



NIJAC

*Northern Ireland Judicial  
Appointments Commission*

ANNUAL REPORT  
AND ACCOUNTS  
2009-2010





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Appointments Commission*

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AND ACCOUNTS  
2009-2010

FOR THE PERIOD ENDED  
31 MARCH 2010

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## Our Goal is:

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To provide the community, so far as it is reasonably practicable to do so, with a judiciary that reflects the Northern Ireland community. The Northern Ireland Judicial Appointments Commission, “the Commission”, aims to do this by:

- taking steps to ensure that a diverse group of eligible applicants put themselves forward for each judicial post it advertises; and
- selecting the best applicants through a fair, rigorous and transparent appointment process that is grounded in merit.

## Our Values are:

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- **independence:** we are independent of Government. We make our decisions on whom to select and appoint, and recommend for appointment and work to achieve a reflective judiciary free from any outside influence;
- **appointment on merit:** we will select, appoint, and recommend for appointment, applicants solely on the basis of merit;
- **diversity:** we will implement a programme of action to support our aim to produce a judiciary that is reflective of our society;
- **fairness:** we will be fair in our decision making;
- **transparency:** we will be open about our policies, procedures and activities;
- **accountability:** we will explain our activities and where appropriate provide reasons for our decisions; and
- **partnership:** we will work closely with interested parties to share learning and to inform our work.

# Chairman's Foreword

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This is our fifth report on the work of the Commission, which covers a very demanding period of appointments and appointments policy work, diversity and communications work, and internal governance and accountability.

During the reporting period 1 April 2009 - 31 March 2010, the Commission made 25 recommendations for judicial appointment (Courts 8; Tribunals 17) and 375 reappointment recommendations.

We piloted different assessment methods including oral presentations, case studies and scenarios. We introduced role-plays using professional actors to re-create a Court environment in which applicants were assessed. We also issued new guidance for Consultees and on the new Judicial Selection Framework.

The Commission's Programme of Action continues to be informed by the 2008 Northern Ireland Statistics and Research Agency (NISRA)/Queen's University of Belfast (QUB) research and included the launch of the Judicial Shadowing Scheme which is open to lawyers, doctors and land valuers. We are now on our 2nd edition of the Guide to Judicial Careers, some 3,200 having now been distributed since it was first published in March 2009.

We have actively extended our outreach and engagement with over 20 dedicated events aimed at the legal profession, civic society and law students with approximately 1,000 people participating.

Equity monitoring of applicants and those recommended for appointment continues, and has been further refined. We are pleased with the growing interest in judicial office and the wider diversity reflected in applications. Additional information is provided, including which branch of the legal profession applicants come from, and better comparison data is now available for medical and lay applicant pools.

We spent considerable time in preparation for the devolution of justice, which saw the Commission take on new roles, change sponsorship department from the Northern Ireland Court Service (NICtS) to the Office of the First Minister and Deputy First Minister (OFMDFM) and fundamentally change how we procure most of our corporate and support services. The Commission now has responsibility for the assessment and, for the first time, the appointment of applicants to most listed judicial offices.

This report covers my first year as Chairman of the Commission. I look forward to building on our good work to date and continuing our ongoing consultation with all interested parties to ensure that we continue to get the best applicants, from as diverse an applicant pool as possible, applying for judicial office.

**SIR DECLAN MORGAN,  
Lord Chief Justice of Northern Ireland and Chairman  
of the Northern Ireland Judicial Appointments Commission.**

# Director's Report

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## HISTORY AND BACKGROUND

The Commission is a Non Departmental Public Body (NDPB) and was established on 15 June 2005 under the Justice (Northern Ireland) Acts 2002 and 2004.

The Commission was established to enhance an independent process for the appointment of judicial officer holders to courts and tribunals. It selects and appoints, and recommends for appointment, applicants, thereby removing this function from Government Ministers and the political process. It was funded by its Sponsor Department, NICtS. OFMDFM replaced the NICtS as Sponsor Department on 12 April 2010, upon the devolution of justice.

## Purpose

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The Commission is committed to appointing the best possible judicial office holders for Northern Ireland through fair, open and transparent selection and appointment processes. It recognises and values diversity and seeks to promote equality while ensuring that merit remains the principle for selecting and recommending applicants for appointment. It is working to encourage all eligible applicants – regardless of gender, ethnic background, marital status, sexual orientation, political opinion, geographical location, religion, disability, age and whether or not they have dependants – to consider applying for judicial office. The Commission undertakes to ensure that those who apply will undergo a selection process that assesses their abilities and personal qualities fairly and openly. In this way, the Commission is confident that the best individuals will be appointed.

## Vision

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THE COMMISSION'S VISION IS:

Selecting the  
best applicants  
and promoting  
diversity.

# Composition of the Commission

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The Lord Chancellor has appointed (or re-appointed) the following thirteen individuals as Commissioners:

The Right Honourable Sir Declan Morgan (Chairman), the Lord Chief Justice of Northern Ireland (commenced 3 July 2009);

The Right Honourable Sir Brian Kerr (former Chairman), the former Lord Chief Justice of Northern Ireland (stood down 26 June 2009);

Mrs Sinéad Burns, Lay Magistrate;

The Right Honourable Lord Justice Coghlin, Lord Justice of Appeal;

Mr Peter Cush, Barrister at Law, Legal Member;

Mr Donal Flanagan OBE, Lay Member;

Mr John Gordon, Solicitor, Legal Member;

District Judge (Magistrates' Courts) Amanda Henderson;

Mrs Ruth Laird, Lay Member;

Her Honour Judge Loughran, County Court Judge;

Professor John Morison, Lay Member;

Dr Raymond Mullan OBE, Lay Member;

Dr Nichola Rooney, Lay Member; and

The Honourable Mr Justice Weatherup, High Court Judge.

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.

The Right Honourable Sir Brian Kerr, the former Lord Chief Justice of Northern Ireland, and Chairman of the Northern Ireland Judicial Appointments Commission stood down on 26 June 2009 following his appointment to the Appellate Committee of the House of Lords. Sir Declan Morgan became the new Lord Chief Justice of Northern Ireland and Chairman of the Commission on 3 July 2009. Under the Justice (NI) Act 2002, the Lord Chief Justice automatically holds the position of Chairman of the Commission.

All members are non-executive and independent.

Pen pictures of all Commission members can be found on the Northern Ireland Judicial Appointments Commission website at [www.nijac.org](http://www.nijac.org).

## COMMISSION MEMBERS' INTERESTS

None of the Commission Members held interests or directorships during the year which would conflict with their responsibilities as members of the Commission.

## RESPONSIBILITIES

### **Our statutory responsibilities are to:**

- conduct the appointments process and select and appoint, and recommend for appointment, applicants in respect of all listed judicial offices up to and including High Court Judge;
- recommend applicants solely on the basis of merit;
- 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;
- 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 the Commission whenever it is required to select a person to be appointed, or recommended for appointment, to a listed judicial office; and
- publish an annual report setting out the activities and accounts for the past year.

# Governance

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## CHIEF EXECUTIVE

Edward Gorringe is the Chief Executive and Accounting Officer.

Mr Gorringe is on annual leave from June to October 2010. During his absence Mr Timothy Horgan, Head of Corporate Planning, Resources and Governance, has been appointed as Acting Temporary Accounting Officer for this period.

## SALARY AND PENSION ENTITLEMENTS

Details of the remuneration and pension interests of the Chief Executive and remuneration details of Commission members are detailed in the Remuneration Report.

## EQUAL OPPORTUNITIES AND DIVERSITY

During the reporting year, 12 members of staff in the Commission were on secondment from the NI Court Service. Since 12 April 2010, staff are seconded from the Department of Justice, the new Northern Ireland Department of which the NI Courts and Tribunals Service is an Agency. Five members of staff were direct recruits of the Commission. The directly recruited staff include the Chief Executive, two at Grade 7 level and two at Deputy Principal level. There are policies in place to guard against discrimination, to ensure compliance with legal requirements and to ensure that there are no unfair or illegal discriminatory barriers to employment and advancement in the Commission. Generally Civil Service Policies (contained in the Civil Service Staff Handbook) have been adopted by the Commission and apply both to staff on secondment and those directly recruited. Some policies have been amended to facilitate the Commission's particular structure, as necessary.

All staff are currently managed under the NI Civil Service Equal Opportunities Policy, which guards against discrimination in employment and which values and respects all individuals. Staff are currently covered by the Equality Scheme produced by the NI Civil Service, which seeks to ensure compliance with the public sector equality duty to have due regard for the promotion of equality of opportunity in respect of disability, gender, race, religion, political opinion and among those of different ages, marital status or sexual orientation or who have or have not dependants and good relations between those of different religions, political opinions and races. The Sponsor Department's Employment Equality Plan to protect all those groups from discrimination also applies. Employment and promotion are based solely on merit. Those among the staff who work reduced hours are assessed on the same basis as those working full time. A Dignity and Harmony at Work policy is in place to secure a positive working environment.

## EMPLOYMENT OF DISABLED PERSONS

The Commission adheres to the NI Civil Service Code of Practice on the Employment of Disabled People that aims to ensure that there is no discrimination on the grounds of disability and that access to employment and career advancement in the Commission is based solely on ability, qualifications and suitability for the post.

The Commission aims to ensure that people with disabilities have equality of opportunity and fair participation in all aspects of their employment, and that discrimination does not take place.

## EMPLOYEE INVOLVEMENT

The Commission encourages widespread consultation and exchange of information at all levels. This is achieved through senior staff briefings and the cascade of information to all staff. All staff are also automatically invited to contribute during the consultation exercises issued in relation to staff policies.

## PAYMENT OF SUPPLIERS

Through the Sponsor Department, the NICtS, the Commission is committed to the prompt payment of suppliers. The NICtS has signed up to the Government's Prompt Payment Charter. The Commission does not itself pay suppliers directly but processed invoices through the NICtS.

The Commission seeks to pay all invoices within 30 days of receipt. During 2009-10, 91.70% (2008-09: 93.05%) of invoices were paid within the target.

On 8 October 2008, the then Prime Minister committed Government organisations to speeding up the payments process, paying suppliers wherever possible within 10 days. Since January 2009, the Commission's aim has been to conform to the initiative to pay all valid invoices within 10 days of the invoice date. The Commission have paid 40.32% of invoices within this target (allowing 2 days for postage).

## ACCOUNTING RESPONSIBILITIES

The Commission's financial statements have been prepared in accordance with paragraph 7 of Schedule 2 to the Justice (Northern Ireland) Act 2002 as amended.

## AUDITORS

The financial statements are audited by the Comptroller and Auditor General (C&AG). He and his staff are wholly independent of the Commission.

The audit of the financial statements for 2009-10 resulted in a total audit fee of £13,700, this is inclusive of £1,700 for the 2008-09 IFRS Shadow Accounts audit (2008-09: £14,040). The C&AG did not provide any non-audit services during the year. I, as Acting Temporary Accounting Officer, have taken appropriate steps to make myself aware of relevant audit information and to establish that the C&AG is aware of that information. To my knowledge, there is no relevant audit information of which the C&AG is unaware.

# Management Commentary

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## Operating Review

### APPOINTMENTS

In this reporting year, the Commission made 25 recommendations for appointment and 375 recommendations for re-appointment to the Lord Chancellor. The Commission used wider assessment methods, additional to the interview, to select for appointment to judicial office. A range of methods have been employed including role-play, case study and scenario exercises.

The Public Consultation and Review of Appointments Policies and Procedures has been completed in this reporting period and has informed our future Appointments Strategy. This led to the development of a new Judicial Selection Framework for Judicial Office for legal vacancies and a strategic review of consultation arrangements.

There was one complaint made to the Judicial Appointments Ombudsman. (Details of the complaint are included at the end of Chapter 1).

### DIVERSITY

The Commission has continued to develop its communication and outreach, engaging beyond the legal profession, into civic society. We are pleased to have produced new literature and web content, and particularly our Guide to Judicial Careers. Recruitment campaigns were planned and effective, using many new advertising avenues, many of which are of little or nominal cost.

Evaluations of recruitment competitions are continually informing us that changes made are welcome, and that generally applicants are happier with the service the Commission provides, but that there are still improvements to be made.

We have continued to task NISRA with the analysis of our equity monitoring data on applications and appointments. The Commission has dedicated significant Commissioner and staff time to the analysis of the NISRA and QUB research findings, and is content that progress is being made to eliminate barriers to securing judicial office, and to correct myths and misconceptions. However, the solutions do not all reside with the Commission.

## FINANCIAL REVIEW

As an NDPB, the Commission is subject to the relevant Government and accounting deadlines. The Commission was financed in 2009-10 by grant-in-aid through the NI Court Service (now the NI Courts and Tribunals Service) and does not normally obtain additional funding from any other source. The Commission will be financed in 2010-11 onwards by the OFMDFM, following the devolution of justice on 12 April 2010.

An announcement by the Chancellor in the 2008 Budget Report confirmed that International Financial Reporting Standards (IFRS) would be adopted by the Commission and other departments from 2009-10. In 2009-10, Accounts have been prepared for the first time under International Financial Reporting Standards; as a result, previous years' comparatives have been restated in line with IFRS.

Deficit transferred to taxpayers' equity for the year totalled £1,583,775 (2008-09: £1,483,870 restated). The main areas of expenditure were staff costs £797,269 (2008-09: £702,585 restated) which accounted for 50% (2008-09: 47%) of the total expenditure, and services provided by the NI Court Service under separate service level agreements £204,599 (2008-09: £213,746) accounting for 13% (2008-09: 14%) of the total expenditure. Receipts for the year totalled £7,269 resulting in net expenditure of £1,585,018 (2008-09: £1,485,031 restated).

The total grant drawn down from the NI Court Service was £1,600,000 (2008-09: £1,471,777) which was the total budget allocation for the year.

Capital expenditure during the year amounted to £5,320 (2008-09: £2,992). At the year end, the assets owned by the Commission had a net book value of £7,922 (2008-09: £4,514). In addition to these assets, the Commission also makes use of various assets that belong to the NICtS. An annual charge is made by the NICtS for the use of these assets.

## The Future

### APPOINTMENTS AND RE-APPOINTMENTS STRATEGY

The Commission is faced with a challenging year ahead. The implementation of the Appointments and Re-Appointments Strategy following the Public Consultation and Review of Appointments Policies and Procedures and research will lead our operational activities and strategic development. We are committed to continuous improvement by adopting best practice approaches to selection and assessment of applicants for judicial vacancies based solely on the merit principle. This year has seen the research and piloting of assessment centres in the County Court judge competition. The Commission is now extending this to other offices where this method is appropriate depending on available funding. The next step regarding the Judicial Selection Framework is to implement the outcomes of the Strategic Review of the Competency Framework. The work of the Consultation Sub Group should be available to report on its findings and recommendations in the next reporting period, however, improvements in Consultee arrangements have been implemented. All of these activities will enable the Commission to continually improve its Appointments and Re-Appointments Strategy and business function efficiently and effectively in pursuit of its statutory duty.

