

Plenary Minutes
22 June 2023 at 9.30 am.

Present: The Rt. Hon Dame Siobhan Keegan, the Lady Chief Justice of Northern Ireland (Chair)
Mr Eoin Doyle QFSM
Mr Colm Donaghy
Mr Paul Douglas
Mrs Maureen Eccles
Mr Michael Robinson
Mr Brian McTeggart
Judge Geoffrey Miller KC
Lord Justice Treacy
Judge Rosalie Prytherch
Mr Bernard Brady KC
Judge Michael Humphreys

In Attendance: Mrs Tonya McCormac
Ms Adeline Frew
Mr Duncan Greer
Mr Andrew Millar
Mr Raymond Donnelly

1. Apologies and Introductions

- 1.1 No apologies were received.
- 1.2 The Chair welcomed everyone to the meeting.

2. Conflicts of Interest

No conflicts of interest were declared regarding items included on the agenda.

3. Confidentiality

The Chair reiterated to all the need for confidentiality to be maintained.

4. Minutes of meeting of 30 March 2023

4.1 The minutes were approved. It was confirmed that action points arising had either been completed or would be covered in today's Agenda.

4.2 Ms Adeline Frew provided an update on publication of NIJAC statistics and Stakeholder Survey Outcome.

5. Chief Executive's Report

The Report having been circulated in advance, members were asked to raise any matters for discussion at the meeting by exception.

5.1 Mrs McCormac updated on the position of NIJAC's Annual Report and accounts 2022/23, advising that the fieldwork was currently underway by the NIAO with all working to an expected completion date of September 2023. The 2022/23 Annual Report and Accounts require to be signed off by the First and Deputy First Minister before being laid.

5.2 Commission members sought clarification on any further update from the Office of the Judicial Ombudsman on a complaint raised by a person with the Ombudsman in 2022.

5.3 Mrs McCormac advised of the current financial position and indicative opening position for 2023/24 and the impact of the planned efficiencies on core business activity.

6. Selection Committee updates

6.1 An update paper for each scheme was presented.

6.2 Deputy Statutory Officer

Mr Brian McTeggart, Chair of the selection committee, provided an update, advising that 27 applicants were brought to interview with 9 appointments and 8 held in reserve. Appointments were aimed at start of term, although a lead time of 2 months was expected. Mr McTeggart reported on a good spread of backgrounds and experience and emphasised the importance of training and mentoring in helping appointees become effective as early as possible in their roles.

6.2 Victims' Payment Board/Review Tribunal Medical Members

Mrs Maureen Eccles, Chair of the selection committee, reported that there were 32 expressions of interest from which 28 persons were called to interview, which are scheduled for July 2023.

Following a point raised by a Commission member, the meeting discussed the value of continuing to interview by virtual platform, debate focusing on the challenges regarding assessing communication skills, but also on the welcome positive effects that virtual interviewing appears to have had on applicant numbers for some schemes, particularly for hard-to-fill posts. Consensus was reached that virtual interviewing works well in general and is an option open to all selection committees.

6.3 NI Valuation Tribunal

Mr Colm Donaghy, Chair of the selection committee reported that the NIVT scheme had successfully completed with 3 appointments and 2 persons held in reserve.

7. Advisory Committee

7.1 Judge Geoffrey Miller presented the draft minutes of the Advisory Committee 8 June 2023, noting the potential knock-on effects on Schemes of the temporary reduction staffing levels due to this year's budget constraints.

7.2 Members discussed positive feedback received on the use of the Statement of Suitability. Members were advised that the Statement of Suitability will be included in the Review of shortlisting with consultation with members on this review planned for the autumn of 2023.

7.3 Members discussed the publication of Diversity information and statistics seeking confirmation that a summary report to be added to NIJAC's website.

8. Business Committee

8.1 Mr Colm Donaghy presented the minutes of the Business Committee 6 June 2023, referring particularly to NIJAC's current difficult budget position that has resulted in delay in backfilling some vacant posts and reduction in the number of planned schemes being delivered during 2023/24 business year.

8.2 The meeting noted the difficulty in fulfilling TEO's request to NIJAC to make additional VPB appointments arising from TEO's reduction in core funding to NIJAC in the current year.

8.3 The meeting noted proposals impacting Commissioners arising from the budget position, including reduction of the number of committees for Q2, reduction on their involvement in ad-hoc activities and reduction in training for Commissioners and staff.

8.4 Mrs McCormac provided an update on wider operational impacts of the budget position and on current contingency planning so that NIJAC can respond quickly to changing circumstances, with appropriate risk-management measures.

8.5 It was noted that the Chair would now like to schedule an annual stocktake meeting with the TEO Permanent Secretary.

8.6 Mr Greer provided an update on the headline Building repairs and reported that a satisfactory outcome to this issue had now been reached. Ongoing dispute on rent arrears was a matter exclusively between Landlord and TEO.

8.7 Mr Eoin Doyle presented his report on activity and effectiveness of Business Committee during 2022-23, thanked committee members for their support and wished Mr Donaghy well in taking over the role of Chair.

9. Audit and Risk Assurance Committee

9.1 Mr Paul Douglas presented the draft minutes of the meeting of 13 June 2023 and guided members through the document.

9.2 Discussion took place on Cyber Security and risk measures currently in place, members being concerned about potential risks for NIJAC. Mr Greer advised of NIJAC's reliance on the controls and measures provided by NICS IT Assist in managing IT security, and on our own continued health checks and penetration testing of existing NIJAC systems that lie outside the IT Assist network.

It was agreed that SLT would review existing controls and further refresher training would be made available to Members and staff over the summer months.

9.3 Discussion took place on provision of NIJAC email addresses to Commissioners. It was agreed that a paper is brought forward to the next meeting setting out the practical considerations with options and recommendations.

9.4 Mrs McCormac updated that following a further procurement exercise for Internal Audit services, a new provider had now been identified.

9.5 Mr Brian McTeggart presented his report on activity and effectiveness of ARAC during 2022-23, thanked committee members for their support and wished Mr Douglas well in taking over the role of Chair.

10. Any Other Business

10.1 The Chair advised that the Tripartite Conference would take place on 10 October 2023 in Edinburgh, with herself, Mrs McCormac, and Mr Millar to attend.

10.2 The Chair provided an update on discussions on some Departmental appointments including the Parole Commissioners potentially moving to Schedule 1 and NIJAC. Further work would need to be progressed by DOJ, TEO and NIJAC with an agreement on additional resourcing before NIJAC could undertake additional work. This matter will be brought forward for discussion at September Plenary.

10.3 The Chair updated that the process was in progress for appointing two replacement Judicial Commissioners. In response to a query by a member on the waiting time before a former Commissioner is eligible to apply to judicial office, the Chief Executive undertook to research and provide clarification, following which the Chair will consider any further action.

Date of next meeting: 21 September 2023 at 9.30am

The meeting concluded at 11.30am

Signed:



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The Right Honourable Dame Siobhan Keegan, the Lady Chief Justice of Northern Ireland, Chair of the Northern Ireland Judicial Appointments Commission

Dated: 21-09-2023

