



NIJAC

*Northern Ireland Judicial
Appointments Commission*

Business Plan



2015-2016

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Introduction

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

This Business Plan outlines the NIJAC's priorities for the period April 2015 to March 2016 and reflects the commitments set out in the Corporate Plan for the period 2014/15 to 2016/17.

Background

NIJAC was established on 15 June 2005 under the Justice (Northern Ireland) Acts 2002 and 2004. It is an independent executive Non-Departmental Public Body (NDPB) sponsored by the Office of the First Minister and Deputy First Minister (OFMDFM).

As a consequence of the Northern Ireland Act 2009 policing and justice powers were devolved to the Northern Ireland Assembly on 12 April 2010.

The 2009 Act also extended NIJAC's statutory duties as not only a recommending body (for listed judicial offices commonly known as Crown appointments, generally substantive posts) but also an appointing body (for non Crown appointments, which are primarily fee paid posts) thereby removing these functions from Government Ministers and the political process.

NIJAC 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 comprises of 13 members drawn from the judiciary, legal profession and other backgrounds (Appendix A). The Chairman is the Lord Chief Justice of Northern Ireland, Sir Declan Morgan. The five judicial members are nominated by the Lord Chief Justice, with each judicial tier represented, and appointed by the First Minister and Deputy First Minister acting jointly.

The Bar Council of Northern Ireland and Law Society of Northern Ireland nominate 1 member each to serve as legal members on the Commission, and the Commission's 5 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 also appointed by the First Minister and Deputy First Minister acting jointly.

All Commissioners have an equal say in the work of NIJAC and are of equal status.

Three standing committees have been established to deliver on NIJAC's commitments:

- Policy Committee
- Business Committee
- Audit and Risk Management Committee

The Commissioners are supported by 13 staff, headed by Mandy Kilpatrick, Chief Executive, and the different responsibilities of the Commissioners and staff are set out in the NIJAC Standing Orders.

The staff will review and monitor the 2015/16 Business Plan objectives throughout the year and report progress and the quality of service through Business Committee to Plenary.

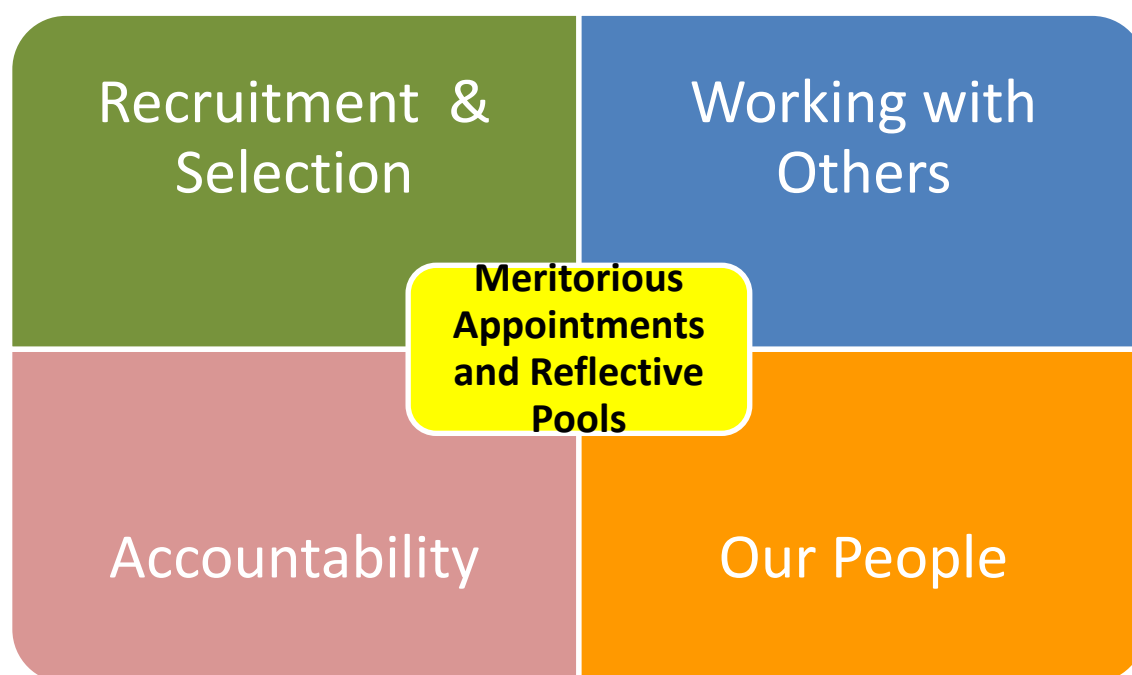
Our statutory responsibilities

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 NIJAC 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.

Key Focus for 2015/16

The NIJAC Corporate Plan for 2014-17 is set around NIJAC's key aim, to appoint and recommend for appointment solely on merit.

The diagram identifies four key work areas, each of which interact with the other and work towards our key aim.