### STAFFING

The Commission's full complement in 2009-10 was 17 staff covering 16 posts, which includes 5 directly recruited senior staff and 12 staff seconded from the NICtS. One post is covered by 2 job sharers on secondment. The Commission is committed to staff development and continues to identify and address development needs through the performance management system.

Since 12 April 2010, upon the devolution of justice, all seconded staff became, for the first time, Northern Ireland Civil Servants. Full migration into the devolved environment, including final settling of staff's terms and conditions, pensions and adoption of all policies and procedures will take time to be embedded (indeed negotiations that impact on the Commission's staff terms and conditions continue with Trade Unions). The detailed Communication Strategy, introduced in early 2009 in preparation for devolution, will continue until all new arrangements are settled.

### DAYS LOST DUE TO ABSENCE

The Commission encourages a culture where good attendance is expected and valued. However, it recognises that from time to time absences for medical reasons may be unavoidable. The Commission aims to treat its staff who are ill, with sympathy and fairness, and where possible to provide them with support which will enable them to recover their health and attend work regularly.

In 2009-10, the percentage of working days lost was 4.7% (2008-09: 3%) or an average of 11 (2008-09: 7) days per annum per employee. During the year, two members of staff were on long term sick leave; both have returned to full employment.

### DIVERSITY AND COMMUNICATION

Devolution of justice brings to the Commission added responsibilities. Not only will the Commission assess, appoint and recommend applicants for appointment, devolution will also afford the Commission the potential to influence its workload more effectively by working with the NI Courts and Tribunals Service even more closely to plan and deliver judicial appointments.

We are keen to develop better networks with the medical profession as we have struggled, at times, to attract sufficient applications for medical judicial posts.

## DEVOLUTION

Under the Northern Ireland Act 2009, the Commission took on new roles and responsibilities including: maximum numbers of office holders, resignations, warrants of appointment and quality assuring terms and conditions for appointment. We will also, for the first time, have a role in the removal of judicial office holders and in the appointment of the Lord Chief Justice and Lords Justices of Appeal.

We changed sponsorship department to the OFMDFM and fundamentally changed how we procure many of our corporate and support services. This new environment will take some time to fully embed and the Commission will continue to review the changes to ensure it operates effectively and efficiently, demonstrates value for money and is able to meet its corporate objectives while providing a high quality service.

## SUCCESSION PLANNING

To assist with succession planning, it was agreed that the period of all the new appointments and re-appointments of Commissioners will be staggered. Judicial members are to be appointed for five years; lay members are to be appointed for four years and legal members are to be appointed for three years.

## SUSTAINABLE DEVELOPMENT

The Commission continues to demonstrate its active support to the objectives of the UK Sustainable Development Strategy, which is founded on five overarching principles which seek to address environmental, social and economic issues.

The UK Sustainable Development Strategy can be found at [www.defra.gov.uk/sustainable/government/publications/uk-strategy/index.htm](http://www.defra.gov.uk/sustainable/government/publications/uk-strategy/index.htm).

The Commission is working towards sustainable development and seeks to demonstrate its commitment to reducing environmental impacts wherever possible.

The Commission's aims are:

- **climate change and energy efficiency** - to reduce energy consumption as far as reasonably and economically practicable;
- **waste management and recycling** - to reduce waste, increase the proportion of waste that is recycled and eliminate our use of landfill sites for general office waste;
- **procurement** - to promote a purchasing policy which will give preference, as far as practical, to those products and services which cause the least harm to the environment; and
- **people** - to seek to embed the principle of sustainable development through increasing awareness of sustainability responsibilities among staff and for all who work with us.

The Commission currently recycles all office waste and encourages electronic communication to reduce the generation of excess paper. The circulation of corporate publications is confined to a succinct audience and the Commission ensures that corporate documents are printed on paper derived from sustainable sources. The Commission ensures that all printed publications are carbon neutral. The use of the Commission's website is used to promote circulation of corporate information to the wider audience.

## INFORMATION MANAGEMENT

The Commission aims to ensure that all information is safeguarded and kept securely.

The Commission has agreed an Information Strategy, setting out our vision of managing our information more efficiently and intelligently. One aspect of this is ensuring that the Commission manages information risk by following the requirements of our suite of Information Assurance policies. We have reviewed compliance with these policies to ensure that the importance of information security is embedded within the Commission. During the year a favourable internal audit review of our Information Assurance policies and procedures provided strong assurance in this area.

## PERSONAL DATA RELATED INCIDENTS

There were no recorded loss of data incidents during the 2009-10 financial year.

# Strategic Objectives

## APPOINTMENTS PROCESS

- to select and appoint, and recommend for appointment, applicants to listed judicial office by identifying the best applicant on merit.

## DIVERSITY AND COMMUNICATIONS

- to engage in a programme of action to secure, so far as it is reasonably practicable to do so, a judiciary in Northern Ireland that is as reflective of our society as can be achieved consistent with the requirement of appointment on merit; and
- to communicate helpful information and guidance to targeted audiences to raise awareness and stimulate interest; encourage applications from under-represented groups; improve understanding of the application process and what judicial office entails; demonstrate openness and transparency, and that appointments are made solely on the basis of merit.

## ACCOUNTABILITY

- to make effective and efficient use of resources in order to achieve objectives.

# PROGRAMME OF BUSINESS

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# Chapter 1

## Appointments and Re-Appointments Strategy and Operational Activity

### CORPORATE OBJECTIVE – APPOINTMENTS

To select and appoint, and recommend for appointment, applicants to listed judicial office by identifying the best applicant on merit.

The Commission is responsible for the assessment, selection and appointment, and recommendation for appointment, to judicial offices up to and including High Court Judge.

The Commissioners uphold the belief that the operation of the merit principle is central to ensuring any recommendation for judicial appointment is fit for purpose. Appointment on merit is fundamentally a fair and just approach, resulting in the selection of applicants for judicial office through fair and open competition. All processes and selection decisions will operate in a fair, transparent, consistent and non-biased manner in the pursuit of selecting the best applicant(s) for judicial office. All selection decisions will be based on recruitment methods and assessment against role-related criteria that assist applicants to demonstrate that they possess what is necessary to undertake the responsibilities of judicial office. The assessment and selection process for judicial appointment is described in Appendix 1.

### OPERATIONAL ACTIVITY – APPOINTMENTS AND RE-APPOINTMENTS

This year has seen a busy schedule of appointments and re-appointments. There have been 8 recommendations for Court appointments, 17 recommendations for Tribunal appointments and 375 re-appointments during the reporting period. Table 1 provides an overview of the breakdown of operational activity for the 36 vacancies across 7 judicial offices for which recommendations were made during the year. A competition to recruit a Part Time Salaried Member of the Lands Tribunal did not identify an applicant suitable for recommendation. In the competition to recruit 16 Medical Members (4 Specialist and 12 Generalist) of the Appeal Tribunals only 6 (Generalist) were recommended. An evaluation of those offices which were not recruited for was completed to build in different strategies and recommendations to the Tribunals Unit (Northern Ireland Courts and Tribunals Service) for future workforce planning purposes.

**Appointments Table 1**

	Vacancies	Info Packs issued	Applications received	Interviews /Selection Centres	Recommended
TOTAL	36	416	122	64	25

## RE-APPOINTMENTS

The Commission is also responsible for deciding whether to renew the appointment of those appointed to deputy and fee-paid posts. In 2009-10, we made 375 recommendations for re-appointment. Figures regarding re-appointments are contained within Appendix 2.

We considered, in each case, the Lord Chancellor's policy in respect of renewal, which gives fee-paid office holders and deputy office holders security of tenure through automatic re-appointment, subject to the individual office holder's agreement, the upper age limit not being exceeded, the individual satisfying the conditions for re-appointment and there being no grounds for non renewal.

The grounds for non renewal are limited to:

- misbehaviour;
- incapacity;
- persistent failure to comply with existing requirements;
- failure to comply with training requirements;
- sustained failure to observe the standards reasonably expected from a holder of such office;
- a reduction in numbers because of changes in operational requirements; or
- part of a structural change to enable recruitment of new part-time judicial office holders.

## ASSESSMENT AND SELECTION TRAINING

During 2009-10, a number of assessment and selection training events were held for Commission members, staff and experts co-opted onto Selection Committees. The following table confirms the range and numbers trained:

Training Date	Assessment and Selection Training	No's Trained
June 2009	Level A and B (BPS) Certificate in Occupational Testing/Certificate	1
28 August 2009	Role-Play Assessor Training	11
16 November 2009	Assessment and Selection Skills (Charity Tribunal NI and Appeal Tribunals)	4
17 November 2009	Assessment and Selection Skills (Appeal Tribunals)	1
18 January 2010	Assessment and Selection Skills (DDJ (MC) and VP ITFET)	2
28 February 2010	Assessment Day Training (Internal)	22
18 March 2010	Assessment and Selection Skills (DDJ(MC))	1
18/19 March 2010	Level A (BPS) Certificate in Occupational Testing/Certificate	7
28 March 2010	Equality Training (ECNI)	3

## APPOINTMENTS STRATEGY

This year has seen the follow-on work associated with the Public Review and Consultation on the Appointments Policies and Procedures, initiated in autumn 2007. We commissioned an independent critique and review of the existing policy arrangements which provided recommendations for development and this was concluded during 2008-09. Constructive feedback was provided through the consultation process that was carefully considered by the Commission. The independent critique made four high level statements. Firstly, their review demonstrated a clear corporate commitment within the Commission to selecting the best applicant on the principle of merit. Secondly, the external consultants cited a clear corporate commitment to policies and practices that aimed to promote equality of opportunity. Thirdly, they evidenced a positive engagement with the diversity agenda and fourthly saw a spirit of continuous improvement. The critique highlighted research which found that the roots of any under representation are complex and parts of the solution fall outside the recruitment and selection process. However, it cited that recruitment and selection does have a role to play. The consultants reported that although substantial progress has already been made, and as a relatively young organisation, there was scope for refinement to continually commit to a culture of continuous improvement. Short, medium and long term strategies have been examined and a number of strategic and practical areas for improvement identified. Both short term objectives and a number of medium term objectives have been achieved. In summary, this work included simplifying guidance, reviewing the competency framework, developing and piloting of wider assessment methods and new scoring mechanisms. The introduction of role-play has been evaluated as a sound selection tool. A review of Consultation arrangements has taken place with a view to examining how these can be used more effectively in the selection process.

## STRATEGIC REVIEW OF THE COMPETENCY FRAMEWORK FOR JUDICIAL OFFICE

The Commission is now in Phase 4 of the Strategic Review of the Competency Framework. This stage implements and pilots a new Judicial Selection Framework. Phases 1, 2 and 3 of the project involved:

- input from Human Resources and Occupational Psychologists;
- a range of Court and Tribunal observations and interviews with judicial officer holders;
- data collection with five focus groups with 42 barristers and solicitors;
- consultation across all judicial tiers; and
- benchmarking with other Competency Frameworks from other professions and jurisdictions.

The Judicial Selection Framework will be evaluated in the future in line with best practice.

## STRATEGIC REVIEW OF ASSESSMENT TOOLS

The Commission carried out a strategic review of how assessment methods are used in judicial appointments competitions and this work is on-going. Wider assessment methods are being increasingly used, as a proven method of selecting the best applicant on merit. This year has seen the piloting of oral presentation questions and work sample techniques such as case studies and scenarios. Role-plays were introduced for the County Court Competition and were evaluated as being a successful tool. The evaluation demonstrated that the method was challenging but fair. Those involved in administering assessments and quality assurance design are trained to Levels A and B in Occupational Testing with the British Psychological Society. Selection Assessors were also trained by Occupational Psychologists. Wider assessment methods will be extended to the majority of competitions for judicial offices, where appropriate.

## STRATEGIC REVIEW OF CONSULTATION ARRANGEMENTS (USE OF CONSULTEES)

A strategic review on Consultation arrangements covering some 700 offices was conducted. The work of the Sub Group was completed and a formal report was submitted to the Plenary Committee in April 2010. The Sub Group (Project Team) established was representative of legal, judicial and lay Commissioners and had support from Human Resource specialists and employment law specialists from the legal profession. The foundation of the review was to ensure that the key principle is to select on merit resulting in the recommendation and/or appointment of the best available applicant. Alongside this objective, the Commission ensured that both rigorous and robust systems were put in place to select for these positions of trust. A number of positive outcomes from this group have already been implemented in pilot form. The full outcomes of the review will be implemented in the next accounting period.

The changes agreed will see all lay and medical judicial offices requiring one occupational and non occupational Consultee who can best speak to their work. The range of Consultees nominated will be changed. In particular, following a pilot exercise, it has been agreed that no automatic Consultees will be required for the County Court Competition with a system of nominated Consultees in its place. The system will instead focus on seeking those who are well placed to comment on the applicant's abilities and experience. The requirements for Fee Paid Legal Offices have seen a substantial change to assist in the removal of barriers to access for those who are less visible in the Court or Tribunal setting. A Consultee holding judicial office is no longer a desirable requirement. Two legally qualified Consultees who can best speak to the applicant's work are sought with a third who may be occupational or non occupational.

## POLICY DEVELOPMENT

Guidance on the Judicial Selection Framework and the use of wider assessment methods has been developed and is available on a competition specific basis, set out in the competition documentation available at [www.nijac.org/appointments/vacancies.htm](http://www.nijac.org/appointments/vacancies.htm), during the competition advertising period.

New Guidance for Consultees was developed and is contained in the competition documentation available at [www.nijac.org/appointments/vacancies.htm](http://www.nijac.org/appointments/vacancies.htm), during the competition advertising period.

Paperwork and documentation associated with the application process has been significantly reduced. There is always a balance between information that is needed to process an application fairly and adequate provision of guidance to applicants.

## COMPLAINTS

During the period of this report, one complaint was made to the Northern Ireland Judicial Appointments Ombudsman. While the Ombudsman concluded that two aspects of the complaint could be upheld and provided the Commission with recommendations for our consideration, he did not consider that there had been an adverse impact on the complainant in relation to the two aspects or that maladministration had occurred.

# Chapter 2

## Diversity and Communications

### CORPORATE OBJECTIVE – DIVERSITY

It is our statutory obligation to engage in a programme of action to secure, so far as it is reasonably practicable to do so, a judiciary in Northern Ireland that is reflective of the society it serves, consistent with the requirement of appointment on merit.

The Commission continues to work to create a reflective judiciary by ensuring that those who are appointed to judicial office are attracted from the widest possible pool of eligible applicants.

