

**Minutes of the Plenary Meeting
Held on Thursday 26 February 2015
Ground Floor Board 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
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
Mrs Catriona Burns

1. Apologies

Mrs Fiona Keenan
His Honour Judge Kinney

The Chairman apologised as he will be leaving the meeting at 16:15, in his absence the meeting will be 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 03 December 2015

It was confirmed that amendments to the Personal Profile (PP) had been completed. The minutes of the last meeting were agreed and signed by the Chairman.

5. Chief Executive's Report

Mrs Mandy Kilpatrick presented her report to Plenary.

Performance against Business Plan objectives were identified and discussed. Plenary were content with the report and agreed the end of year position will be addressed by Business Committee.

Recruitment of replacement staff who have already left or whose agreed secondment period is coming to an end is progressing. Two new Staff Officer's have been identified. No areas of concern across NIJAC's four key performance areas were identified.

The Risk Register was discussed; the impact of misinformation as a result of external breach of confidentiality has been added to the Risk Register. The issue surrounding confidentiality is to be added to the Joint Liaison Committee agenda for further discussion.

Action Point- Confidentiality to be added to the Joint Liaison Committee agenda

The 2014/15 budget was discussed. In 2015/16 there is to be a 12.8% reduction based on the 2014/15 opening baselines. Business Committee will

continue to monitor and evaluate the impact cost cutting measures may have on service delivery.

The Shadow Performance Targets were agreed.

The Chief Executive gave a brief on the Advice on Jurisdiction which is available electronically by request.

Action Point- Legal Advice to be circulated to Judicial Commissioners

The 2015 NIJAC Commission Members Fees Policy was approved; the next stage is being taken forward by Business Committee.

Action Point- Business Committee to take forward a unit costing exercise for schemes

With regards to Committee Membership the Chairman approved the proposed arrangements subject to one change from the details circulated; Mrs Fiona Keenan is being replaced by Mr Brian Coulter on Business Committee. The Chief Executive will take responsibility for organising Commissioner appraisals. The appraisal process is to include a written note from each Commissioner in advance of the meeting.

The Plenary meeting dates for 2015/16 were agreed.

6. Business Plan and Programme of Action

Plenary noted that feedback provided had been incorporated into the draft plan, including a quality measure. Plenary agreed “Meritorious and Reflective Appointments” will be amended to “Meritorious Appointments and Reflective Pools”. It was also agreed the Business Plan would be finalised at Business Committee prior to issue for consultation. Plenary determined that any further feedback and comments could be addressed electronically prior to publication of the Business Plan and Programme of Action.

Action Point- Wording to be changed in 2015/16 Business Plan and Corporate Plan to 'Meritorious Appointments and Reflective Pools'. Business Committee to review and approve Business Plan for consultation.

7. NIJAC Code of Conduct for Commission Members

Some information provided by OFMDFM in the Candidate Information Booklet was not detailed in the Code of Conduct signed by Plenary members. Plenary concluded the Code of Conduct is sufficient; however the other information will be kept on file.

8. Concordat between Commissioners and Staff

Commissioner's feedback prior to the meeting was noted. Subject to discussion between the chair of Business Committee and Mrs Keenan the concordat is to be agreed at the next Business Committee meeting on 5 March 2015.

Action Point- Business Committee to take forward Concordat

9. Committee Business

Board Development Plan

The draft Plan was presented and agreed. It was noted the detail will be captured under an overarching objective within NIJACs 2015/16 Business Plan. A Strategic Planning day was confirmed as important and Plenary in October 2015 will be used to facilitate this. A further theme agreed for April 2015 is Experiences from Other Jurisdictions (Professor Rooney); June 2015 Governance/Shared Understanding. Board Effectiveness Committee/ Commissioners to consider other themes including outreach for the new legal year.

Action Point- Chief Executive and Board Effectiveness Committee to take forward Board Development Plan to finalise responsibilities and target dates.

Senior Appointments Review team (SART)

SART is to review Personal Profiles regarding weighting. It was proposed and agreed the planned work within the Developing Best Practice in Recruitment Project (DBPR) on rating scales would also be progressed by SART.

Action Point- SART to take forward Weighting and Rating Scales

Plenary was updated by the Chair of Business Committee; the main issue remains the tight financial position both for 2014/15 and 2015/16

Plenary was updated by the Chair of Audit and Risk Management Committee; the internal audit (IA) strategy was discussed and agreed by the Committee; it will include Key Performance Indicators to monitor IA's performance.

Policy Committee.

DBPR was discussed, as was the review of the Consultee and Feedback Policies.

- i. Amendments to the DBPR timeline were noted
- ii. Standardised Documentation (AIB) - The AIB was approved with minor amendments
- iii. Co-opted Members Induction Pack- both approved
- iv. Rating Scales were approved

The Chairman excused himself from the meeting and Lord Justice Coghlin Chaired the remainder of the meeting.

Issues and Character Sub-committee- Precedents.

The Character Policy is currently being reviewed before being brought to Policy Committee for consideration.

10. Flexible Working

This topic will be brought forward by District Judge (Magistrates' Court) (DJ[MC])Prytherch at Plenary on 12 March 2015 at which the Justice Committee and Minister for Justice, or their representative have been invited.

The Chair of Justice Committee has indicated he and the Deputy Chair will be present.

11. Selection Committees

Completed Scheme Update

High Court Judge

The Chairman of the Selection Committee (SC) indicated the scheme is ongoing.

President Appeal Tribunals

Mr Rankin, SC Chair confirmed the successful applicant has been sworn in. A Lessons Learned report will be shared; of note was responsibilities for and scope for handling feedback

Traffic Penalty Tribunal Adjudicator

An update on scheme progress was given by Mrs Gadd SC Chair; the pre-appointment checks have commenced for the successful applicants. A lesson learnt from this scheme was that co-opted persons need to be advised of the of possible time commitment required.

Master – Family and Master – Taxation and Enforcement of Judgments Office

Professor Rooney SC Chair advised that successful applicants had been identified for each scheme and the pre-appointment checks have commenced. The use of the role-play for the Master family assessment centre was viewed as an extremely useful tool for assessment.

Current Schemes

Care Tribunal

Mr Rankin (Chairman of the Selection Committee) confirmed the first interviews took place 26 February 2015, and the final applicants will be interviewed Friday 27 February 2015.

12. AOB

The subject of using critical thinking testing as a method of shortlisting was discussed. Research into this is ongoing.

13. Date and Agenda of next meeting

Thursday 12 March 2015 at 14:00. Justice Committee will join the meeting at 15:30.

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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