The Corporate Plan sets out the context for our work in 2015/16 and in particular our commitment to benchmark what we do and implement an evidence based plan of action to deliver best practice in judicial appointments.

Running the programme of appointment schemes and benchmarking them against other jurisdictions, along with Governance represents the main focus of this year's business plan.

NIJAC continues to work to attract applicants from the widest possible pool and who are reflective of our community. We will continue to work closely with the Law Society and Bar Council who represent our main stakeholders.

Following a Staffing Review a number of staffing recommendations were implemented in 2014/15, the remaining aspects of the agreed structure will be implemented during 2015/16.

Finance & Governance

NIJAC has been provided by OFMDFM with a draft opening budget for 2015/16 of £1,094k Resource and £1,317k Grant in Aid.

It is expected that around 75% of our budget will be expended on core business, i.e. running appointment schemes and the associated Programme of Action and around 25% will be expended on corporate planning, resources and governance. The majority of expenditure relates to staff salaries, accommodation costs and support services received.

The high standards of governance in NIJAC have been acknowledged by OFMDFM and we will strive to ensure we provide a continued high level of assurance.

We will ensure all appropriate procurement and tendering guidance is adhered to, to ensure value for money is achieved and demonstrated.

NIJAC are ever mindful that the public sector is facing a difficult financial challenge in 2015/16; budget cuts of 12.8% have been made. Consequently the financial challenge over the next few years for Departments and Arm's Length Bodies is unprecedented. NIJAC will continue to look at ways to be more cost effective, ensuring value for money and safeguarding the public purse.

Contact details

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Business Plan Objectives 2015/16

What Will We Do	How Will We Do It	Indicators of Success	Milestones/Targets
<u>Recruitment & Selection</u>			
We will strive to meet our statutory duty to ensure a reflective judiciary which is appointed on merit.	1. We will develop, implement and deliver a programme of action to attract applications from the widest possible pool.	<ul style="list-style-type: none"> • Evidence based Programme of Action successfully delivered on time and to budget, including to meet agreed timeframes for implementation of new website. 	<ul style="list-style-type: none"> • All timescales met within the 2015/16 Programme of Action.
	2. We will deliver a programme of appointments and renewals that meets business needs and facilitates continuity in Courts and Tribunals.	<ul style="list-style-type: none"> • Timetables and commitments for schemes delivered successfully and within budget. 	<ul style="list-style-type: none"> • All timetables and commitments for each scheme met throughout 2015/16. • Budget for each scheme costed with unit costs; being refined for use as a financial comparator in future schemes; and monitored throughout 2015/16. • 80% of lessons learnt reports delivered within 6 weeks of applicants being informed of scheme outcome.

What Will We Do	How Will We Do It	Indicators of Success	Milestones/Targets
	<p>3. We will review and benchmark what we do and implement an evidence based plan of action to deliver best practice in judicial appointments.</p>	<ul style="list-style-type: none"> • Delivering Best Practice in Recruitment Project (DBPR) 2014/2017, commitments for 2015/2016 include: <ul style="list-style-type: none"> ➤ Standardisation of Documentation ➤ Assessment Methods ➤ Scoring ➤ Training • All polices due for triennial review in 2015/16 assessed and revised if appropriate. 	<ul style="list-style-type: none"> • Recommendations implemented during 2015/16 in line with the defined timetable in the DBPR Project 2014-17. • Completed by 31 March 2016.

What Will We Do	How Will We Do It	Indicators of Success	Milestones/Targets
<u>Our People</u>			
We will fulfil our commitments through the efforts of skilled and engaged Commissioners, Co-opted Experts and Staff.	4. We will put in place a Programme of Development to ensure that all Commissioners and Co-Opted Experts are clear and confident in their roles and responsibilities and supported to deliver on our commitments.	<ul style="list-style-type: none"> Recruitment and Selection training delivered and evaluated by Commissioners and Co-opted Selection Committee members. 	<ul style="list-style-type: none"> Training completed by end March 16 to the satisfaction of Commissioners and Co-opted Selection Committee members.
	5. We will promote an ethos of appreciating the value of diversity and encouraging continuous improvement.	<ul style="list-style-type: none"> Plan of Action implemented that addresses the findings from the Board Evaluation Questionnaire. Annual Performance Reviews for Commissioners and Staff successfully completed within agreed timeframes. Quality of service monitored and reported through Business Cte to Plenary 	<ul style="list-style-type: none"> Plan of Action fully implemented and reviewed by 31 March 2016. Timescales for Performance Reviews all met by 31 March 2016. Outcomes of internal peer reviews to be reported quarterly to Business Committee

What Will We Do	How Will We Do It	Indicators of Success	Milestones/Targets
	<p>6. We will value the contribution of staff and develop mechanisms to enhance their engagement and performance.</p>	<ul style="list-style-type: none"> • Workforce Implementation Plan for the new staffing structure implemented. • Staff Satisfaction Survey conducted and benchmarked against established baseline. • Shadow Performance Indicators implemented. 	<ul style="list-style-type: none"> • Plan implemented by 31 March 2016. • Survey completed by 31 December 2015. • Plan of action completed by 31 March 2016. • Performance indicators reviewed by 31 December 2015.

