

Plenary Minutes
12 December 2024 at 9.30am

Present: The Rt. Hon Dame Siobhan Keegan, the Lady Chief Justice of Northern Ireland (Chair)
Lord Justice Seamus Treacy
Mr Bernard Brady KC
Mr Colm Donaghy
Mr Paul Douglas
Mrs Maureen Eccles
Mr Justice Michael Humphreys
Ms Patricia Mac Bride
District Judge (MC) Anne Marshall
Judge Geoffrey Miller KC
Mr Brian McTeggart
Mr Michael Robinson

In Attendance: Mrs Tonya McCormac
Mr Duncan Greer
Mr Andrew Millar
Mrs Collette Quinn

1. Apologies and Introductions

1.1 Apologies were noted from Mr Raymond Donnelly.

1.2 The Chair welcomed everyone to the meeting.

2. Conflicts of Interest

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

3. Confidentiality

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

4. NIJAC's Draft Corporate Plan 2025-2030

4.1 Prior to the main Agenda the Board considered the next iteration of the Draft Corporate Plan 2025-2030.

4.2 Mr Donaghy, the Chair of Business Committee, introduced the session and referred Members to the two documents that had been circulated in advance of the meeting:

- (i) *NIJAC's Draft Corporate Plan 2025-2030 - Outline of the Strategic Themes, Outcomes and Priorities* and
- (ii) *Summary Report of Digital Forms Feedback*.

4.3 The current draft has taken on board feedback from Commissioners, Staff and Key Stakeholders.

4.4 Mr Millar and Mr Greer then summarised the Strategic Themes, Outcomes and Priorities for their respective Directorates (Appointments & Engagement and Finance & Corporate Services).

4.5 Mrs McCormac then outlined the next steps which will include a final Commissioner workshop in early March to consider the final Corporate Plan 2025-20 and the Business Plan 2025-26. Plenary will be requested to approve these final documents at their meeting on 27 March 2025 with TEO approval sought in time for commencement of the new financial year on 1 April 2025.

4.6 Members agreed the draft Strategic Themes, Outcomes and Priorities as presented and noted the next steps.

5. Minutes of Board meeting of 19 September 2024

5.1 The Chair requested Members to approve the minutes of 19 September 2024 which had been circulated in advance of the meeting. Members approved.

5.2 The Chair asked for updates on actions arising from the previous meeting:

5.3 Mrs McCormac referred to the action that a letter be written to TEO seeking clarity on the process to recruit Lay Members and she informed Members that

she had initially raised this verbally with TEO as the recruitment process was still at an early stage. Mrs McCormac confirmed that she would be in a better position to obtain a substantive answer for the Board meeting in March 2025. Members noted this update.

- 5.4 Mrs McCormac referred to the action that consideration be given to invite CPANI to a future Board meeting to outline their process for Public Appointments to increase Members understanding of this. Mrs McCormac indicated to Members that reflecting on the fact CPANI had been without a Commissioner since May 2021 it would be more beneficial to both organisations to have this interaction when a new Commissioner is in post. Members noted this update.
- 5.5 Mr Miller referred to the action to circulate the Stakeholder Survey report which he confirmed has been completed.
- 5.6 Mrs McCormac referred to the action to draft a urgent written communication to TEO setting out the serious concerns that the Board have on the 2024-25 and 2025-26 forecast financial positions. She confirmed the letter and the reply from TEO had been included in Plenary papers and she would elaborate on this correspondence at the next Agenda Item - Chief Executive's Report. Members noted this update.

6. Chief Executive's Report

- 6.1 The Report had been circulated in advance of the meeting. Mrs McCormac asked the Board to note the following:
- 6.2 In relation to the 2024-25 Business Plan the SLT had proposed to Business Committee an amendment to three of the planned outcomes for 2024-25 and Business Committee agreed with this proposal. The three amendments are:
 - (i) the Accommodation Strategy will be substituted with an Accommodation Project commencing in Q4 and continuing into 2025-26. This amendment emanated from the meeting on 14 November of the Chair, the Chief Executive

and TEO Interim Permanent Secretary (Mr Malcolm). It had been agreed with Mr Malcolm that a joint approach with TEO on NIJAC's future accommodation be progressed through an Accommodation Project. Mrs McCormac confirmed the Project would be chaired by Mr Donaghy as Chair of the Business Committee.

(ii) Communication Strategy 2025-30 will be substituted with initial work on a more targeted Strategic Framework for Engaging with Others 2025-2030. A paper will go to Plenary in Q4 to outline the key principles to be used in the framework.

(iii) Recruitment needs of NI Judiciary 2025-30. Mr Miller has produced initial analysis on this but further work on judicial complement will be carried out with DoJ, OLCJ and Courts & Tribunals in Q4 and into 2025-26.

