

Minutes of the Plenary Meeting
Held on Thursday 5 March 2020
Headline Building, Victoria Street, Belfast

Present: The Rt. Hon Sir Declan Morgan, the Lord Chief Justice of Northern Ireland (Chairman)
Mr Paul Douglas
Mr Eoin Doyle QFSM
The Hon Mrs Justice Keegan
Ms Noelle McGreenera QC
Mr Michael Robinson
The Rt. Hon. Lord Justice Stephens
Mr Lindsay Todd OBE

In Attendance:

Ms Adeline Frew
Mrs Tonya McCormac
Mr Andrew Millar
Mrs Sabrina Sloan
Mrs Nicola Byrne (Secretary)

1. Apologies & Introductions

Apologies were received from District Judge (Magistrates' Courts) Rosalie Prytherch.

The Chairman welcomed Sabrina Sloan to NIJAC who is joining the Judicial Appointments Team to cover a maternity leave.

The Chairman and Commissioners took the opportunity to congratulate Mr Lindsay Todd in receiving an OBE in the New Year's Honours List for services to Justice, in recognition of the work he has done for NIJAC over the past 8 years.

2. Conflicts of Interest

No conflicts were declared.

3. Confidentiality

The importance of confidentiality was stressed.

4. Minutes of meetings

The minutes of the meeting on 4 December 2019 were approved.

The Chairman updated on the actions arising, the majority of which are either complete or addressed on the substantive agenda.

5. Chief Executive's Report

Mrs McCormac presented the Chief Executive's report to Plenary.

Business Plan 2019/20

Mrs McCormac advised that the Business Plan Key Performance Indicators have been reported to Business Committee and are all on track for delivery.

Corporate Planning Process

Mrs McCormac advised that the Executive Team are currently working with Steven Mungavin on finalising the draft of the Corporate Plan 2020-2025. A further session with Commissioners is to be scheduled and will hopefully include the new Lay Commissioners.

Risk Register

Mrs McCormac advised that the Risk Register was considered by both Audit and Risk Assurance Committee and Business Committee at their recent meetings and continues to reflect the acknowledged risks. The Executive Team have since reviewed the Risk Register and whilst scores were not amended, the Register was updated to reflect more recent developments.

Budget

Mrs McCormac advised that we are close to the end of the financial year and currently forecast to be under budget by £4k which represents 0.32% of the agreed resource budget which is within the permitted underspend of 1.5% for the year. The budget will continue to be closely monitored. dx

Outreach and Working with Others

Mrs McCormac updated on the various outreach activities that have taken place in respect of the difficulties around the recruitment of Consultants, in particular Psychiatrists. NIJAC has recently issued a survey amongst the Royal College of Psychiatrist members to assist in providing further insight into the issues affecting interest in the Consultant Psychiatrist Role.

Mrs McCormac advised that she attended the launch of the OCPANI Mentoring Scheme on 24 February 2020. NIJAC have been matched with a mentee and Mr Eoin Doyle has agreed to take on the role of mentor.

Mrs McCormac advised that a date has been arranged for the annual Engagement Event with Politicians for 6 May 2020. It is expected that Mr John Duffy, President of the Appeals Tribunals will be in attendance to present on the work of the Appeal Tribunals.

Mrs McCormac has begun engagement with stakeholders in respect of the Victims Payments Board to assist in managing expectations around its implementation in terms of timescales.

Staffing

Mrs McCormac advised that Business Consultancy Services (BCS) will be commencing a review of NIJAC's staffing structure in April. This review is concerned with ensuring that NIJAC's staffing structure is fit for purpose. It is worth noting that in terms of structure, NIJAC are currently working to a staff headcount of 12.5 WTE posts however the actual approved headcount for the Commission is 18.

Mr Raymond Donnelly commenced work with NIJAC until April 2020 to develop the HR People Strategy and will be considering our approach to staff Health and Wellbeing.

Ms Siobhan Bates has also joined NIJAC on a temporary basis until the end of March 2020 to review NIJAC's communications and engagement, with particular emphasis on the website and further developing electronic networks.

6. Selection Committees

Current Scheme Updates

- **Review Tribunal Legal Members** – Mr Douglas advised that this scheme was successful in attracting a large number of applicants. A shortlisting test was conducted on 9 January 2020. Shortlisting papersift is now complete and interviews are scheduled for 18, 19, 20 March and 29 and 30 April 2020.
- **Care Tribunal Legal Chairman** – Mr Todd advised that this scheme closed to applications on 24 February 2020. Selection Committee members are currently undertaking the individual papersift. A moderation meeting is scheduled for 10 March 2020.
- **Coroner** – Mrs Justice Keegan advised that this scheme is aiming to recruit 1 full-time salaried Coroner and to maintain a reserve list. A pre scheme meeting has been arranged following Plenary at which the process to be adopted will be confirmed.
- **Criminal Injuries Compensation Appeals Panel (CICAP) Adjudicator (Medical)** – Mr Douglas advised that this scheme is aiming to recruit 1 fee paid Adjudicator (Medical) and to maintain a reserve list. A pre scheme meeting has been arranged for 13 March 2020 at which the process to be adopted will be confirmed.

Lessons Learned Reports

Plenary discussed the matter of Lessons Learned Reports and overall scheme evaluations and agreed that they wanted to ensure that any learnings are being given full consideration and it was confirmed that all Lessons Learned Reports and Scheme Evaluations are to be considered by Policy Committee who would then update Plenary as appropriate with any pertinent issues or learnings.