What Will We Do	How Will We Do It	Indicators of Success	Milestones/Targets
<u>Working with Others</u>			
We will work closely with others to deliver our statutory duties and implement best practice.	7. We will actively strengthen our consultative processes with the Bar Council and Law Society to ensure we deliver on expectations.	<ul style="list-style-type: none"> • Ongoing consultation and active and meaningful dialogue with the Law Society and Bar Council. • The development of generic scheme documentation in conjunction with the Joint Liaison Committee designed to encourage the widest potential applicant pool and enhance confidence in the judicial appointment process. 	<ul style="list-style-type: none"> • Targeted consultation on 2016/17 draft business plan completed by 28 February 2016 and agreed feedback implemented by 31 March 2016. • Ongoing throughout 2015/16.
	8. We will build upon our relationships with the Department of Justice (DoJ) and the Northern Ireland Courts and Tribunals Service (NICTS) and implement an enhanced Memorandum of Understanding.	<ul style="list-style-type: none"> • Timely programme of appointments schemes agreed and key performance indicators met. • Establish a Flexible Working Group 	<ul style="list-style-type: none"> • 6 month Liaison Meetings completed May and October 2015. • To establish an initial meeting and provide proposed Terms of Reference by 30 June 2015

What Will We Do	How Will We Do It	Indicators of Success	Milestones/Targets
	<p>9. We will build on our relationship with Judicial Appointments Commission England & Wales and Judicial Appointments Board Scotland.</p>	<ul style="list-style-type: none"> • Feasibility of peer review investigated. 	<ul style="list-style-type: none"> • Completed by 31 March 2016.
	<p>10. We will work with the Northern Ireland Judicial Appointments Ombudsman and Northern Ireland Ombudsman ahead of the transfer of responsibilities.</p>	<ul style="list-style-type: none"> • Effective plan for transition of responsibilities. 	<ul style="list-style-type: none"> • Plan to meet legislative timetable.

What Will We Do	How Will We Do It	Indicators of Success	Milestones/Targets
<u>Accountability</u>			
We will make judicial appointments while safeguarding public money and making the best use of resources.	11. We will manage our resources effectively through sound financial management and controls, while increasing our efficiency.	<ul style="list-style-type: none"> • Operate within allocated budget avoiding overspend and managing under spend within tolerance level of 1.5%. • An unqualified Certificate and Report of the Comptroller and Auditor General to the Northern Ireland Assembly. 	<ul style="list-style-type: none"> • Ongoing throughout 2015/16. • Completed by 30 September 2015.
	12. We will protect all data held safeguarding the confidentiality of applicants.	<ul style="list-style-type: none"> • All data held and disposed of in accordance with the NIJAC Disposal of Documents Schedule. • Annual Internal Audit Assurance Report with a satisfactory assurance rating. • Review the requirement of the Consultee role in the recruitment process. • Review of how confidentiality is stipulated to applicants. 	<ul style="list-style-type: none"> • Ongoing throughout 2015/16. • Received by 31 March 2016. • Completed by 31 March 2016. • Completed by 31 March 2016.

What Will We Do	How Will We Do It	Indicators of Success	Milestones/Targets
		<ul style="list-style-type: none"> Consider the Legislation/Publication Scheme to review the practical application of maintaining confidentiality. 	<ul style="list-style-type: none"> Completed by 31 March 2016.
	<p>13. We will deliver an effective governance system that will ensure probity and the safeguarding of public funds and provide assurance to our sponsor the Office of the First Minister and Deputy First Minister (OFMDFM).</p>	<ul style="list-style-type: none"> Adherence to all sponsorship and corporate governance processes and practices as stated in the Arms' Length Body Sponsorship Manual and support the OFMDFM Departmental Asset Management Plan. Effective risk and fraud detection, monitoring and reporting systems delivered. 	<ul style="list-style-type: none"> Ongoing throughout 2015/16. Ongoing throughout 2015/16.

Appendix A

Composition of the Commission

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

Members: The Right Honourable Lord Justice Coghlin, Lord Justice of Appeal
Mr Brian Coulter, Lay Member
Mr Eoin Doyle, Lay Magistrate
Mrs Breidge Gadd, Lay Member
Mrs Fiona Keenan, Lay Member
His Honour Judge Kinney, County Court Judge
Mr James McNulty QC, Legal Member
District Judge (Magistrates' Courts) Rosalie Prytherch
Mr Alastair Rankin, Solicitor, Legal Member
Professor Nichola Rooney, Lay Member
The Honourable Mr Justice Stephens, High Court Judge
Mr Lindsay Todd, Lay Member

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