During the reporting period, the Diversity and Communications Team has, and continues to:

- promote and stimulate interest in judicial service and take measures to ensure that opportunities are understood and appeal to a broad spectrum of eligible people;
- encourage applications for a judicial office from people from a wide range of backgrounds;
- promote diversity through fair and open processes for selection to judicial office, which are based solely on merit, and consider and address potential adverse impact issues in advance of competitions;
- evaluate each appointment competition to take learning and make improvements, including how to increase the diversity of the applicant pool;
- conduct a programme of consultation with interested parties and analyse their responses to inform the programme of action;
- conduct appropriate and timely research to inform and support the programme of action;
- identify factors that may discourage applications and seek to eliminate them; and
- publish in the annual report anonymous information about the diversity of those selected by the Commission as suitable for appointment.

## JUDICIAL SHADOWING SCHEME

The Commission was pleased to launch the Judicial Shadowing Scheme in partnership with the Lord Chief Justice's Office, Law Society, Bar Council and NICtS in October 2009.

The scheme is designed to give participants a unique insight into judicial office by shadowing a judicial office holder for a day.

The scheme is open to lawyers, doctors and land valuers and as at 31 March 2010, there had been 20 applications for the scheme - 15 applications by solicitors, 3 by barristers and 2 from non lawyers. Of these applicants, 12 have been women and 8 men.

In addition to this, over 1,400 Judicial Shadowing Scheme leaflets have been distributed throughout Northern Ireland. The scheme is actively promoted by professional bodies such as the Law Society, Bar Council, Royal Institute of Chartered Surveyors and the Irish Auctioneers and Valuers Association.

Further information on the Judicial Shadowing Scheme can be accessed at: [www.nijac.org/JudicialShadowing/default.htm](http://www.nijac.org/JudicialShadowing/default.htm)

## EQUITY MONITORING

The Commission is responsible for collecting and collating anonymously applicants' equity monitoring data. It is collated for use in complying with the Commission's statutory requirement for inclusion in the Annual Report. This is subject to the requirement that no person is identified or information is included that allows identification of an individual to occur.

The equity data assists the Commission in the development of its Programme of Action, including the Outreach Plan for each judicial vacancy. The Commission compares data over time which assists in monitoring any change in the profile of applicants and appointments.

## RESEARCH

During the reporting period, the Commission has continued to carry out research and benchmark against other relevant national and international organisations. This year's focus has been on the barriers to applying for non legal judicial posts, and in particular, medical posts. The findings have now been shared, and will be progressed in partnership with the Head of Tribunal Reform.

In addition, we have continued to use the 2008 NISRA and QUB research, conducted with the legal profession, into the barriers and disincentives to judicial office to inform our work.

The research findings highlighted many cross cutting issues such as visibility, barriers to depth and breadth of experience, misconceptions and lack of awareness about judicial office, and the need for more communication and outreach which, to varying degrees, are matters for both the Commission and the legal profession.

Our work continues to focus upon what the Commission can change or closely influence. Examples include appointments policy review, the introduction of wider assessment methods and better communications and outreach. This included presentations to the legal profession and study bodies thereby raising awareness of the appointments process, and dispelling myths and misconceptions about judicial appointments.

## ATTRACTING THE WIDEST POSSIBLE POOL

This year the Commission made 25 recommendations for judicial appointment (Courts 8; Tribunals 17) and 375 re-appointment recommendations. See Appendix 2 for detailed diversity statistics in relation to applicants and applicant pools.

Attracting the widest possible pool of eligible applicants typically involves the Commission advertising in the three main local newspapers (Belfast Telegraph, Irish News and News Letter). However, depending upon the nature of the judicial office being advertised the Commission

will identify and utilise other advertising vehicles such as: hard copy advertising in professional publications, the relevant electronic/email networks and websites. Some examples are set out below:

### Legal Roles

The Commission, in addition to the local press, has also advertised through the Law Society's E-informer and in-house magazine (The Writ) and on the Bar Council, NI Courts and Tribunals Service, Legal Island and the Commission's websites.

### Specialist Roles

Depending upon the required speciality, the Commission has advertised posts for example, through the British Medical Journal, the Royal College of General Practitioners, the Royal College of Psychiatrists, the Central Services Agency, the Royal Institute of Chartered Surveyors, the Irish Auctioneers and Valuers Institute, and the Police Rehabilitation and Retraining Trust.

### Lay Roles

We have advertised lay vacancies online through new networks such as Northern Ireland Community and Voluntary Association ([www.nicva.org.uk](http://www.nicva.org.uk)), Northern Ireland Local Government Association ([www.nilga.org.uk](http://www.nilga.org.uk)), Rural Community Network ([www.ruralcommunitynetwork.org](http://www.ruralcommunitynetwork.org)), Disability Action ([www.disabilityaction.org](http://www.disabilityaction.org)), the Northern Ireland Council for Ethnic Minorities ([www.nicem.org.uk](http://www.nicem.org.uk)) and Job Centre Plus.

In addition, we have advertised 15 judicial vacancies online on behalf of the Judicial Appointments Commission (England and Wales) for which NI lawyers were eligible.

## ONGOING EVALUATION

The Commission is committed to keeping its programme of action under review, modifying as necessary.

We are informed by research, the rich information on judicial diversity which is provided by equity monitoring data, the evaluation of each competition, Commissioners' and applicants' feedback, plus that received from attendees at outreach events. Through research and scoping exercises, committee discussions, analysis of application rates, and detailed monthly analysis of web traffic, we have been able to identify, and go some way to overcome, the barriers to securing a reflective judiciary in Northern Ireland.

## OUTREACH

Engagement with the legal profession and the public generally is critically important to ensuring the Commission fulfils its statutory duties.

The Commission's approach to outreach is multi-faceted, deploying differing methods, and assists in addressing many of the research findings. These findings include a lack of knowledge about judicial office and the work of the Commission, the application and appointments process, and the day-to-day work of the judicial office holders.

This engagement enables the Commission to be informed directly by the legal profession and others. It gives people the opportunity to gain insight and influence issues which impact upon the Commission's remit.

During the reporting period, the Diversity and Communications Team has hosted over 20 separate outreach events throughout Northern Ireland.

Events have been held for, and with, the legal profession and with statutory, community and voluntary sectors including: the Northern Ireland

Council on Ethnic Minorities and Disability Action. Aiming to instil an aspiration to judicial office, 7 dedicated events have also been held for QUB and the University of Ulster Jordanstown law students both at under-graduate and graduate level.

## EVENTS AND CONFERENCES

In summary, the Commission hosted two conferences and hosted or presented at 21 outreach events across Northern Ireland to promote judicial opportunities and demystify the judicial appointments process. These events attracted approximately 1,000 participants.

### Outreach Events

Throughout August 2009, the Commission hosted 6 events aimed at the community and voluntary sector, lay magistracy, legal profession and Lay Members (Appeal Tribunals). The venues included Belfast, Ballymena, Armagh, Derry and Omagh. Of the 140 attendees, 63% were women, and feedback was very positive.

In addition to the series of August 2009 events, the Commission also hosted a number of other events. There were 4 dedicated events for legal professionals (approximately 100 attendees), we have presented to over 700 law students, 30 representatives from the community and voluntary sector (2 events), and 40 land valuation experts (2 events).

### Conferences

In May 2009, the Commission was pleased to host the first ever Tripartite Conference with representatives from the Judicial Appointments Board (Scotland) and Judicial Appointments Commission (England and Wales) attending.

On 30 September 2009, the Commission also played host to the Lord Chancellor's Diversity Advisory Panel (England and Wales) which is responsible for identifying barriers to progress judicial diversity and making recommendations to the Lord Chancellor.

Other events at which the Commission has had a presence this year, have included the Students Law Society seminar 'Accessing the Profession' delivered by The Honourable Mr Justice Weir on 19 November 2009 and meetings with representatives of the Judicial Studies Board and Judicial Services Group (NI Courts and Tribunals Service). The Chief Executive of the Commission has also presented to the Lay Magistrates regarding re-appointments.

## CONSULTATION WITH THE LEGAL PROFESSION

We have regularly met with the Bar Council and Law Society on a range of topics, for example, issues emanating from the NISRA/QUB research, the use of automatic and nominated Consultees and the new Judicial Shadowing Scheme.

In 2009, we conducted focus groups on the judicial selection framework directly engaging with barristers and some 31 local solicitors, including 6 from the NI Young Solicitors' Association, 6 from the public sector, 17 from private practice and 2 from corporate practices.

We held a number of meetings regarding the research with the President of Industrial Tribunals and Fair Employment Tribunal and the Head of Tribunal Reform. We look forward to working more closely with the Tribunal Reform Unit and, in partnership, take forward initiatives to encourage more applications from the medical profession.

## WEBSITE

The Commission's website is now the primary source of information on the Commission, judicial vacancies, news items, and forthcoming and recent appointments as evidenced by visitor statistics.

We are pleased to note a large increase in the volume of website traffic. Figures show a 54% increase in visitors compared to last year. In 2008, the monthly average was 7,629 page views and in 2009 this figure had risen to an average of 11,719. Page views for October 2009 totalled 21,099 – an increase of 80% above the average. This has reflected a successful approach to marketing vacancies for legal, lay and medical posts plus the launches of our Judicial Shadowing Scheme and the 2nd edition of the Guide to Judicial Careers.

The Deputy District Judge (Magistrates' Courts) competition (advertised December 2009) gives a good indication of how important the website has become. 11,246 pages were viewed; this was 92.5% higher than the same period in 2008.

In February 2010, we added substantially more information including clear, straightforward guidance on the assessment and selection processes, including access to a video on role-play assessment and helpful tips on preparing for interview.

## PUBLICATIONS AND PRESS

The Guide to Judicial Careers was first published in March 2009 and since its publication 3,200 copies have been distributed at outreach events and to professional bodies and Schools of Law throughout Northern Ireland, GB and Republic of Ireland. It has also been distributed to all Northern Ireland Education and Library Boards, and is available at [www.nijac.org/publications/generalpublications](http://www.nijac.org/publications/generalpublications).

We produced and published approximately 30 news items on the Commission's website, 6 articles in *The Writ*, 5 articles in *Open Court* (NI Courts and Tribunals Service magazine) and 5 articles (in addition to competition adverts) have been circulated to NI solicitors via E-informer.

## THE WAY FORWARD

We will maintain and develop further our Programme of Action to legal, land and medical professionals plus the wider civic society.

We will continue to benchmark against research into best practice in other jurisdictions to ensure the Commission remains informed of any developments.

Devolution has afforded us the opportunity to work more closely with sponsoring departments and we are looking forward to developing even closer working partnerships, especially with OFMDFM, the NI Courts and Tribunals Service and Tribunal Reform Division as we imbed our new responsibilities under the devolution of justice.

# Chapter 3

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## Planning our Business

### CORPORATE OBJECTIVE – ACCOUNTABILITY

To make effective and efficient use of our resources in order to achieve objectives.

During the period, the Commission operated within a strict financial budgeting regime and it met its identified objectives within budget.

Under our Annual Audit Plan, internal auditors from NI Court Service's Risk and Assurance Branch (RAB) conducted formal reviews of Risk Management and Information Assurance.

The Risk Management Review assessed the Commission's risk appetite, identification of threats, assessment of risks, action to reduce/manage risks, provision of policies and guidance, training and tools to skill staff in managing risk to ensure responsibilities are clear and our provision of support when things go wrong.

The Information Assurance Review assessed whether our policies provided an understanding of records management and the legislative requirements that govern records, roles and responsibilities were clear, the types of information and the method of creating records were specified, we had a structured method of filing, retrieval and review of information, security measures were imbedded for the protection of records and that we maintain appropriate records for managing the retention and disposal of records.

Both of the reviews provided strong assurances that satisfactory policies, procedures and compliance were in place.

In preparation for our assessment against the ISO 27001 International Standard on Information Security we delivered training to all staff on Information Assurance, Risk Management, and contingency planning and provided all staff with copies of the relevant policies and procedures and access to a centralised library. Considerable time was spent on producing a Business Continuity Plan, which allocates roles and responsibilities to key staff. A special half day test exercise involving senior staff was held and all staff received training in the plan and their roles. The plan includes a breakdown of all our mission critical roles and sets out what staff and resources are required for each role and our specified recovery time for each.

Our Risk Management Accreditation Document Set (RMADS), which provides assurance in relation to the Commission's Information Technology, was also reviewed and updated during the year.

## STAFFING

The Commission was provided, by the NI Court Service, with funding for a staff structure of 17.

## PROCUREMENT POLICY

Since our change of Sponsorship Department, the Commission no longer procures goods and services through the sponsorship department but deals directly with Central Procurement Directorate of the Department of Finance and Personnel. This has speeded up and improved our access to services.

## LIAISON MEETINGS

The Commission has had many meetings with its new Sponsorship Department in relation to devolution. Key business issues are addressed in this forum. The Commission also meets regularly with the Sponsorship Department to discuss finances and our expenditure against our forecasts and achievement of our objectives. In this way any concerns can be identified, highlighted and addressed at an early stage. Regular meetings will continue until all the new governance procedures, Service Level Agreements and Memorandums of Understanding are embedded.

# Chapter 4

## Internal Working Arrangements

### STRUCTURE OF COMMITTEES

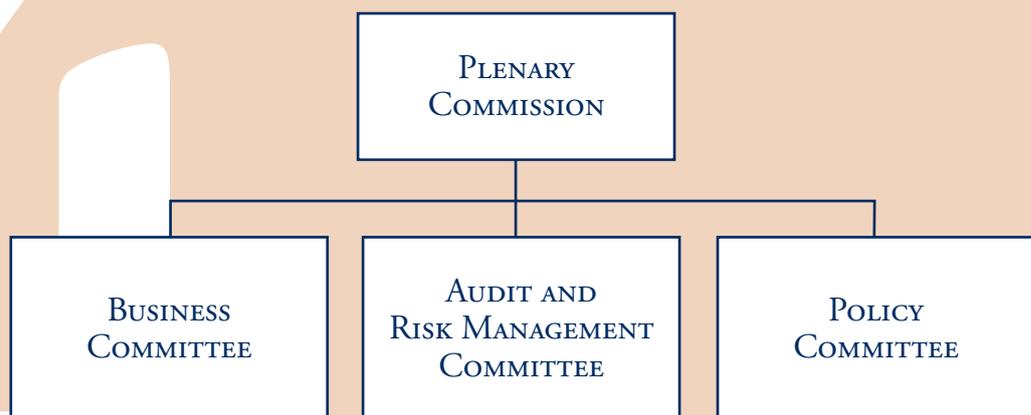
The Commission has three committees: the Audit and Risk Management Committee, the Business Committee and the Policy Committee. During the year, two sub groups were established to consider our Judicial Selection Framework and our use of Consultees. The work of the Judicial Selection Framework sub group has just been completed and a formal report was presented to the Plenary Commission. The Consultee Sub Group reported to the Plenary Commission in April 2010 on its findings and recommendations. The outcomes will be implemented in this reporting period.

The sub group set up to report on preparations for the devolution of justice will continue until all support services and new procedures have been fully established.

