

**Minutes of the Plenary Meeting  
Held on Wednesday 3 December 2014  
3<sup>rd</sup> Floor Conference Room,  
Headline Building, Victoria Street, Belfast**

**Present:** The Right Honourable Sir Declan Morgan, the Lord Chief  
Justice of Northern Ireland (Chairman)  
The Right Honourable Lord Justice Coghlin  
The Honourable Mr Justice Stephens  
Mr Brian Coulter  
Mr Eoin Doyle  
Mrs Breidge Gadd  
Mrs Fiona Keenan  
His Honour Judge Kinney  
Mr James McNulty QC  
District Judge (Magistrates' Courts) Rosalie Prytherch  
Mr Alastair Rankin  
Professor Nichola Rooney  
Mr Lindsay Todd

**In Attendance:** Mrs Mandy Kilpatrick  
Ms Adeline Frew  
Miss Cathy Woods  
Mr Andrew Millar  
Mr William Stewart

**1. Apologies**

An apology was received from the Chairman, who has been delayed and will join the meeting as soon as possible. In his absence the meeting was chaired by Lord Justice Coghlin.

**2. Conflicts of Interest**

No conflicts were identified.

**3. Confidentiality**

The importance of confidentiality was stressed.

**4. Minutes of meeting of 9 October 2014**

The minutes of the last meeting were agreed subject to the following amendment:

7.3.2 It was agreed the Chief Executive would determine the Selection Committee membership for schemes in line with current policy and send to Business Committee for comment before consultation and approval by the Chairman.

Other matters arising from the minutes were:

In relation to 5.5 the Chairman asked all Commissioners to complete the mandatory Government Security Classification and Responsible for Information e-learning courses, also the Data Protection CD as soon as possible and advise the staff when it was completed.

In regard to 7.4.4, the Policy Committee will consider, at its meeting in March 2015, the issue of whether a separate Conflict of Interest Committee is required.

**5. New Lay Commission Member**

Mr Brian Coulter was welcomed to the NIJAC as the newly appointed Lay Commission Member.

**6. Chief Executive's Report**

Mrs Mandy Kilpatrick presented her report to Plenary.

Recruitment of replacement staff who have already left or whose agreed secondment period is coming to an end is progressing. While staff absence may impact on the timeline to deliver it, the revised staff structure will continue to be progressed. Otherwise members noted there were no areas of concern at this stage across NIJAC's four key performance areas as shown in the reporting template provided to Plenary.

The current budget pressures were discussed.

Plenary voiced support for the steps being taken to allow NIJAC to meet 10% cuts to the 2015/16 budget as detailed in the Impact Assessment 2015-16 submitted to OFMDFM on 14 November 2014. Plenary noted that a further £60k of 2014/15 budget was surrendered on 12 November 2014 in the January Monitoring Round and were content that NIJAC can still meet its current business commitments for 2014/15.

At this stage the Lord Chief Justice having arrived took over as Chair.

With a possible budget cut of 12.5%/13% in 2015/16, the Chief Executive will look at how NIJAC can achieve the additional cuts. The Chair asked the Commissioners to support the Chief Executive in this work and suggest areas where this could be achieved. It was noted Business Committee will continue to monitor and evaluate the impact various cost cutting measures may have on service delivery.

The Risk Register was discussed; it was agreed that the 2015/16 Risk Register would include cuts to the budget and its impact on NIJAC meeting its statutory requirements. It was also suggested the consequence of reputational damage should be considered by Business Committee when reviewing the 2015/16 risk register.

The current timeframe for the implementation of the legislation to transfer responsibility of the role of Judicial Appointments Ombudsman to the Northern Ireland Ombudsman is April 2016. However it was noted that Mr Singh may stay in post until September 2016.

The website survey spanning a two month period (Sept – Oct 14), combined with ongoing evaluation through returned scheme evaluation questionnaires shows a high degree of satisfaction with the service being provided.

