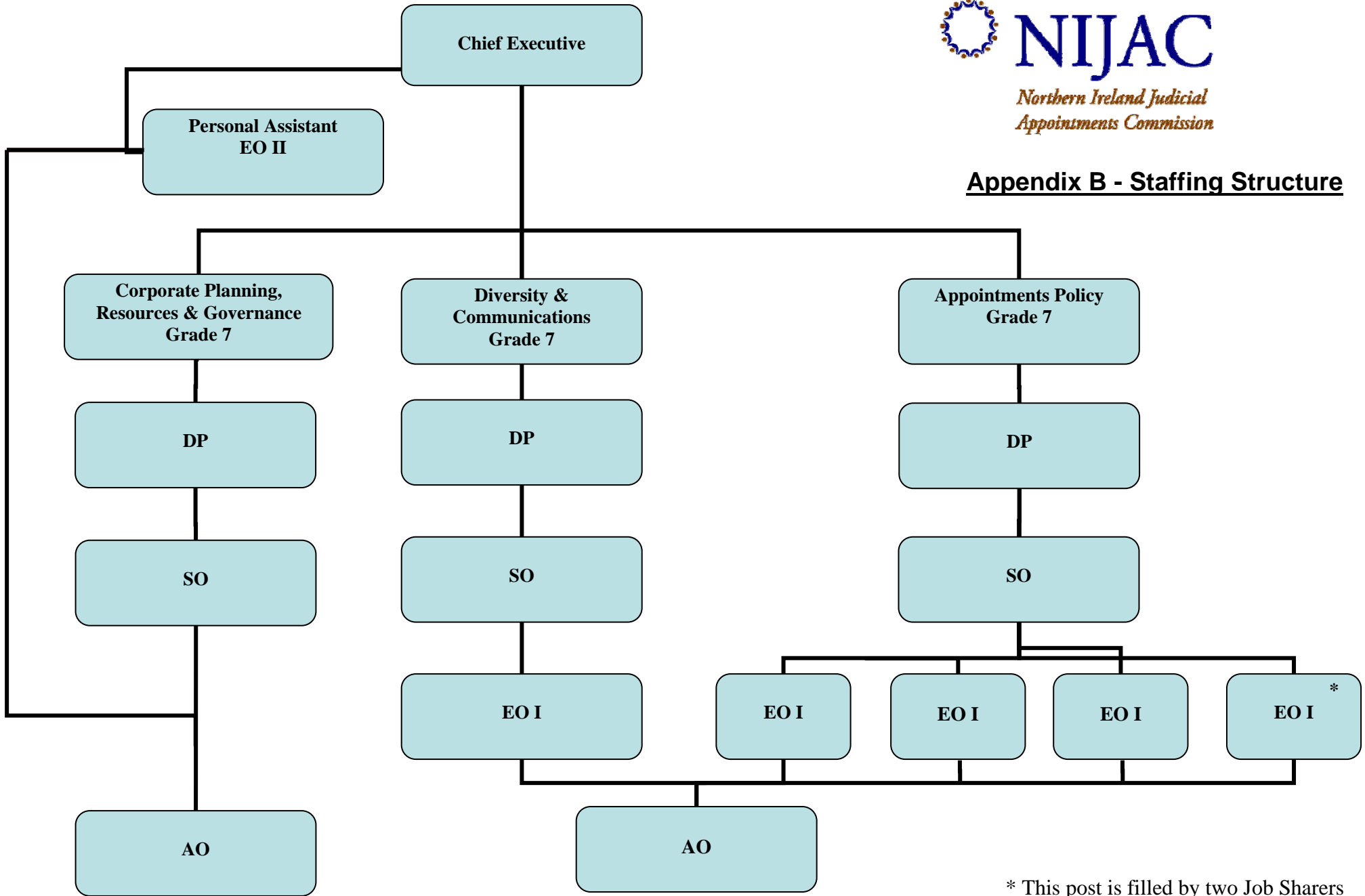
The current term of appointment is as follows:

- Judicial Members 5 years
- Lay Members 4 years
- Legal Members 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