### MEETINGS OF THE COMMISSION

The plenary session of the Commission normally meets every two months, although exceptional meetings are convened as required. The Chairman of the Commission and the Chief Executive determine the programme of meetings and business each year, both for the Plenary Commission and its Committees. Approved minutes of Plenary Commission meetings are published on the Commission's website.

### COMMITTEE STRUCTURE APRIL 2009 – MARCH 2010



## Membership of Committees

APRIL 2009 - MARCH 2010

Membership of the standing Committees from April 2009 until March 2010 was as follows:

### AUDIT AND RISK MANAGEMENT COMMITTEE;

#### Membership

Professor John Morison, Lay Member (Chairman)  
 Mrs Sinéad Burns, Lay Member  
 Mr Peter Cush, Barrister at Law  
 Mrs Ruth Laird, Lay Member  
 Her Honour Judge Loughran, County Court Judge

### BUSINESS COMMITTEE;

#### Membership

Mr John Gordon, Solicitor (Chairman)  
 Mr Donal Flanagan OBE, Lay Member  
 District Judge (Magistrates' Courts) Amanda Henderson  
 Dr Raymond Mullan OBE, Lay Member  
 Dr Nichola Rooney, Lay Member  
 The Honourable Mr Justice Weatherup, High Court Judge

### POLICY COMMITTEE;

#### Membership

The Right Honourable Lord Justice Coghlin, Lord Justice of Appeal (Chairman)  
 Mrs Sinéad Burns, Lay Member  
 Mr Peter Cush, Barrister at Law  
 Mr Donal Flanagan OBE, Lay Member  
 Mr John Gordon, Solicitor  
 District Judge (Magistrates' Courts) Amanda Henderson  
 Mrs Ruth Laird, Lay Member  
 Her Honour Judge Loughran, County Court Judge  
 Professor John Morison, Lay Member  
 Dr Nichola Rooney, Lay Member  
 The Honourable Mr Justice Weatherup, High Court Judge

## REMIT OF COMMITTEES

### **The Audit and Risk Management Committee will advise the Commission on:**

- the strategic process for risk (monitored through our risk register), control and governance and the Statement on Internal Control;
- the accounting policies, the accounts, the process of reviewing accounts prior to submission for audit, levels of error identified, and the management's letter of representation to the external auditors;
- the planned activity and results of both the External and Internal Audit;
- adequacy of management response to issues identified by audit activity, including External Audit's Report to those Charged with Governance;
- assurances relating to the corporate governance requirements of the organisation;
- where appropriate, proposals for tendering Internal Audit services or for purchase of non-audit services from contractors who provide audit services;
- assurances relating to the conduct of business in accordance with the Financial Memorandum and Management Statement; and
- assurances relating to the Register of Interest for the Commission members, the Gifts and Hospitality Register, the Code of Practice for Members, the Code of Conduct for Staff, the Freedom of Information Scheme and Data Protection obligations of the Commission and the communication protocol for the Commission and its Committees.

**The Business Committee shall:**

- ensure there is in place for publication a strategic plan, annual business plan, annual report and statement of accounts;
- approve the programme of meetings of the Commission;
- approve membership of panels for appointment competitions, in consultation with the Chairman of the Commission;
- approve programmes of work and priorities;
- approve what selection competitions should be commenced and in what order and delegate operational management of selection competitions and approval of competition paperwork to selection committees;
- approve the programme of action for each competition;
- approve the programme for any official visits;
- take action on urgent issues when consideration by the full Commission is not practical;
- monitor the internal policies of the Commission;
- oversee/monitor performance against corporate business plan;
- oversee/monitor the control of expenditure within the Commission;
- develop and ensure delivery of the programme of appointments and reappointments including delivery of a programme of action to support each appointment competition;
- promote the work and role of the Commission with regard to communications, public relations and information; and
- provide material as appropriate for inclusion in the annual report and all Committee reports as required.

**The Policy Committee shall:**

- develop a strategy and programme of work to ensure delivery of the strategic and annual objectives in respect of appointments policy and diversity;
- ensure appointments policy, practice and procedure is evaluated and kept under review and improvements proposed and made;
- develop and maintain a database of information in respect of the reflectiveness of the Northern Ireland judiciary;
- ensure equity monitoring information is available for consideration by the Commission;
- set up and implement an equality scheme when designated by the Equality Commission for Northern Ireland; and
- provide material as appropriate for inclusion in the annual report and all Committee reports as required.

## THE AUDIT AND RISK MANAGEMENT COMMITTEE

The Commission has an Audit and Risk Management Committee (ARMC) to support it in its responsibilities for issues of risk, control and governance and associated assurance. The Committee has five members and meets three times per year. Additional meetings may be convened to discuss particular issues at the request of the Accounting Officer, the Chairman of the ARMC or the Chairman and a member of the Audit and Risk Management Committee. The meetings are normally attended by a representative from the Commission's Internal Audit function and members of External Audit. The Committee may also ask any other officials of the organisation to attend to assist it with its discussions in any particular matter. The ARMC is an advisory body with no executive powers. However, it is authorised by the Commission to investigate any activity within its terms of reference, and to seek any information it requires from staff, who are requested to co-operate with the Committee in the conduct of its enquiries. Requests for work and reports received from Internal Audit will be channelled through the Accounting Officer. The ARMC is authorised to obtain independent professional advice if it considers it necessary.

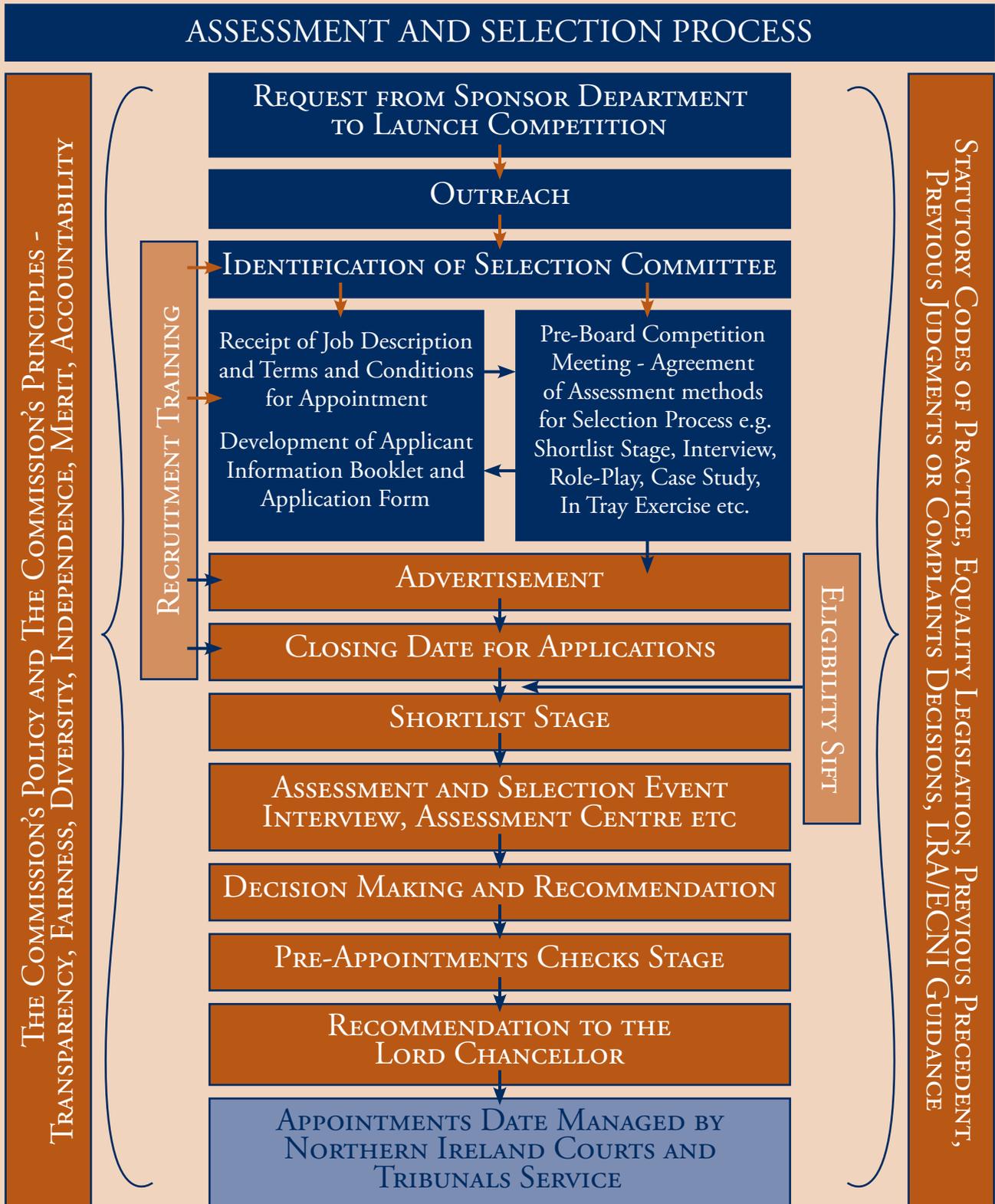
# APPENDICES

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APPENDIX I:

# Assessment and Selection Process for Judicial Appointment



## APPENDIX 2:

# Diversity Statistics

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## I. APPOINTMENTS; 2. RE-APPOINTMENTS; 3. APPLICANT POOLS

The statistical information contained in this appendix on the diversity of those who have applied and those who have been recommended as suitable for appointment, is provided in accordance with the Commission's statutory obligations under Justice (Northern Ireland) Act 2002 (c.26) Schedule 2.

## 1. Recommendations for appointment during the Period 2009-10

During the reporting period, the Commission made 25 recommendations for appointment (Courts 8; Tribunals 17) to the Lord Chancellor – 1 High Court Judge; 1 County Court Judge; 6 Deputy Statutory Officers; 1 Legal Chairman of the Appeal Tribunals; 3 Legal Chairmen of the Health and Safety Appeals Tribunal; 6 Medical Generalist Members of the Appeal Tribunals; and 7 Consultant Psychiatrists of the Mental Health Review Tribunal.

Gender	Male	Female	Total
Number	12	13	25
%	48%	52%	100%

Community Background	Protestant	Roman Catholic	Neither
Number	12	11	2
%	48%	44%	8%

Age on appointment	35 and under	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	Over 60
Number	3	3	4	1	9	4	1
%	12%	12%	16%	4%	36%	16%	4%

Ethnic Origin	White	Other
Number	24	1
%	96%	4%

Disability	No Disability Declared	Disability Declared
Number	25	0
%	100%	0%

Personal Geographic Location		
Belfast	15	60%
Co. Antrim	3	12%
Co. Armagh	1	4%
Co. Down	5	20%
Co. Fermanagh	0	0%
Co. Londonderry	0	0%
Co. Tyrone	1	4%
Other	0	0%
Not indicated	0	0%

Business Geographical Location		
Belfast	14	56%
Co. Antrim	5	20%
Co. Armagh	1	4%
Co. Down	1	4%
Co. Fermanagh	0	0%
Co. Londonderry	0	0%
Co. Tyrone	1	4%
Province wide	0	0%
Other	0	0%
Not indicated	3	12%
Not indicated	3	12%

## 2. Recommendations for re-appointment during the Period 2009-10

During the reporting period, the Commission made 375 recommendations for re-appointment (Courts 212; Tribunals 163) to the Lord Chancellor – 1 Deputy County Court Judge; 3 Deputy District Judges; 1 Deputy District Judge (Magistrates' Courts); 207 Lay Magistrates; 1 Appeal Tribunals Fee Paid Financial Member; 8 Appeal Tribunals Fee Paid Medical Consultant Members; 49 Appeal Tribunals Fee Paid Medical Generalist Members; 45 Appeal Tribunals Fee Paid Disability Members; 35 Appeal Tribunals Fee Paid Legal Members; 2 Care Tribunal Fee Paid Chairmen; 1 Special Educational Needs and Disability Tribunal Fee Paid Chairman; 17 Fair Employment Tribunal Fee Paid Chairmen; 1 National Security Certificate Appeal Tribunal Fee Paid Chairman; 1 National Security Certificate Appeal Tribunal Fee Paid Deputy Chairman; 1 National Security Certificate Appeal Tribunal Fee Paid Legal Member; and 2 National Security Certificate Appeal Tribunal Fee Paid Lay Members.

Gender	Male	Female	Total
Number	180	195	375
%	48%	52%	100%

Ethnic Origin	White	Other
Number	371	4
%	99%	1%

Community Background	Protestant	Roman Catholic	Neither
Number	212	142	21
%	56%	38%	6%

Disability	No Disability Declared	Disability Declared
Number	360	15
%	96%	4%

Age on Reappointment	35 and under	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	Over 60
Number	13	29	43	72	70	57	91
%	3%	8%	12%	19%	19%	15%	24%

Personal Geographic Location		
Belfast	91	24%
Co. Antrim	54	15%
Co. Armagh	23	6%
Co. Down	83	22%
Co. Fermanagh	20	5%
Co. Londonderry	35	9%
Co. Tyrone	31	8%
Other	2	1%
Not indicated	36	10%

Business Geographical Location		
Belfast	130	35%
Co. Antrim	39	11%
Co. Armagh	23	6%
Co. Down	46	12%
Co. Fermanagh	18	5%
Co. Londonderry	35	9%
Co. Tyrone	24	6%
Province wide	22	6%
Other	0	0%
Not indicated	38	10%

### 3. Applicant pools during the Period 2009-10

#### APPLICANT POOLS 2009-10 - COURTS

During the reporting period, the Commission received 71 applications, 4 in the High Court Judge competition (1 position), 12 in the County Court Judge competition (1 position), and 55 in the Deputy Statutory Officers competition (6 positions).

Gender	Male	Female	Total
Number	41	30	71
%	58%	42%	100%

Ethnic Origin	White	Other
Number	71	0
%	100%	0%

Community Background	Protestant	Roman Catholic	Neither
Number	35	35	1
%	49%	49%	2%

Disability	No Disability Declared	Disability Declared
Number	71	0
%	100%	0%

Age	35 and under	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	Over 60
Number	3	11	18	17	16	5	1
%	4%	16%	25%	24%	23%	7%	1%

Personal Geographic Location		
Belfast	30	42%
Co. Antrim	10	14%
Co. Armagh	3	4%
Co. Down	20	28%
Co. Fermanagh	0	0%
Co. Londonderry	4	6%
Co. Tyrone	2	3%
Other	2	3%
Not indicated	0	0%

Business Geographical Location		
Belfast	49	69%
Co. Antrim	4	5.5%
Co. Armagh	2	3%
Co. Down	3	4%
Co. Fermanagh	0	0%
Co. Londonderry	5	7%
Co. Tyrone	2	3%
Province wide	0	0%
Other	2	3%
Not indicated	4	5.5%

## APPLICANT POOLS 2009-10 - TRIBUNALS

During the reporting period, the Commission received 51 applications, 24 in the Appeal Tribunals competition (1 Legal Chairman position), 11 in the Health and Safety Appeals Tribunal competition (3 Legal Chairmen positions), 9 in the Appeal Tribunals (12 Medical Generalist positions and 4 Medical Specialist positions), and 7 in the Mental Health Review Tribunal (7 Consultant Psychiatrists positions).

