

**Minutes of the Plenary Meeting held on Thursday 23 February 2012,
Ground Floor Boardroom, Headline Building, Victoria Street, Belfast.**

Present: The Right Honourable Sir Declan Morgan, the Lord Chief
Justice of Northern Ireland (Chairman)
Mrs Sinead Burns
District Judge (Magistrates' Courts) Amanda Henderson
Mrs Ruth Laird
Her Honour Judge Loughran
Mr James McNulty QC
Professor John Morison
Dr Raymond Mullan OBE
Mr Alastair Rankin
Professor Nichola Rooney
The Honourable Mr Justice Weatherup

In Attendance: Mr Edward Gorringe (Chief Executive)
Mrs Helen Anderson
Ms Adeline Frew
Miss Catherine Woods

Apologies

The Right Honourable Lord Justice Coghlin

Minutes of the Last Meeting

1. The minutes of the meeting held on 13 October 2011 were agreed by the Commissioners.
2. The Commission confirmed there were no conflicts of interest before proceeding with the meeting.

Update on points in last minutes

Accommodation

3. The Chief Executive gave an update on the accommodation of the Commission. The Departmental Solicitors Office has considered the draft lease and has sent it back to the Landlord's Solicitor with suggested amendments on the 22 February 2012. The Commission are assured that the Department of Finance, on behalf of the Office of the First Minister and Deputy First Minister, will enter into the 15 year lease for Headline Building.

NIJAC Risk Register

4. A number of risks have been removed since the last meeting. The 'Working arrangements for staff' risk will be addressed later in the meeting under item 9 Staffing, in the agenda.
5. The Sunset Clause will be addressed later in the meeting under item 3 in the agenda.

Matters Arising

Sunset Clause in NI Act 2009- Impact on Commission

The Chief Executive gave an update on the review by the Committee for Justice on the arrangement for the appointments and removal of judicial office holders. The Commission has submitted their views to the Committee for Justice for consideration. The Chairman will be addressing the Committee for Justice on 8 March 2012.

Action points arising from the Away Day

6. The Away Day Monitoring System Table of actions/decisions agreed, at Paper C7/12 Flag C, was discussed by the Commission. The following amendments were suggested:
 - Points 2 and 4 to be combined and an action plan put together of how this is to be implemented. The Commission agreed that no deputy would be appointed.
 - Points 6 and 8 to be combined. The chairman of the selection panel to have a second vote, the casting vote, in any instances of a tie. All votes are made on merit.
 - Point 10. The Feedback Policy to be changed to include verbal feedback on request given to all unsuccessful candidates, unless in exceptional circumstances. This will apply in County Court Judge Schemes and above. The selection panel members will give the feedback.
 - Point 13. An 'Exceptional Circumstances' note to be added to this requirement. The Exceptional Circumstance will be considered, and decision made, by Plenary.
 - Points 20 and 25 to be combined.
 - Point 22. The Chairman, in his role as Lord Chief Justice, will approach the Judges Council in relation to this point.

The Chairman emphasised the importance of updating the table, and removing items when complete.

Appointments and Diversity

7. Mr Justice Weatherup gave an overview of Paper C2/12. The Commission agreed to the setting up of a Liaison Committee. The Research Steering Group will prepare a paper to the Policy Committee on the structure, membership composition, standing orders and terms of reference, and facilitation of the new Liaison Committee. When this has been agreed, the Chairman will approach the Chair/President of those organisations to be involved.
8. The Renewals Sub Group are preparing a paper for Policy Committee on the 3 further recommendations from the English reports as possible NI actions. MoJ may change their Crown appointments' Terms and Conditions post April; the Policy Committee will have to consider the impact of any changes.

Mentoring

9. The Research Steering Group to prepare a paper setting out the feasible mentoring options available with preference ratings. This paper will go to Policy Committee.

Commissioner Website

10. Paper C4/12 was considered by the Commission. A group was set up consisting of Professor John Morison, Mr Alastair Rankin and Conor Curran to review and report on the need, use and secure options available. The Commission agreed to wait for 3-4 months for the outcome of the NI Civil Service Sharepoint Project.

2012-13 Business Plan

11. The Chairman asked for all comments on the draft 2012-13 Business Plan, at Paper C6/12, be sent to the chairman of the Business Committee before their approval on 20 March 2012.

Staffing

12. The Chief Executive gave an update on the current staffing issues contained in Paper C5/12. The Commission requested that the Senior Management Team consider the desired future staffing structure and meet with staff individually to get an idea of their preferred option. Staffing issues to be reported to Business Committee. Commissioners requested to be kept up to date via email on any progress in this area.

To Note

Report to the Business Committee

13. The report which had been before the Business Committee on 24 January 2012 was considered and approved by the Commissioners.

Updates, Signed Minutes from Committees and Appointments and Reappointments Schedules

14. Duly noted by the Commissioners.

Any Other Business

County Court Judge Appointments

- 15. The Commissioners considered and approved the request to extend the period to take up post beyond three months for Candidate No.2, under exceptional circumstances.

High Court Judge Appointments

- 16. The Commissioners considered and approved the request to swear in the two successful candidates by 31 March 2012 on Business need grounds.

Structure of the Plenary, Committees and Sub Groups

- 17. The structure of the various meetings and committees/groups was discussed. Each Committee to consider its structure, standing orders and terms of reference, ways of working and Sub Groups. Each Committee to review draft agendas and decide if the item sits within the responsibility of that Committee or another Committee. Standing Orders and Terms of Reference for all Committees and Sub Groups to be circulated.

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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