



NIJAC

*Northern Ireland Judicial
Appointments Commission*

Business Plan



2016-2017

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Introduction

The Northern Ireland Judicial Appointments Commission (NIJAC) is an independent public body established to bring about an open and transparent system for appointing members of the judiciary in Northern Ireland.

This Business Plan outlines the NIJAC's priorities for the period April 2016 to March 2017 and reflects the commitments set out in the Corporate Plan for the period 2014/15 to 2016/17.

Background

NIJAC is in its eleventh year, having been established on 15 June 2005 under the Justice (Northern Ireland) Act, as amended. It is an independent executive Non-Departmental Public Body (NDPB) sponsored by the Office of the First Minister and Deputy First Minister (OFMDFM).

The Northern Ireland Act 2009 , which devolved justice powers to the Northern Ireland Assembly, also extended NIJAC's statutory duties as a recommending body (for listed judicial offices commonly known as Crown appointments) to also being 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 was also ceded influence over the judicial complement, and determination over certain terms and conditions in agreement with sponsoring departments who employ the judicial office holders and hold the relevant budgets.

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 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 12 staff, headed by Mandy Kilpatrick, Chief Executive and Accounting Officer, and the different responsibilities of the Commissioners and staff are set out in the NIJAC Standing Orders.

Primarily the Chief Executive must enable and assist Commissioners in the delivery of NIJAC's statutory duties. To ensure NIJAC is managed effectively and within budget, staff will review and monitor the 2016/17 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 2016/17

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 2016/17 and in particular our commitment to benchmark what we do and implement the evidence based plan of action to deliver best practice in judicial appointments. This will be the third and final year of a comprehensive 'Delivering Best Practice in Recruitment' (DBRP) project. In the preceding two years much work has been completed to benchmark and standardise NIJAC's approach to recruitment and selection.

As is usual the vast majority of our schemes during 2016/17 will be for legal appointments. Our work with the Joint Liaison Committee, comprising NIJAC, the Bar Council and the Law

Society, will continue to work to attract applicants from the widest possible pool and who are reflective of our community.

In addition, delivering on the Programme of Action, running the agreed appointment schemes, completing the DBPR project along with maintaining high standards of Governance represents the main focus of this year's business plan. We will however also reflect on NIJAC's first 10 years, our statutory remit, and lessons learned to inform development of the next 3 year Corporate Planning cycle.

Finance & Governance

NIJAC has been provided by OFMDFM with a draft opening budget for 2016/17 of £1,062K Resource and Grant in Aid.

It is expected that around 73% of our budget will be expended on core business, i.e. running appointment schemes and the associated Programme of Action and around 27% 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 is facing a difficult financial challenge in 2016/17 particularly given the considerable cost of accommodation which is outwith its control. We will work closely with colleagues to develop an effective solution that enables

delivery of NIJAC's statutory responsibilities within our allocated budget. NIJAC will continue to look at ways to be more cost effective, ensuring value for money and safeguarding the public purse.

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Business Plan Objectives 2016/17

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 within allocated budget. 	<ul style="list-style-type: none"> • All timescales met within the 2016/17 Programme of Action.
	2. We will deliver a programme of appointments and renewals that meet business needs and facilitates continuity in Courts and Tribunals.	<ul style="list-style-type: none"> • Facilitate swearing in of applicants within 6 months of advertisement and monitor scheme budgets, delivering within NIJAC's allocation 	<ul style="list-style-type: none"> • That in order to facilitate swearing in NIJAC will complete assessment within 90 working days of the advert date. • Quarterly report to Business Cte.

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 2016/2017 including: <ul style="list-style-type: none"> ➤ Standardisation of Documentation ➤ Assessment Methods • All polices due for triennial review in 2016/17 assessed and revised if appropriate. 	<ul style="list-style-type: none"> • Deliver agreed DBPR Project 2016/17 targets. • Complete Policy Reviews 31 March 2017 and report to Policy Cte.

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 are clear and confident in their roles and responsibilities and supported to deliver on our commitments.	<ul style="list-style-type: none"> • Internal Recruitment and Selection training delivered to and evaluated by Commissioners and Co-opted Selection Committee members. • Staff training plan agreed and implemented. 	<ul style="list-style-type: none"> • Training completed as and when required to the satisfaction of Commissioners, Co-opted Selection Committee members and staff by 31.3.17.
	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 delivered that addresses the findings from the February 2016 Strategy Day. • 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 implemented by 31 March 2017. • Timescales for Performance Reviews all met during 2016/17. • Outcomes to be reported quarterly to Business Committee

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.	6. 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, as members of the Joint Liaison Cte. 	<ul style="list-style-type: none"> Targeted consultation on 2017/18 draft corporate and business plans completed by 28 February 2017 and agreed feedback incorporated by 31 March 2017. Consult on pertinent recommendations arising from Senior Appointments Review Team (SART) by 31.3.17 Inform on new ways of working with Northern Ireland Public Services Ombudsman (acting as Judicial Appointments Ombudsman).
	7. We will build upon our relationships with the Department of Justice (DoJ) and the Northern Ireland Courts and Tribunals Service (NICTS)	<ul style="list-style-type: none"> Timely programme of appointments schemes agreed according to business need. 	<ul style="list-style-type: none"> 6 month Liaison Meetings completed May and October 2016. Review NIJAC Terms and Conditions by 31.3.16

What Will We Do	How Will We Do It	Indicators of Success	Milestones/Targets
	<p>8. We will build on our relationship with Judicial Appointments Commission England & Wales and Judicial Appointments Board Scotland.</p>	<ul style="list-style-type: none"> Regular Benchmarking on Appointments Processes 	<ul style="list-style-type: none"> Completed by 31 March 2017.
	<p>9. We will work with the Northern Ireland Public Services Ombudsman on the transfer of responsibilities.</p>	<ul style="list-style-type: none"> Effective plan for transition of responsibilities. 	<ul style="list-style-type: none"> Memorandum of Understanding agreed by 20 October 2016.

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.	10. 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 2016/17. • Completed by 30 September 2016. • Key Performance Indicator met: 98% of supplier invoices paid within 10 working days.
	11. 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. 	<ul style="list-style-type: none"> • Ongoing throughout 2016/17. • Received by 31 March 2017.

What Will We Do	How Will We Do It	Indicators of Success	Milestones/Targets
	<p>12. 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 2016/17 and reported to Audit Risk & Management Committee. • Ongoing throughout 2016/17 and reported to Audit Risk & Management Committee. • Review NIAO Checklist and adjust Policy and Practice by 31 March 2017.

Appendix A

Composition of the Commission

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

Members: Mr Brian Coulter, Lay Member
Mr Eoin Doyle, Lay Magistrate
Mrs Breidge Gadd, Lay Member (To Oct 2016)
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
The Right Honourable Lord Justice Weatherup, Lord Justice of Appeal

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

Note: Appointment scheme for new Lay Commissioner underway.