## **7. Selection Committees**

### High Court Judge

Mr Todd as Chair of the Selection Committee advised Plenary of scheme progress; he confirmed there would be a first round of interviews with shortlisted applicants undertaking a second interview on 18-19<sup>th</sup> December 2014.

### President Appeal Tribunals

Mr Rankin as Chair confirmed the Selection Committee was in the position of being able to recommend an applicant for appointment. Pre-appointment checks are currently taking place.

### Traffic Penalty Tribunal Adjudicator

An update on scheme progress was given by Mrs Gadd (Chair of the Selection Committee); the scheme is currently at paper sift stage of short listing.

The Chair noted this scheme was the last to use the 'maximum of up to 50 applicants' and referred to the agreed standard approach for shortlisting tests where in future the numbers to progress to the next stage would be proportionate i.e. up to 50%, rather than up to 50 applicants.

### Master – Family

Up-to-date figures were given in respect of applications received. Applicants will be shortlisted by way of a paper sift. Professor Rooney (Chair of the Selection Committee), advised that due to the nature of the work of a Master in the Family Division a role play exercise will be employed as part of the final assessment process.

### Master – Taxation and Enforcement of Judgments Office

Up-to-date figures were also given by Professor Rooney in respect of applications received. Applicants will be shortlisted by way of a paper sift.

### Care Tribunal

Mr Rankin (Chairman of the Selection Committee) gave an up-date of applicant numbers. A shortlisting test has not been necessary and a paper sift is now to be employed to select a final list of applicants for interview.

### Mental Health Review Tribunal (MHRT) Legal Member

Mr Rankin also advised Plenary that subject to the conclusion of correspondence 3 applicants should be appointed as MHRT Legal Members in the near future.

## **8. Committee Business**

### Senior Appointments Review Team (SART)

Plenary discussed the appropriate weighting of the various elements of the new approved Personal Profiles as it applies to various judicial offices. SART will take the views of Plenary on board when they meet again to discuss weightings.

Plenary approved a slight amendment to the phraseology of the generic Personal Profile in Communication Skills (2<sup>nd</sup> bullet point) to:

.....”and effectively with judicial colleagues and / or others, as part of a team”

It was further agreed that the final generic Profile would be provided to Presiding court judiciary, Presidents and Tribunal chairs and they would be encouraged to seek the opinions of their judicial colleagues on weighting and provide feedback to SART.

**Action Point:** SART to take forward.

### Business Committee

Mrs Gadd provided a summary of the points covered at the last Business Committee meeting; a number had already been discussed in the context of the Chief Executives Report.

The revised Code of Conduct was discussed by Plenary and signed by all Commissioners subject to the following notes for the record:

3.25 Traffic offences do not include fixed penalty or parking tickets, unless this is deemed relevant to the selection committee e.g. Traffic Penalty Tribunal.

3.26 With regard to this section which covers relations with the press, radio and television, it was agreed that section 3.26 should be viewed with a liberal interpretation to allow freedom of speech.

### Policy Committee

Lord Justice Coghlin provided a summary of the business covered at the last Policy Committee meeting.

His briefing included the specific requirements of recruitment and selection training for Commissioners, a review of the contents of induction packs for Co-opted Members of Selection Committees and Co-opted Contributors to the assessment process, scoring and rating scales and the standardising of the Applicant Information Booklet.

Plenary were also asked to note that as a result of an advertising cost review, newspaper advertising for schemes that require a 'legal' qualification will only be placed in the Belfast Telegraph. The cost of this includes Sunday Life and nijobfinder website. The Equality Commission had been consulted and advised that this approach would ensure appropriate coverage was achieved.

### Board Effectiveness Report

There was a closed session in the afternoon covering Board Effectiveness.

**9. Any Other Business**

The next meeting of Plenary will be held on Thursday 19 February 2015 at 9:30am.

**Signed**

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**The Right Honourable Sir Declan Morgan, the Lord Chief Justice of Northern Ireland, Chairman of the Northern Ireland Judicial Appointments Commission**

**Dated**

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