Mrs McCormac advised that she has also asked the Executive Team to review the current process around scheme evaluation to ensure we are making the most effective use of the process.

ACTION: *Lessons Learned Reports to be considered by Policy Committee who will then update Plenary as appropriate with any pertinent issues or learnings.*

Review Tribunal Experienced Members – Mr Doyle advised that this scheme was well run and was successful in attracting a large number of applicants. Selection Committee members noted the engagement event that took place which was successful in generating interest in the scheme and providing clarity about the processes involved and the role. Following interview, 10 appointable applicants were identified however no reserve list was created. Whilst the Selection Committee noted that the use of a Critical Thinking Test created an interim merit list of applicants to progress to the next stage, future Selection Committees may wish to consider the need to combine the use of such a test with a sift on the self-assessment.

7. Issues and Character Committee Update

Commissioners noted the report presented by Mrs Justice Keegan which outlined decisions undertaken by both herself and Judge Prytherch in recent schemes.

Following discussion it was agreed that the principles to be applied within the Character Policy would be reviewed to ensure they are adequate.

ACTION: *Review of Character Policy principles to be conducted by Policy Committee.*

8. Policy Committee

Mr Robinson provided an update on the discussions at the meeting on 25 February 2020 and the draft minutes were noted by Plenary.

Mr Robinson advised that extensive discussion took place about the Committee's Terms of Reference and it was agreed that they wished to adopt a more strategic approach, with the support of the Executive Team.

Literature Review

Mr Robinson advised that the Committee reviewed the recommendations coming out of the Literature Review and have identified how best to take these forward.

It has been agreed that Mr Robinson and Mr Douglas will form a working group to review the rating scale and are to report back to Policy Committee in April 2020.

Recommendations arising from QUB Report

Mr Robinson advised that following extensive discussion it was agreed that a sub group consisting of Mr Robinson, Mr Douglas and Ms McGreenera QC would be set up to consider the recommendations arising from the report. A date for the first meeting of this sub group has been arranged for 11 March 2020.

The Chairman advised that it is possible that a nominee from the County Court will be identified shortly to take a seat on the Commission and if so, it would be worthwhile if they could also join this sub group. This was welcomed by all Commissioners.

9. Business Committee

Mr Doyle provided an update on the discussions at the meeting on 13 February 2020 and the draft minutes were noted by Plenary. At this meeting the Committee was updated on the current budgetary position, the reviewed the Risk Register and noted the update provided on the programme of appointments and renewal of appointments.

Dates of Committees

Mr Doyle advised that Business Committee had approved the proposed Committee dates for 2020/21. These were agreed and approved by Plenary.

10. Audit and Risk Management Committee (ARMC)

The draft minutes of 11 February 2020 were noted by Plenary. Mr Todd provided an update on the discussions at the meeting which included a review of the Risk Register. Mr Todd noted the Dear Accounting Officer letters in respect of the Partnership Agreement Template and Guidance on Proportionate Autonomy for Arm's Length Bodies and confirmed that work is ongoing to develop and agree a Partnership Agreement with The Executive Office with the aim of having this in place by April 2020.

11. AOB

Diversity Statistics

Ms Frew advised that work is ongoing to update our diversity statistics and we are awaiting figures from the Bar Council. Once received, updated statistics will be provided to Plenary.

ACTION: *Once complete, updated diversity statistics to be shared with Plenary.*

Coronavirus

The Chairman enquired as to what contingencies were being considered by NIJAC in respect of the Coronavirus. Mrs McCormac advised that staff are currently in the process of reviewing the Business Continuity Plan and will also follow any guidance issued by the Public Health Agency if and when required.

Increase to Coronial Complement and request to approve one Post Retirement Appointment and the appointment of two current Judges as Coroners

Subject to the agreement of the Department of Justice, Plenary approved a request to increase the Coronial Complement (fee paid) by three to facilitate one post retirement appointment and the appointment of one County Court Judge and one High Court Judge to sit as Coroners. It was also noted that it is intended that Mr Justice Huddleston would be appointed as Presiding Coroner in April (replacing Mrs Justice Keegan). It was noted that these appointments would assist in facilitating the effective deployment of available judiciary to support delivery of the 5 year plan for legacy inquests.

ACTION: NIJAC to seek agreement of the DoJ to increase the complement of Coroners.

Annual Report and Accounts

Mrs McCormac advised that work is ongoing to sign off the previous 4 years' Annual Reports and Accounts in June 2020. Previous years accounts have been unable to be signed off due to the absence of an Executive.

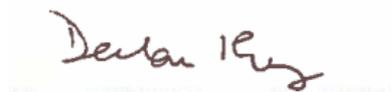
HR Matters

All staff with the exception of the Chief Executive left the meeting and Mr Doyle updated Commissioners on the status of the HR matters.

12. Date of next meeting

Wednesday 3 June 2020.

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

03-06-20

ACTION POINT SUMMARY

Agenda Item	Action	Owner
6	<ul style="list-style-type: none"> <i>Lessons Learned Reports to be considered by Policy Committee who will then update Plenary as appropriate with any pertinent issues or learnings.</i> 	Policy Committee
7	<ul style="list-style-type: none"> <i>Review of Character Policy principles to be conducted by Policy Committee.</i> 	Policy Committee
11	<ul style="list-style-type: none"> <i>Once complete, updated diversity statistics to be shared with Plenary.</i> 	A Frew
11	<ul style="list-style-type: none"> <i>NIJAC to seek agreement of the DoJ to increase the complement of Coroners.</i> 	A Frew