Gender	Male	Female	Total
Number	32	19	51
%	63%	37%	100%

Ethnic Origin	White	Other
Number	50	1
%	98%	2%

Community Background	Protestant	Roman Catholic	Neither
Number	20	26	5
%	39%	51%	10%

Disability	No Disability Declared	Disability Declared
Number	51	0
%	100%	0%

Age	35 and under	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	Over 60
Number	4	6	8	6	17	7	3
%	8%	12%	15%	12%	33%	14%	6%

Personal Geographic Location		
Belfast	29	57%
Co. Antrim	5	10%
Co. Armagh	2	4%
Co. Down	9	17%
Co. Londonderry	4	8%
Co. Fermanagh	0	0%
Co. Tyrone	2	4%
Other	0	0%
Not indicated	0	0%

Business Geographical Location		
Belfast	30	59%
Co. Antrim	4	8%
Co. Armagh	2	4%
Co. Down	3	6%
Co. Fermanagh	0	0%
Co. Londonderry	4	8%
Co. Tyrone	2	4%
Province wide	0	0%
Other	0	0%
Not indicated	6	11%

## APPLICANT POOLS 2009-10 - COMBINED

During the reporting period, the Commission received 122 applications (Courts 71; Tribunals 51), 4 in the High Court Judge competition (1 position), 12 in the County Court Judge competition (1 position), 55 in the Deputy Statutory Officers competition (6 positions), 24 in the Appeal Tribunals competition (1 Legal Chairman position), 11 in the Health and Safety Appeals Tribunal competition (3 Legal Chairmen positions), 9 in the Appeal Tribunals (12 Medical Generalist positions and 4 Medical Specialist positions), and 7 in the Mental Health Review Tribunal (7 Consultant Psychiatrists positions).

Gender	Male	Female	Total
Number	73	49	122
%	60%	40%	100%

Ethnic Origin	White	Other
Number	121	1
%	99%	1%

Community Background	Protestant	Roman Catholic	Neither
Number	55	61	6
%	45%	50%	5%

Disability	No Disability Declared	Disability Declared
Number	122	0
%	100%	0%

Age	35 and under	36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61+
Number	7	17	26	23	33	12	4
%	6%	14%	21%	19%	27%	10%	3%

Personal Geographic Location		
Belfast	59	48%
Co. Antrim	15	12%
Co. Armagh	5	4%
Co. Down	29	24%
Co. Fermanagh	0	0%
Co. Londonderry	8	7%
Co. Tyrone	4	3%
Other	2	2%
Not indicated	0	0%

Business Geographical Location		
Belfast	79	65%
Co. Antrim	8	7%
Co. Armagh	4	3%
Co. Down	6	5%
Co. Fermanagh	0	0%
Co. Londonderry	9	7%
Co. Tyrone	4	3%
Province wide	0	0%
Other	2	2%
Not indicated	10	8%

## APPENDIX 3:

# Achievement of Corporate Objectives through Business Planning

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The Commission monitors achievement of corporate objectives through its annual business plan and monitoring reports to the Business Committee and Plenary Commission. In order to do so, the Commission decided that objectives should reflect activity against appointments process, diversity, accountability and external communications.

The following sets out the achievement of objectives during 2009-10.

## THE OBJECTIVES IN THE 2009-10 BUSINESS PLAN

The four perspectives of appointments process, diversity, accountability and external communications are set out below with a statement of progress at year end against each.

### APPOINTMENTS PROCESS

To recommend to the Lord Chancellor whom to appoint to listed judicial office by identifying the best applicant on merit.

1. To make recommendations to the Lord Chancellor for appointments and re-appointments to listed judicial offices. **Achieved.**
2. To develop and implement an Appointments Strategy following the strategic review and consultation of appointments policies and procedures that will detail the Appointments development work and new initiatives. **Achieved and ongoing.** (One outcome “To develop and implement a quality kitemark for the recruitment and selection function” has been deferred).
3. To implement a learning and development programme for Commissioners and staff to continuously improve the recruitment and selection function. **Achieved.**

## DIVERSITY

To engage in a programme of action to secure, so far as it is reasonably practicable to do so, a judiciary in Northern Ireland that is as reflective of our society as can be achieved consistent with the requirement of appointment on merit.

4. To carry out equity monitoring of appointment competitions and produce reports of the findings. **Achieved.**
5. To carry out an annual equality monitoring exercise and to produce a report summarising the position regarding applicants for judicial appointments during the year, and the position regarding judicial office holders, compared with the applicant pool. **Achieved.**
6. Having now completed the NISRA/QUB research, continue implementation of the Research Review and associated action plan. **Achieved.**

## ACCOUNTABILITY

To make effective and efficient use of our resources in order to achieve our objectives.

7. To prepare the Commission for devolution including preparations for transfer to another sponsor department, preparing draft SLAs and settling secondment arrangements for staff. **Ongoing** (Some areas lie outside the direct responsibility of the Commission and work with other bodies continues, including negotiations with Trade Unions).
8. To ensure that the Commission demonstrates the highest levels of information assurance. **Achieved.**
9. To publish the Annual Report and Accounts 2008-2009. **Achieved.**
10. To be IFRS compliant for 2009-10. **Achieved.**

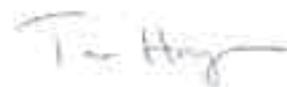
11. By March 2010 to secure from the sponsorship department the required level of resources to deliver the Commission's 2010-11 objectives. **Achieved.**
12. To maintain internal financial and stewardship controls within the Commission, which meet central government guidelines. **Achieved.**
13. To demonstrate strong corporate governance at all times. **Achieved.**

## EXTERNAL COMMUNICATIONS

To communicate helpful information and guidance to targeted audiences to stimulate interest and raise awareness; encourage applications from under-represented groups; improve understanding of the application process and what judicial office entails; demonstrate openness and transparency and that appointments are made solely on the basis of merit.

14. To implement the communication/diversity strategy to include continued website development, including online applications and circulation of the judicial careers booklet. Based upon 3 year equity monitoring analysis tailor further ongoing outreach with key interested parties in the legal and medical professions and civic society. **Achieved and ongoing.** (E-recruit package deferred to 2010-11 pending change of ICT provider.)
15. To maintain a publication scheme as approved by the Information Commissioner's Office and respond to all Freedom of Information Act and Data Protection Act queries within the set guidelines. **Achieved.**

**80%** of targets were achieved  
**20%** are ongoing



TIMOTHY HORGAN,  
ACTING TEMPORARY ACCOUNTING OFFICER,  
2 SEPTEMBER 2010

# Remuneration Report

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## SERVICE CONTRACTS

Unless otherwise stated below, the officials covered by this report hold appointments, which are open-ended until they reach the normal retiring age of 65. Early termination, other than for misconduct, would result in the individual receiving compensation as set out in the Civil Service Compensation Scheme.

Staff are appraised annually against a set of competencies and individual objectives. Bonuses, which form only a small percentage of total salaries, are the only form of remuneration subject to performance conditions.

## REMUNERATION POLICY

The remuneration of the Commission members has been determined by the Lord Chancellor. Judicial members, with the exception of the Lay Magistrate, do not receive a fee. Other members, including the lay magistrate, receive a daily rate of £294. A half-day fee of £147 is payable for 4 hours or less. With the agreement of the Sponsor Department, the Commission has developed a fees policy which, in addition to the above rates, introduced an hourly rate of £36.75 pro rata for specific work undertaken by Commission members which does not attract the full or half day fee. Commission members are reimbursed for incidental expenses incurred in the course of Commission business.

Commission members have no entitlement to bonuses or performance related payments.

## SALARY AND PENSION ENTITLEMENTS

The following sections provide details of the remuneration and pension interests of the Commission members and the most senior official of the Commission (the Chief Executive).

## REMUNERATION (AUDITED)

### Chief Executive

The position of Chief Executive throughout 2009-10 was held by Edward Gorringe, a direct employee of the Commission. The remuneration payable to the Chief Executive was as follows:

Name	2009-10 Salary £000	Benefits in Kind (nearest £100)	2008-09 Salary £000	Benefits in Kind (nearest £100)
Edward Gorringe	65-70	-	65-70	-

### Commission members

The remuneration payable to the Commission members was as follows:

The Right Honourable Sir Declan Morgan (Chair) (commenced 3 July 2010)	-	-	-	-
The Right Honourable Sir Brian Kerr (former Chair) (stood down 26 June 2010)	-	-	-	-
Mrs Fiona Bagnall (appointment expired 14 June 2008)	-	-	-	-
Mrs Sinéad Burns	5-10	-	5-10	-
The Right Honourable Lord Justice Campbell (appointment expired 14 June 2008)	-	-	-	-
The Right Honourable Lord Justice Coghlin	-	-	-	-
Mr Peter Cush	0-5	-	0-5	-
Mr Donal Flanagan OBE	0-5	-	5-10	-
Mr John Gordon	5-10	-	5-10	-
Dame Joan Harbison (resigned 31 January 2009)	-	-	5-10	-
District Judge (Magistrates' Courts) Amanda Henderson	-	-	-	-
Mrs Ruth Laird	10-15	-	10-15	-
Her Honour Judge Loughran	-	-	-	-
Mr Harry McConnell OBE (appointment expired 14 June 2008)	-	-	0-5	-
Professor John Morison	0-5	-	5-10	-
Dr Raymond Mullan OBE	0-5	-	0-5	-
Dr Nichola Rooney	5-10	-	0-5	-
The Honourable Mr Justice Weatherup	-	-	-	-

### SALARY

'Salary' includes gross salary, performance pay or bonuses, overtime, reserved rights to London weighting or London allowances, recruitment and retention allowances, private office allowances and any other allowance to the extent that it is subject to UK taxation.

### BENEFITS IN KIND

The monetary value of benefits in kind covers any benefits provided by the employer and treated by Her Majesty's Revenue and Customs as a taxable emolument.

## PENSION BENEFITS (AUDITED)

### Commission Members

No pension contributions are made by the Commission in respect of the Commission members.

### Chief Executive

Name and title	Accrued Pension at age 65 at 31 March 2010 and related lump sum £000	Real increase/ (decrease) in pension and related lump sum at age 65 £000	CETV at 31 March 2010 £000	CETV at 31 March 2009* £000	Real increase/ (decrease) in CETV £000	Employer contribution to partnership pension account Nearest £100
Mr E Gorringe Chief Executive	0-5 plus 0-5 lump sum	0-2.5 plus 0-2.5 lump sum	39	16	23	-

\* This figure is different from the closing figures in the 2008-09 accounts. This is due to the CETV factors being updated to comply with The Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2009.

Pension benefits are provided through the Civil Service pension arrangements. From 30 July 2007, civil servants may be in one of four defined benefit schemes; either a 'final salary' scheme (**classic**, **premium** or **classic plus**); or a 'whole career' scheme (**nuvos**). These statutory arrangements are unfunded with the cost of benefits met by monies voted by Parliament each year. Pensions payable under **classic**, **premium**, **classic plus** and **nuvos** are increased annually in line with changes in the Retail Prices Index (RPI). Members who joined from October 2002 could opt for either the appropriate defined benefit arrangement or a good quality 'money purchase' stakeholder pension with a significant employer contribution (**partnership** pension account).

Employee contributions are set at the rate of 1.5% of pensionable earnings for **classic** and 3.5% for **premium**, **classic plus** and **nuvos**. Benefits in **classic** accrue at the rate of 1/80th of final pensionable earnings for each year of service. In addition, a lump sum equivalent to three years' pension is payable on retirement. For **premium**, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike classic, there is no automatic lump sum. **Classic plus** is essentially a hybrid with benefits for service before 1 October 2002 calculated broadly as per **classic** and benefits for service from October 2002 worked out as in **premium**. In **nuvos**, a member builds up a pension based on his pensionable earnings during their period of scheme membership. At the end of the scheme year (31 March), the member's earned pension account is credited with 2.3% of their pensionable earnings in that scheme year and, immediately after the scheme year end, the accrued pension is uprated in line with RPI. In all cases, members may opt to give up (commute) pension for lump sum up to the limits set by the Finance Act 2004.

The **partnership** pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 3% and 12.5% (depending on the age of the member) into a stakeholder pension product chosen by the employee from a panel of three providers. The employee does not have to contribute but where they do make contributions, the employer will match these up to a limit of 3% of pensionable salary (in addition to the employer's basic contribution). Employers also contribute a further 0.8% of pensionable salary to cover the cost of centrally-provided risk benefit cover (death in service and ill health retirement).

The accrued pension quoted, is the pension the member is entitled to receive when they reach pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over pension age. Pension age is 60 for members of **classic**, **premium** and **classic plus** and 65 for members of **nuvos**.

Further details about the Civil Service pension arrangements can be found at the website [www.civilservice-pensions.gov.uk](http://www.civilservice-pensions.gov.uk).

From 12 April 2010 pension contributions were made under the NI Civil Service pension arrangements following on from the devolution of justice.

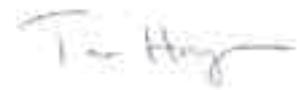
## CASH EQUIVALENT TRANSFER VALUES

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies.

The figures include the value of any pension benefit in another scheme or arrangement which the member has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their buying additional pension benefits at their own cost. CETVs are worked out within the guidelines and framework prescribed by the Institute and Faculty of Actuaries and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are taken.

## REAL INCREASE IN CETV

This reflects the increase in CETV that is funded by the employer. It does not include the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.



TIMOTHY HORGAN,  
ACTING TEMPORARY ACCOUNTING OFFICER,  
2 SEPTEMBER 2010

# Statement of the Northern Ireland Judicial Appointments Commission's and Accounting Officer's Responsibilities

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Under paragraph 7 of Schedule 2 to the Justice (Northern Ireland) Act 2002 as amended, the Northern Ireland Judicial Appointments Commission is required to prepare a statement of accounts in respect of each financial year in such a form as directed by the Lord Chancellor. The accounts are prepared on an accruals basis and must give a true and fair view of the state of affairs of the Commission at the year end and of the income and expenditure and cash flows for the financial year.

In preparing the accounts, the Accounting Officer is required to comply with the requirements of the *Financial Reporting Manual* prepared by the HM Treasury and in particular to:

- observe the Accounts Direction issued by the Lord Chancellor including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
- make judgements and estimates on a reasonable basis;
- state whether applicable accounting standards as set out in the *Financial Reporting Manual* have been followed, and disclose and explain any material departures in the accounts; and
- prepare the accounts on a going concern basis, unless it is inappropriate to presume that the Commission will continue in operation.