6.3 Mrs McCormac confirmed that all other Outcomes were on target for delivery by 31 March 2025.

6.4 In relation to the Financial position Mrs McCormac welcomed the positive response from the TEO Permanent Secretary on 11 October 2024 to a letter sent by the Board as an action from the last Board meeting. She confirmed to Members that the outcome of the October 2024 monitoring round in early November 2024 will now allow all previously postponed schemes to be resumed and progressed as planned for 2024-25. Mrs McCormac then updated Members on the scheduled meeting of the Chair, herself and the TEO Permanent Secretary on 14 November 2024. This meeting was also very positive with a recognition of NIJAC's requirement for an Opening Budget allocation for 2025-26 that would meet the funding necessary to plan and deliver core business.

6.5 The Chair informed Members that this face to face approach had proved very valuable and both she and the Department had agreed regular meetings should now be established. Members indicated their support of this approach and welcomed the recent developments that have provided the necessary funding for 2024-25 and, subject to Ministerial approval, should provide the required Opening Budget Allocation for 2025-26. It was proposed and agreed that a letter be sent to the TEO Interim Permanent Secretary conveying the Board's

appreciation of the positive approach of TEO on this & other matters and outlining the agreed position reached at the meeting.

Action Point: A letter to be sent to the TEO Interim Permanent Secretary on behalf of the Board conveying the Board's appreciation of the positive approach of TEO on the financial position & other matters and outlining the agreed position reached at the meeting.

7. Selection Committee updates

7.1 An update paper for each scheme was presented.

7.2 District Judge (Magistrates Court)

Mrs Eccles, Chair of the Selection Committee, provided an update. This was noted by Plenary.

7.3 VPB Legal

Mr McTeggart, Selection Committee member, provided an update. This was noted by Plenary.

7.4 VPB Ordinary

Mrs Eccles, Selection Committee member, provided an update. This was noted by Plenary.

7.5 High Court Judge

Mr Douglas, Chair of the selection committee, provided an update. This was noted by Plenary.

7.6 SENDT Legal (Chair) 2024

Mrs Eccles, Chair of the Selection Committee, provided an update. This was noted by Plenary.

The Chair extended her thanks to the Members of the Selection Committees for their time and commitment.

8. Business Committee – 26 November 2024

8.1 Mr Donaghy referred Members to the Minutes of the Business Committee held on 26 November 2024.

8.2 Mr Donaghy referenced the update on the Financial position provided by the Chief Executive earlier in the meeting and pointed Members to further detail provided in the Minutes of the Business Committee & in the Finance Report to the Business Committee, both included in the Board papers. He stated that the Business Committee had also welcomed developments in this area.

8.3 He continued with an update on the Finance Risk on the Corporate Risk Register (CRR). Business Committee were requested in line with normal processes for input on any changes to the CRR prior to consideration by the Audit and Risk Assurance Committee. He confirmed that Business Committee had agreed with the SLT assessment that the changing circumstances around the financial position outlined by the Chief Executive meant this risk can be reduced from Red to Amber.

8.4 Mr Donaghy also updated Members on NIJAC's successful application for recognition by Diversity Mark and extended the Committee's congratulations to SLT for their work on this. He informed Members that NIJAC was now committed to developing and implementing an Equality, Diversity and Inclusion (EDI) Strategy during 2025 which will encompass NIJAC's EDI objectives and activities as both an employer and a provider of a recruitment service to the judiciary.

9 Advisory Committee

9.1 Judge Miller KC informed Members that circumstances had arisen that had meant the Advisory Committee Meeting scheduled for 28 November 2025 could

not take place. However with only three Policy Reviews to be considered at this time, none of which had any anticipated substantial change, there would be no concerns in rolling business forward to be dealt with at the March 2025 meeting.

- 9.2** He also referred Members to the Report by the Director of Appointments and Engagement that relates to the period September 2024 – November 2024 period in the Board papers which gave an update on Scheme and Communications.

10 Audit and Risk Assurance Committee (ARAC) – 3 December 2024

- 10.1** Mr Douglas referred Members to the Minutes of the Audit and Risk Assurance Committee held on 3 December 2024 and highlighted the following.

- 10.2** ARAC Members had indicated that the meetings with TEO on the financial position had given rise to very positive developments given the concerning picture on funding outlined to Plenary in September 2024 and Members had agreed to approve the proposed changes to the Corporate Risk Register on this.

- 10.3** All the Internal Audit (IA) recommendations in relation to the Review of Cyber Security had now been implemented and closed.

- 10.4** The NIAO Draft Report to Those Charged With Governance (RTTCWG) in relation to the outcomes of the audit for the NIJAC Financial Statements for the year ended 31 March 2024 had been presented to ARAC. The Comptroller and Auditor General (C&AG) will certify the 2023-24 financial statements with an unqualified audit opinion and no significant issues had been highlighted.

11 Any Other Business

- 11.1** In relation to the establishment on 1 January 2025 of the Judicial Appointments Commission in Ireland Mrs McCormac updated members on the recent visit to

Dublin by Lay Members that proved a good opportunity to network and share with the new Commission NIJAC's approach to Judicial appointments.

11.2 The Chair confirmed that she would anticipate that the Commission in Ireland would be invited to attend a future Tripartite forum but this would probably be most beneficial at the earliest in 2026 to allow the Commission time to get up and running.

Date and Time of next meeting: Thursday 27 March 2025 at 9.30am

The Chair thanked the NIJAC Board.



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: 27.03.25