The Accounting Officer of the NI Court Service has designated the Chief Executive as the Accounting Officer for the Commission. The Chief Executive's relevant responsibilities as Accounting Officer, including responsibility for the propriety and regularity of the public finances and for keeping proper records, are set out in the Non-Departmental Public Bodies Accounting Officers' Memorandum issued by HM Treasury and published in *Managing Public Money*. From 12 April 2010, following the devolution of justice, the Accounting Officer of the OFMDFM designated the Chief Executive as the Accounting Officer for the Commission.

The Chief Executive is on annual leave from June to October 2010. During his absence Mr Timothy Horgan, Head of Corporate Planning, Resources and Governance, has been appointed as Acting Temporary Accounting Officer for this period.

# Statement on Internal Control

## SCOPE OF RESPONSIBILITY

As Acting Temporary Accounting Officer, I have responsibility for maintaining a sound system of internal control that supports the achievement of the Northern Ireland Judicial Appointments Commission's (the Commission's) policies, aims and objectives, whilst safeguarding the public funds and departmental assets for which I am personally responsible, in accordance with the responsibilities assigned to me in Managing Public Money and the Non Departmental Public Body (NDPB) Accounting Officer Memorandum.

On 9 March 2010, the political parties in Northern Ireland agreed that policing and justice functions should devolve to the Northern Ireland Assembly on 12 April 2010. When policing and justice functions in Northern Ireland were devolved to the Northern Ireland Assembly on 12 April 2010, the Department of Justice was established as a new Northern Ireland Department by the Department of Justice Act (Northern Ireland) 2010. From this date, the NI Court Service became an executive agency of the Department of Justice and is now known as the NI Courts and Tribunals Service. The NI Judicial Appointments Commission is now an NDPB under the OFMDFM.

## THE PURPOSE OF THE SYSTEM OF INTERNAL CONTROL

The system of internal control is designed to manage risk to a reasonable level, rather than to eliminate all risk of failure to achieve policies, aims and objectives. It can therefore only provide reasonable, and not absolute, assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Commission's policies, aims and objectives; to evaluate the likelihood of those risks being realised and the impact should they be realised; and to manage them efficiently, effectively and

economically. The system of internal control has been in place and embedded in the Commission for the year ended 31 March 2010 and up to the date of approval of the Annual Report and Accounts, and accords with HM Treasury guidance.

## CAPACITY TO HANDLE RISK

Risk management constitutes a standing item on management meeting agendas and senior managers are required to formally sign off Stewardship Statements for me on a quarterly basis; the corporate risk register is also reviewed and updated on a quarterly basis.

The Audit and Risk Management Committee is comprised of five Commissioners who do not have an executive role in the management of the organisation. The terms of reference of the Committee are based on HM Treasury's Audit Committee Handbook and have been agreed by the full Committee.

Internal audit services during 2009-10 were provided by the NI Court Service's Risk and Assurance Branch (RAB) which operates to the Government Internal Audit Standards, under the terms of an agreed service level agreement. Findings from the work of RAB, risks identified through the organisation's Risk Management System and feedback from our external auditors are considered by both the Audit and Risk Management Committee and executive management to ensure that there is ongoing review and revision of the control framework of the organisation.

Risk Management is also considered by me through the review of the Corporate Risk Register and Corporate Plan monitoring process. This includes a regular review of attendant risks thus ensuring that risk management has been incorporated fully into the corporate planning and decision-making processes of the Commission.

## THE RISK AND CONTROL FRAMEWORK

Risks are considered in tandem with objectives at all levels in the organisation and formally reported in the Corporate Risk Register. Risks are assessed in terms of their probability of occurrence and impact on the achievement of objectives, and scored and reported on accordingly. Responsibility for the management of each risk is assigned and recorded, along with controls in place to mitigate the risk, monitoring arrangements in place and any action taken or planned in order to enhance the level of control. Risks are formally reviewed on a quarterly basis and documentation updated. The updated risk registers record any movement in terms of impact and probability of occurrence.

The Audit and Risk Management Committee is responsible for the maintenance and development of the risk management and review processes through, for example, ensuring compliance with the structured quarterly review points and formal stewardship reporting in order to ensure continued alignment with planning and monitoring at corporate and operational level. In challenging risks identified by executive management, the Committee ensures that there is ongoing consideration of the impact of both external and internal initiatives on the planned work of the Commission.

## INFORMATION RISK

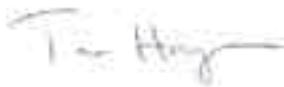
The Information Risk Policy supplements our corporate approach to risk management and encourages staff and managers to consider information as assets, supported by the compilation of Information Asset Registers. Therefore, information assets are subject to the risk management processes outlined above. Additionally, the Commission continues to work towards accreditation to ISO 27001, the information security standard. We continue to monitor and review our approach to information risk management.

## AUDIT AND RISK MANAGEMENT COMMITTEES

The activity of the Audit and Risk Management Committee is defined in its terms of reference, under which the Committee meets three times annually, with a set guideline of items to consider at each meeting. In addition to the members of the Committee, the Chief Executive and representatives of both internal and external audit are in attendance at each meeting. RAB activity in the year included the delivery of an agreed audit plan which was based upon discussion with the Chief Executive and the provision of control related consultancy. The audit plan was ratified by the Audit and Risk Management Committee.

## REVIEW OF EFFECTIVENESS

As Acting Temporary Accounting Officer, I have responsibility for reviewing the effectiveness of the system of internal control. The Audit and Risk Management Committee oversees the audit activity on behalf of the full Commission and updates the Commission on control, risk and governance issues following each meeting. At the end of the reporting period, stewardship statements are completed by Business Managers providing assurance in respect of the management of risk and the achievement of objectives at business unit level. RAB provides risk, control and governance advice and carries out a planned schedule of work, including the provision of an independent opinion by the Head of RAB on the adequacy and effectiveness of the Commission's system of risk management, control and governance. He has provided overall satisfactory assurance for the 2009-10 year. My review of the effectiveness of the system of internal control is informed by the work of the internal auditors and the executive managers within the Commission who have responsibility for the development and maintenance of the internal control framework, and comments made by the external auditors in their Report to those charged with Governance following the audit of the 2008-09 accounts. I have been advised on the implications of the result of my review of the effectiveness of the system of internal control by the Board and the Audit and Risk Management Committee, and a plan to address weaknesses and ensure continuous improvement of the system is in place. There are no significant control issues.



TIMOTHY HORGAN,  
ACTING TEMPORARY ACCOUNTING OFFICER,  
2 SEPTEMBER 2010

# The Certificate and Report of the Comptroller and Auditor General to the Houses of Parliament

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## NORTHERN IRELAND JUDICIAL APPOINTMENTS COMMISSION

# The Certificate and Report of the Comptroller and Auditor General to the Houses of Parliament

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I certify that I have audited the financial statements of the Northern Ireland Judicial Appointments Commission for the year ended 31 March 2010 under the Justice (Northern Ireland) Act 2002, as amended by the Justice (Northern Ireland) Act 2004. These comprise the Net Expenditure Account, the Statement of Financial Position, the Statement of Cash Flows, the Statement of Changes in Taxpayers' Equity and the related notes. These financial statements have been prepared under the accounting policies set out within them. I have also audited the information in the Remuneration Report that is described in that report as having been audited.

## RESPECTIVE RESPONSIBILITIES OF THE NORTHERN IRELAND JUDICIAL APPOINTMENTS COMMISSION, CHIEF EXECUTIVE AND AUDITOR

As explained more fully in the Statement of the Northern Ireland Judicial Appointments Commission's and Accounting Officer's Responsibilities, the Northern Ireland Judicial Appointments Commission and Chief Executive, as Accounting Officer, are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view. My responsibility is to audit the financial statements in accordance with applicable law and International Standards on Auditing (UK and Ireland). Those standards require me and my staff to comply with the Auditing Practices Board's Ethical Standards for Auditors.

## SCOPE OF THE AUDIT OF THE FINANCIAL STATEMENTS

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to the Northern Ireland Judicial Appointments Commission's circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the Northern Ireland Judicial Appointments Commission; and the overall presentation of the financial statements.

In addition, I am required to obtain evidence sufficient to give reasonable assurance that the expenditure and income reported in the financial statements have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them.

## OPINION ON REGULARITY

In my opinion, in all material respects the expenditure and income have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them.

## OPINION ON FINANCIAL STATEMENTS

In my opinion:

- the financial statements give a true and fair view of the state of the Northern Ireland Judicial Appointments Commission's affairs as at 31 March 2010 and of its deficit, changes in taxpayers' equity and cash flows for the year then ended; and
- the financial statements have been properly prepared in accordance with the Justice (Northern Ireland) Act 2002, as amended by the Justice (Northern Ireland) Act 2004 and directions made thereunder by the Lord Chancellor.

## OPINION ON OTHER MATTERS

In my opinion:

- the part of the Remuneration Report to be audited has been properly prepared in accordance with the Justice (Northern Ireland) Act 2002, as amended by the Justice (Northern Ireland) Act 2004 and directions made thereunder by the Lord Chancellor; and
- the information given in the Director's Report, the Management Commentary, and the Internal Working Arrangements section within the Programme of Business for the financial year for which the financial statements are prepared is consistent with the financial statements.

## MATTERS ON WHICH I REPORT BY EXCEPTION

I have nothing to report in respect of the following matters which I report to you if, in my opinion:

- adequate accounting records have not been kept; or
- the financial statements are not in agreement with the accounting records or returns; or
- I have not received all of the information and explanations I require for my audit; or
- the Statement on Internal Control does not reflect compliance with HM Treasury's guidance.

## REPORT

I have no observations to make on these financial statements.

AMYAS C E MORSE

COMPTROLLER AND AUDITOR GENERAL  
NATIONAL AUDIT OFFICE  
151-197 BUCKINGHAM PALACE ROAD  
VICTORIA  
LONDON  
SW1W 9SP  
14 SEPTEMBER 2010

# ACCOUNTS 2009-2010

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# Net Expenditure Account

FOR THE YEAR ENDED 31 MARCH 2010

		Year ended 31/3/10	Year ended 31/3/09 Restated
		£	£
	NOTE		
<b>Expenditure:</b>			
Staff costs	4	797,269	702,585
Depreciation and amortisation	6 & 7	2,507	1,443
Other operating costs	5	792,511	781,003
		<hr/>	<hr/>
<b>Total Expenditure</b>		<b>1,592,287</b>	<b>1,485,031</b>
		<hr/>	<hr/>
<b>Income</b>	3	<b>(7,269)</b>	<b>-</b>
		<hr/>	<hr/>
<b>Net Expenditure</b>		<b>1,585,018</b>	<b>1,485,031</b>
		<hr/>	<hr/>
Cost of Capital	5	(1,243)	(1,161)
		<hr/>	<hr/>
<b>Deficit transferred to Taxpayers' equity</b>		<b>1,583,775</b>	<b>1,483,870</b>
		<hr/>	<hr/>

All operations are continuing.

*Figures for 2008-09 have been restated in line with International Financial Reporting Standards.*

*The notes on pages 64-79 form part of the accounts*

# Statement of Financial Position

AS AT 31 MARCH 2010

		31 March 2010		31 March 2009 Restated		31 March 2008 Restated	
	NOTE	£	£	£	£	£	£
<b>Non-current assets:</b>							
Property, plant & equipment	6	2,958		2,104		2,965	
Intangible assets	7	4,964		2,410		-	
<b>Total non-current assets</b>		<b>7,922</b>		<b>4,514</b>		<b>2,965</b>	
<b>Current assets:</b>							
Trade and other receivables	8	252,477		215,598		183,322	
Cash and cash equivalents	9	-		-		-	
<b>Total current assets</b>		<b>252,477</b>		<b>215,598</b>		<b>183,322</b>	
<b>TOTAL ASSETS</b>		<b>260,399</b>		<b>220,112</b>		<b>186,287</b>	
<b>Current liabilities</b>							
Trade and other payables	10	(216,461)		(192,994)		(147,076)	
<b>Total current liabilities</b>		<b>(216,461)</b>		<b>(192,994)</b>		<b>(147,076)</b>	
<b>Non-current assets plus net current assets</b>		<b>43,938</b>		<b>27,118</b>		<b>39,211</b>	
<b>Assets less liabilities</b>		<b>43,938</b>		<b>27,118</b>		<b>39,211</b>	
<b>Taxpayers' equity</b>							
General fund		43,343		27,118		39,211	
Revaluation reserve		595		-		-	
		<b>43,938</b>		<b>27,118</b>		<b>39,211</b>	

Figures for 2008-09 and 2007-08 have been restated in line with International Financial Reporting Standards.



TIMOTHY HORGAN,  
ACTING TEMPORARY ACCOUNTING OFFICER,  
2 SEPTEMBER 2010

The notes on pages 64-79 form part of the accounts

# Statement of Cash Flows

FOR THE YEAR ENDED 31 MARCH 2010

		Year ended 31/3/10	Year ended 31/3/09 Restated
		£	£
	NOTE		
<b>Cash flows from operating activities</b>			
Net Expenditure		(1,585,018)	(1,485,031)
Adjustments for non-cash transactions		3,750	2,604
Increase in trade and other receivables	8	(36,879)	(32,276)
Increase in trade and other payables	10	23,467	45,918
<b>Net cash outflow from operating activities</b>		<b>(1,594,680)</b>	<b>(1,468,785)</b>
<b>Cash flows from investing activities</b>			
Purchase of property, plant and equipment	6	(1,477)	-
Purchase of intangible assets	7	(3,843)	(2,992)
<b>Net cash outflow from investing activities</b>		<b>(5,320)</b>	<b>(2,992)</b>
<b>Cash flows from financing activities</b>			
Grants from parent department		1,600,000	1,471,777
<b>Net financing</b>		<b>1,600,000</b>	<b>1,471,777</b>
<b>Net increase / (decrease) in cash and cash equivalents in the period</b>		<b>-</b>	<b>-</b>
<b>Cash and cash equivalents at the beginning of the period</b>	9	<b>-</b>	<b>-</b>
<b>Cash and cash equivalents at the end of the period</b>	9	<b>-</b>	<b>-</b>

*Figures for 2008-09 have been restated in line with International Financial Reporting Standards.*

*The notes on pages 64-79 form part of the accounts*

# Statement of Changes in Taxpayers' Equity

FOR THE YEAR ENDED 31 MARCH 2010

	NOTE	General Fund £	Revaluation Reserve £	Total Reserves £
<b>Balance at 31 March 2008</b>		<b>50,290</b>	-	<b>50,290</b>
Effect of changes under International Financing Reporting Standards	2.1	(11,079)	-	(11,079)
<b>Restated Balance at 1 April 2008</b>		<b>39,211</b>	-	<b>39,211</b>
<b>Changes in taxpayers' equity for 2008-09</b>				
Non-cash charges - cost of capital		1,161	-	1,161
Net expenditure for the year		(1,485,031)	-	(1,485,031)
<b>Total recognised Income and expenditure for 2008-09</b>		<b>(1,483,870)</b>	-	<b>(1,483,870)</b>
Grant from parent		1,471,777	-	1,471,777
<b>Balance at 31 March 2009</b>		<b>27,118</b>	-	<b>27,118</b>
<b>Changes in taxpayers' equity for 2009-10</b>				
Non-cash charges - cost of capital		1,243	-	1,243
Net gain/(loss) on revaluation of intangible assets		-	595	595
Net expenditure for the year		(1,585,018)	-	(1,585,018)
<b>Total recognised income and expenditure for 2009-10</b>		<b>(1,583,775)</b>	<b>595</b>	<b>(1,583,180)</b>
Grant from parent		1,600,000	-	1,600,000
<b>Balance at 31 March 2010</b>		<b>43,343</b>	<b>595</b>	<b>43,938</b>

The notes on pages 64-79 form part of the accounts

# Notes to the Financial Statements

## 1.0 STATEMENT OF ACCOUNTING POLICIES

These financial statements have been prepared in accordance with the 2009-10 *Financial Reporting Manual (FRM)* issued by HM Treasury. The accounting policies contained in the FRM apply International Financial Reporting Standards (IFRS) as adapted or interpreted for the public sector context.

Where the FRM permits a choice of accounting policy, the accounting policy which has been judged to be most appropriate to the particular circumstances of the Commission for the purpose of giving a true and fair view has been selected. The particular policies adopted by the Commission are described below. They have been applied consistently in dealing with items considered material to the accounts.

### 1.1 ACCOUNTING CONVENTION

These accounts have been prepared under the historical cost convention modified to account for the revaluation of intangible assets.

### 1.2 PROPERTY, PLANT AND EQUIPMENT

Property, plant and equipment comprises of plant and equipment, furniture and fittings, and information technology.

Expenditure on property, plant and equipment of £1,000 or more is capitalised. For furniture and fittings the individual assets are recorded on a pooled basis.

On initial recognition, assets are measured at cost, including any costs such as installation, directly attributable to bringing them into working condition.

All property, plant and equipment is reviewed annually for impairment and is carried at fair value. All non-property operational assets are

deemed to be short-life or low value assets and are therefore valued on the basis of depreciated replacement cost as an approximation of fair value.

Property, plant and equipment were not revalued during the year as there were no material differences between historical cost amounts and the revalued amounts.

### 1.3 INTANGIBLE ASSETS

Expenditure on intangible assets which includes software, software licences, and the associated costs of implementation is capitalised where the cost is £1,000 or more. Intangible assets are reviewed annually for impairment and are carried at fair value.

Intangible assets have been stated at their value to the business by reference to Office of National Statistics (ONS) indices. The indices were obtained from ONS MM17 Price Index Numbers for Current Cost Accounting as at March 2010. Assets are not indexed in the year of acquisition.

### 1.4 DEPRECIATION AND AMORTISATION

Property, plant, and equipment are depreciated at rates calculated to write them down to estimated residual value on a straight-line basis over their estimated useful lives. Depreciation is charged in the month of acquisition.

Intangible assets are amortised over the shorter of the term of the licence and the useful economic life.

Useful lives are normally in the following ranges:

Plant and Equipment	5-10 years
Furniture and Fittings	5-10 years
Information Technology	3 years
Intangible Assets	3 years

The residual values of assets are reviewed on an annual basis.

Additions to non-current assets will be depreciated from the month of acquisition where material. Disposals from non-current assets will not be depreciated in the month of disposal.

### 1.5 INVENTORIES

Consumable inventories are not considered material and are charged to the net expenditure account in the year of purchase.

### 1.6 INCOME

Income consists of amounts charged to external bodies for the provision of certain recruitment competitions. Grant in aid funding received from the NICtS is treated as a movement in the General Fund.

### 1.7 CAPITAL CHARGE

A charge, reflecting the cost of capital utilised by the Commission, is included in the net expenditure account. The charge is calculated at the real rate set by HM Treasury (currently 3.5%) on the average carrying amount of all assets less liabilities, except for:

- Property, plant and equipment and intangible assets where the cost of capital is based on opening values, adjusted pro rata for in-year:
  - i. additions at cost;
  - ii. disposals as valued in the opening statement of financial position (plus any subsequent capital expenditure prior to disposal);
  - iii. impairments at the amount of the reduction of the opening statement of financial position value (plus any subsequent capital expenditure); and
  - iv. depreciation of property, plant and equipment and amortisation of intangible assets.

### 1.8 OPERATING LEASES

Leases where substantially all of the risks and rewards are held by the lessor are classified as operating leases. Rentals under operating leases are charged to the net expenditure account on a straight-line basis over the term of the lease. Future payments, disclosed at Note 12, are not discounted.

### 1.9 PENSIONS

Past and present employees are covered by the provisions of the Principal Civil Service Pension Scheme (PCSPS) which are described in Note 4. The defined benefit schemes are unfunded and are non-contributory, except in respect of dependants' benefits. The Commission recognises the expected cost of these elements on a systematic and rational basis over the period during which it benefits from employees' services by payment to the PCSPS of amounts calculated on an accruing basis. Liability for payment of future benefits is a charge on the PCSPS. In respect of the defined contribution elements of the schemes, the Commission recognises the contributions payable for the year.

### 1.10 VALUE ADDED TAX

The Commission is ineligible to reclaim input Value Added Tax (VAT) on expenditure. Therefore, all expenditure is inclusive of VAT.

### 1.11 PROVISIONS

The Commission provides for legal or constructive obligations, which are of uncertain timing or amount at the reporting date on the basis of the best estimate of the expenditure required to settle the obligation. Where the effect of the time value of money is significant, the estimated risk-adjusted cash flows are discounted using the real rate set by HM Treasury (currently 2.2%). No provisions were necessary for 2009-10.

### 1.12 CONTINGENT LIABILITIES

Where the time value of money is material, contingent liabilities which are required to be disclosed under IAS 37 are stated at discounted amounts.

### 1.13 FINANCIAL INSTRUMENTS

A financial instrument is defined as any contract that gives rise to a financial asset of one entity and a financial liability or equity instrument of another entity.

In accordance with IAS 39 *Financial Instruments: Recognition and Measurement*, a financial instrument is recognised when, and only when, the entity becomes a party to the contractual provisions of the instrument. A previously recognised financial asset is derecognised when, and only when, either the contractual rights to the cash flows from that asset expire, or the entity transfers the asset such that the transfer qualified for derecognition. A financial liability is derecognised when, and only when, it is extinguished.

The Commission does not hold any complex financial instruments. The majority of financial instruments relate to contracts for non-financial items in line with the Commission's expected purchase and usage requirements, the Commission is therefore exposed to little credit, liquidity or market risk.

The Commission has financial instruments in the form of Trade and other receivables/payables, these are classified as 'loans and receivables' and 'financial liabilities' and are measured at fair value through the Net Expenditure Account on initial recognition in accordance with IFRS 7. The carrying value of these financial instruments, as disclosed in the notes to the accounts, approximates to fair value due to their short maturities.

### 1.14 STAFF COSTS

Under the requirements of IAS 19 *Employee Benefits*, staff costs must be recorded as an expense as soon as the organisation is obligated to pay them. This includes the cost of any annual and flexi leave entitlements that have been earned at the year end but not yet taken. The cost of untaken annual and flexi leave has been determined by using actual salary costs and the data from staff leave returns at 31 March. It is not anticipated that the level of untaken leave will vary significantly from year to year.

### 1.15 ESTIMATE TECHNIQUES USED AND KEY JUDGEMENTS

The preparation of financial statements in conformity with IFRS requires the use of accounting estimates and assumptions. It also requires management to exercise its judgement in the process of applying the Commission's accounting policies. We continually evaluate our estimates, assumptions and judgements based on available information and experience. As the use of estimates is inherent in financial reporting, actual results could differ from these estimates. The estimates and assumptions which have the most significant risk of causing a material adjustment to the carrying amounts of assets and liabilities are discussed below.

- ***Depreciation of property, plant and equipment, and amortisation of intangible assets.***

Depreciation and amortisation is provided in the accounts so as to write-down the respective assets to their residual values over their expected useful lives and as such the selection of the estimate useful lives and the expected residual values of the assets requires the use of estimates and judgements. Details of the estimated useful lives are shown in Note 1.4.

### **I.16 ACCOUNTING STANDARDS, INTERPRETATIONS AND AMENDMENTS TO PUBLISHED STANDARDS ADOPTED IN THE YEAR ENDED 31 MARCH 2010**

The Commission implemented IFRS 1 First-time Adoption of International Financial Reporting Standards (IFRS) with the date of transition to IFRS being 1 April 2008 for the purposes of preparing the opening IFRS statement of financial position.

The following standards had a material impact on the financial statements:

- IAS 19 Employee Benefits.

Details of the financial impact of these standards are contained in Note 2. Any adjustments arising from differing accounting policies resulting from the application of IFRS for the first time have been taken through the General Fund.

The Commission has reviewed the remaining standards, interpretations and amendments to published standards that became effective during 2009-10 and which are relevant to its operations. The adoption of these standards has not had a significant impact on the Commission's financial position or results.

### 1.17 ACCOUNTING STANDARDS, INTERPRETATIONS AND AMENDMENTS TO PUBLISHED STANDARDS NOT YET EFFECTIVE

Certain new standards, interpretations and amendments to existing standards have been published that are mandatory for the Commission's accounting periods beginning on or after 1 April 2010, but which the Commission has not adopted early. Other than those outlined in Note 2 below, the Commission considers that these standards are not relevant to its operations.

## 2. FIRST-TIME ADOPTION OF IFRS

With effect from the 1 April 2009, the Commission is required to report its financial statements in accordance with International Financial Reporting Standards (IFRS). The transition date for the adoption of IFRS is 1 April 2008. The table below presents the impact of transition to IFRS.

### 2.1 RECONCILIATION OF UK GENERALLY ACCEPTED ACCOUNTING PRACTICE (GAAP) REPORTED TAXPAYERS' EQUITY TO IFRS AT THE DATE OF TRANSITION 1 APRIL 2008

	General Fund £
<b>Taxpayers' equity at 31 March 2008 under UK GAAP</b>	<b>50,290</b>
Adjustments for:	
IAS 19 Employee Benefits	(11,079)
<b>Taxpayers' equity at 1 April 2008 under IFRS</b>	<b>39,211</b>

### 2.2 RECONCILIATION OF UK GAAP REPORTED TAXPAYERS' EQUITY TO IFRS AT THE END OF FINAL UK GAAP REPORTING PERIOD 31 MARCH 2009

	General Fund £
<b>Taxpayers' equity at 31 March 2009 under UK GAAP</b>	<b>39,681</b>
Adjustments for:	
IAS 19 Employee Benefits	(12,563)
<b>Taxpayers' equity at 1 April 2009 under IFRS</b>	<b>27,118</b>

### 2.3 RECONCILIATION OF UK GAAP REPORTED NET EXPENDITURE TO IFRS FOR YEAR ENDED 31 MARCH 2009

	£
<b>Net expenditure for 2008-09 under UK GAAP</b>	<b>1,483,961</b>
Adjustments for:	
IAS 19 Employee Benefits	1,484
Recalculation of Notional Cost of capital	(414)
<b>Net expenditure for 2008-09 under IFRS</b>	<b>1,485,031</b>

### 3. INCOME

	Year ended 31/03/10 £	Year ended 31/03/09 £
Miscellaneous Income	7,269	-
<b>Total Income</b>	<b>7,269</b>	<b>-</b>

#### 4. STAFF NUMBERS AND RELATED COSTS

Staff costs comprise:

	Year ended 31/03/10 Total £	Permanently employed staff £	Inward seconded staff* £	Commission members £	Year ended 31/03/09 Total Restated £
<b>Direct Staff</b>					
Wages and salaries	649,792	234,551	364,538	50,703	569,444
Social security costs	45,678	20,137	21,380	4,161	39,732
Other pension costs	101,799	46,517	55,282	-	93,409
<b>Total costs</b>	<b>797,269</b>	<b>301,205</b>	<b>441,200</b>	<b>54,864</b>	<b>702,585</b>

\* Inward seconded staff wages and salaries cost includes £60,090 (2008-09: £49,516) relating to VAT.

Figures for 2008-09 have been re-stated in line with International Financial Reporting Standards. Performance bonus of £10,099 has been moved from Other operating costs to Staff costs in the 2008-09 comparative.

The Principal Civil Service Pension Scheme (PCSPS) is an unfunded multi-employer defined benefit scheme but the Northern Ireland Judicial Appointments Commission is unable to identify its share of the underlying assets and liabilities. A full actuarial valuation was carried out at 31 March 2007. Details can be found in the resource accounts of the Cabinet Office: Civil Superannuation ([www.civilservice-pensions.gov.uk](http://www.civilservice-pensions.gov.uk)).

For 2009-10, employers' contributions of £46,517 were payable to the PCSPS (2008-09: £48,757) in relation to directly appointed staff, at one of four rates in the range 16.7% – 24.3% (2008-09: 17.1% to 25.5%) of pensionable pay, based on salary bands. The scheme's Actuary reviews employer contributions every four years following a full scheme valuation. From 2010-11 the rates will be in the range 16.7% to 24.3%. The contribution rates are set to meet the cost of the benefits accruing during 2009-10 to be paid when the member retires and not the benefits paid during this period to existing pensioners.

Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. Employer contributions are age-related and range from 3% to 12.5% of pensionable pay. Employers also match employee contributions up to 3% of pensionable pay. In addition, employer contributions of 0.8% of pensionable pay are payable to the PCSPS to cover the cost of the future provision of lump sum benefits on death in service and ill health retirement of these employees. During 2009-10, no employees of the Commission opted for a partnership pension account.

## AVERAGE NUMBER OF PERSONS EMPLOYED

The average number of whole-time equivalent persons employed (including senior management, but excluding Commission members) during the period was as follows:

	Year ended 31/03/10 Number			Year ended 31/03/09 Number
	Total	Permanent staff	Seconded staff	Total
Chief Executive	1	1	-	1
Corporate Planning, Resources and Governance Team	5	-	5	4
Appointment and Policy Team	6	2	4	6
Diversity and Communications Team	4	2	2	5
<b>Total</b>	<b>16</b>	<b>5</b>	<b>11</b>	<b>16</b>

## 5. OTHER OPERATING COSTS

	Year ended 31/03/10 £	Year ended 31/03/09 Restated £
Services provided by NI Court Service	204,599	213,746
Accommodation costs	163,852	163,745
IT services	123,364	127,777
Competition adverts	71,658	33,266
Security costs	46,546	44,663
Other costs	34,397	34,843
Printing, design and stationery	27,331	18,964
Other competition costs	25,410	1,457
Staff training	25,362	24,386
Maintenance	20,085	41,812
Heat and light	14,104	16,992
Auditors' remuneration	13,700	14,040
Other services	11,403	9,199
Consultancy services	9,457	34,952
Cost of Capital	1,243	1,161
<b>Total</b>	<b>792,511</b>	<b>781,003</b>

Performance bonus of £10,099 has been moved from Other operating costs to Staff costs in the 2008-09 comparative.

## 6. PROPERTY, PLANT AND EQUIPMENT

	Plant and Equipment £	Furniture and Fittings £	Information Technology £	Total £
<b>Cost or valuation</b>				
At 1 April 2009	546	2,291	1,567	4,404
Additions	-	1,477	-	1,477
Disposals	-	-	-	-
<b>At 31 March 2010</b>	<b>546</b>	<b>3,768</b>	<b>1,567</b>	<b>5,881</b>
<b>Depreciation</b>				
At 1 April 2009	183	725	1,392	2,300
Charged in year	109	339	175	623
Disposals	-	-	-	-
<b>At 31 March 2010</b>	<b>292</b>	<b>1,064</b>	<b>1,567</b>	<b>2,923</b>
<b>Net book value at 31 March 2010</b>	<b>254</b>	<b>2,704</b>	<b>-</b>	<b>2,958</b>
<b>Net book value at 31 March 2009</b>	<b>363</b>	<b>1,566</b>	<b>175</b>	<b>2,104</b>
<b>Asset Financing:</b>				
Owned	254	2,704	-	2,958
Finance Leased	-	-	-	-
<b>Net book value at 31 March 2010</b>	<b>254</b>	<b>2,704</b>	<b>-</b>	<b>2,958</b>

	Plant and Equipment £	Furniture and Fittings £	Information Technology £	Total £
<b>Cost or valuation</b>				
At 1 April 2008	546	2,291	1,567	4,404
Additions	-	-	-	-
Disposals	-	-	-	-
<b>At 31 March 2009</b>	<b>546</b>	<b>2,291</b>	<b>1,567</b>	<b>4,404</b>
<b>Depreciation</b>				
At 1 April 2008	73	496	870	1,439
Charged in year	110	229	522	861
Disposals	-	-	-	-
<b>At 31 March 2009</b>	<b>183</b>	<b>725</b>	<b>1,392</b>	<b>2,300</b>
<b>Net book value at 31 March 2009</b>	<b>363</b>	<b>1,566</b>	<b>175</b>	<b>2,104</b>
<b>Net book value at 31 March 2008</b>	<b>473</b>	<b>1,795</b>	<b>697</b>	<b>2,965</b>
<b>Asset Financing:</b>				
Owned	363	1,566	175	2,104
Finance Leased	-	-	-	-
<b>Net book value at 31 March 2009</b>	<b>363</b>	<b>1,566</b>	<b>175</b>	<b>2,104</b>

Asset categories have been re-classified in line with International Financial Reporting Standards.

## 7. INTANGIBLE ASSETS

Intangible assets comprise of software and associated implementation costs.

	<b>Total £</b>
<b>Cost or valuation</b>	
At 1 April 2009	<b>2,992</b>
Additions	3,843
Disposals	-
Revaluations	739
<b>At 31 March 2010</b>	<b>7,574</b>
<b>Amortisation</b>	
At 1 April 2009	<b>582</b>
Charged in year	1,884
Disposals	-
Revaluations	144
<b>At 31 March 2010</b>	<b>2,610</b>
<b>Net book value at 31 March 2010</b>	<b>4,964</b>
<b>Net book value at 31 March 2009</b>	<b>2,410</b>

	<b>Total £</b>
<b>Cost or valuation</b>	
At 1 April 2008	-
Additions	2,992
Disposals	-
<b>At 31 March 2009</b>	<b>2,992</b>
<b>Amortisation</b>	
At 1 April 2008	-
Charged in year	582
Disposals	-
<b>At 31 March 2009</b>	<b>582</b>
<b>Net book value at 31 March 2009</b>	<b>2,410</b>
<b>Net book value at 31 March 2008</b>	-

## 8. TRADE RECEIVABLES AND OTHER CURRENT ASSETS

### 8(a). ANALYSIS BY TYPE

	31/03/10 £	31/03/09 £	31/03/08 £
<b>Amounts falling due within one year:</b>			
Amount due from NI Court Service	230,317	199,324	173,542
Prepayments and accrued income	18,813	15,480	9,780
Other receivables	3,347	794	-
<b>Total</b>	<b>252,477</b>	<b>215,598</b>	<b>183,322</b>

There are no trade receivables or other current asset amounts falling due after more than one year.

### 8(b). INTRA-GOVERNMENT RECEIVABLE BALANCES

	Amounts falling due within one year		
	31/03/10 £	31/03/09 £	31/03/08 £
Balances with other central government bodies	250,929	208,895	173,542
Balances with local authorities	-	-	-
Balances with NHS Trusts	-	-	-
Balances with public corporations and trading funds	-	-	-
<b>Sub-total: intra-government balances</b>	<b>250,929</b>	<b>208,895</b>	<b>173,542</b>
Balances with bodies external to government	1,548	6,703	9,780
<b>Total receivables at 31 March</b>	<b>252,477</b>	<b>215,598</b>	<b>183,322</b>

## 9. CASH AND CASH EQUIVALENTS

The Commission does not hold any cash balances or cash equivalents. Grant in aid drawn down by the Commission is held by the NI Court Service, which makes all payments required on behalf of the Commission. The balance held by the NI Court Service on behalf of the Commission is included within Trade receivables and other current assets (see Note 8).

## 10. TRADE PAYABLES AND OTHER CURRENT LIABILITIES

### 10(a). ANALYSIS BY TYPE

	31/03/10 £	31/03/09 Restated £	31/03/08 Restated £
<b>Amounts falling due within one year:</b>			
Trade payables	-	-	(460)
Accruals and deferred income	(216,461)	(192,994)	(146,616)
<b>Total</b>	<b>(216,461)</b>	<b>(192,994)</b>	<b>(147,076)</b>

There are no trade payables or other current liabilities falling due after more than one year.

Figures for 2008-09 and 2007-08 have been re-stated in line with International Financial Reporting Standards.

### 10(b). INTRA-GOVERNMENT PAYABLE BALANCES

	Amounts falling due within one year		
	31/03/10 £	31/03/09 Restated £	31/03/08 Restated £
Balances with other central government bodies	(198,395)	(167,559)	(62,005)
Balances with local authorities	-	-	-
Balances with NHS Trusts	-	-	-
Balances with public corporations and trading funds	-	-	-
<b>Sub-total: intra-government balances</b>	<b>(198,395)</b>	<b>(167,559)</b>	<b>(62,005)</b>
Balances with bodies external to government	(18,066)	(25,435)	(85,071)
<b>Total payables at 31 March</b>	<b>(216,461)</b>	<b>(192,994)</b>	<b>(147,076)</b>

## 11. CAPITAL COMMITMENTS

There are no contracted capital commitments at 31 March 2010 for which no provision has been made.

## 12. COMMITMENTS UNDER LEASES

### 12.1 OPERATING LEASES

The Commission makes use of premises and equipment where the operating lease is held by the NI Courts and Tribunals Service. The Commission reimburses the NI Courts and Tribunals Service for the leasing costs as they are incurred, but does not have any future commitments in respect of these leases. The Commission holds only one operating lease in its own name.

Total future minimum lease payments under operating leases are given in the table below for each of the following periods.

	31/03/10 £	31/03/09 £
<b>Obligations under operating leases comprise:</b>		
Office Equipment		
Not later than one year	489	-
Later than one year and not later than five years	489	-
Later than five years	-	-
<b>Total</b>	<b>978</b>	<b>-</b>

### 12.2 FINANCE LEASES

The Commission had no finance leases operating during the year.

### 13. OTHER FINANCIAL COMMITMENTS

There are no contracted non-capital commitments at 31 March 2010 for which no provision has been made.

### 14. FINANCIAL INSTRUMENTS

IFRS 7 Financial Instruments: Disclosures requires the Commission to provide disclosure that enables evaluation of the significance of financial instruments for the Commission's financial position and performance, and the nature and extent of risks arising from financial instruments to which the Commission is exposed during the period and at the reporting date, and how the Commission manages those risks. Due to the largely non-trading nature of the Commission's activities and the way in which executive non-departmental bodies are financed, the Commission is not exposed to the degree of financial risk faced by business entities. Moreover, financial instruments play a much more limited role in creating or changing risk than would be typical of the listed companies to which IFRS 7 mainly applies.

The Commission has no powers to borrow or invest surplus funds and except for relatively insignificant purchases of foreign currency, financial assets and liabilities are generated by day-to-day operational activities and are not held to change the risks facing the Commission in undertaking its activities.

### CLASSIFICATION OF FINANCIAL INSTRUMENTS

The Commission's financial assets are classified as Trade receivables and other current assets (Note 8). The Commission does not hold any cash or cash equivalents; the Commission's Grant in Aid was held by the NI Court Service, who made all payments required on behalf of the Commission. The Commission's financial liabilities are Trade payables and other current liabilities (Note 10). The carrying value of these financial assets and liabilities, as disclosed in the notes to the accounts, approximates to fair value because of their short maturities. All financial instruments held by the Commission are non-interest bearing.

### RISK MANAGEMENT

Financial risks include credit risk, liquidity risk and market risks (interest rate and currency).

### CREDIT RISK

Credit risk is the risk that one party to a financial instrument will cause a financial loss for the other party by failing to discharge an obligation. The Commission is not exposed to significant credit risk and manages its exposure through its procurement policy. The maximum exposure to credit risk is represented by the carrying amounts of the trade receivables and other current assets carried in the Statement of Financial Position.

### LIQUIDITY RISK

The Commission was financed by grant in aid from the NI Court Service. The Commission is not, therefore, exposed to significant liquidity risks.

## CURRENCY RISK

Currency risk is the risk that the fair value of future cash flows of a financial instrument will fluctuate because of changes in foreign exchange rates.

The Commission drew down grant in aid from the NI Court Service in sterling. The majority of payments made and received by the Commission are in sterling. Foreign currency income and expenditure is negligible. The Commission is not therefore exposed to currency risk.

## INTEREST RATE RISK

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. All of the Commission's financial assets and liabilities are non-interest bearing. The Commission is therefore not exposed to any interest rate risk.

## FAIR VALUES

Fair value is not significantly different from book value since, in the calculation of book value, the expected cash flows have been discounted by the HM Treasury discount rate of 2.2 per cent in real terms if found to be material. No balances have been discounted for 2009-10.

## 15. CONTINGENT LIABILITIES

As at 31 March 2010, the Commission did not have any contingent liabilities, which require to be disclosed under IAS 37 *Provisions, Contingent Liabilities and Contingent Assets*.

## 16. LOSSES AND SPECIAL PAYMENTS

During the year, there were no losses or special payments that required disclosure.

## 17. RELATED-PARTY TRANSACTIONS

The Commission is a non-departmental public body sponsored in 2009-10 by the NI Court Service. The NI Court Service is regarded as a related party. The Commission has had various material transactions with the NI Court Service during the year.

None of the Commission members, members of key management staff or other related parties have undertaken any material transactions with the Commission during the year.

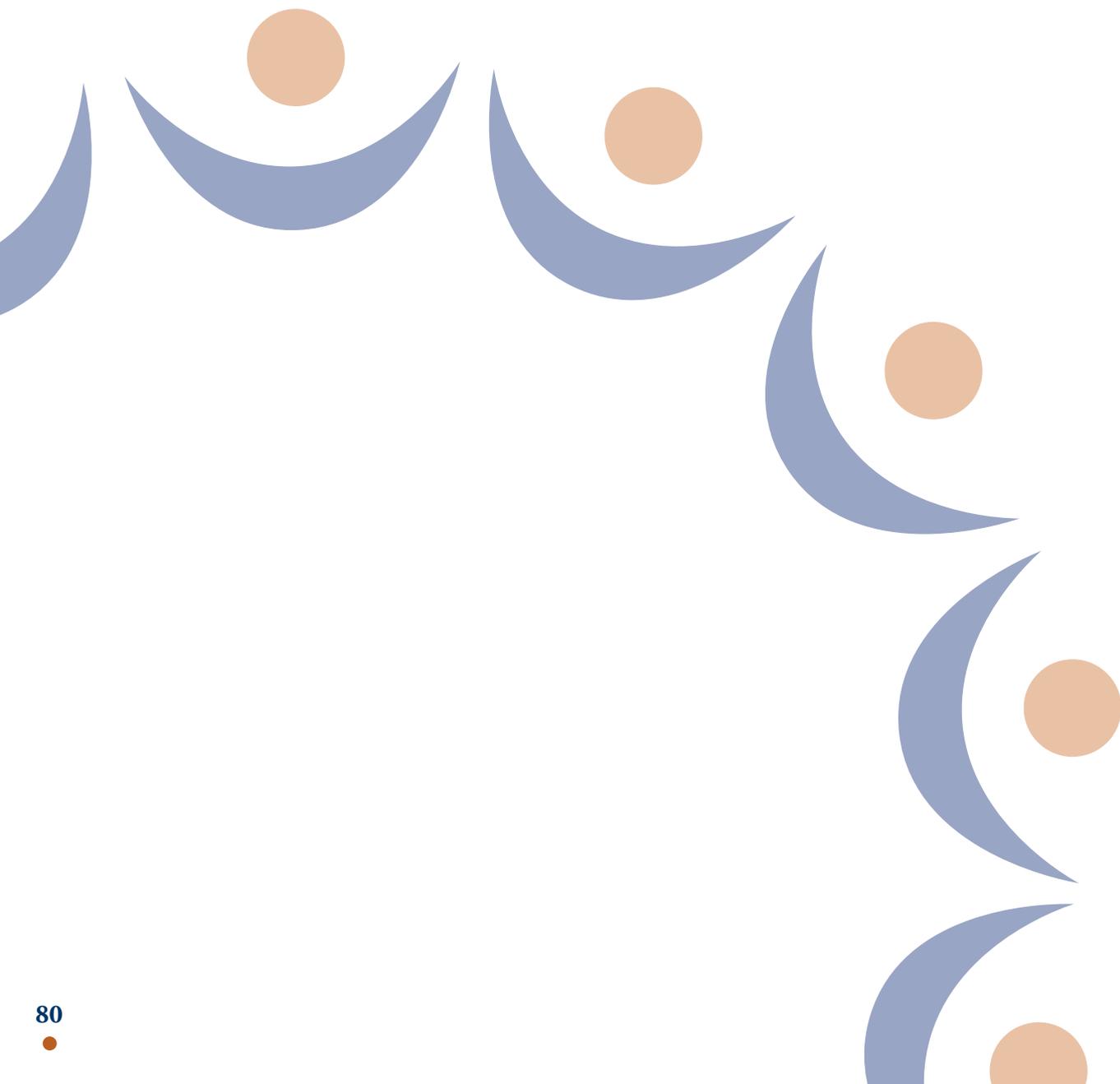
## 18. PRIOR YEAR ADJUSTMENTS

With effect from the 1 April 2009, the Commission is required to report its financial statements in accordance with IFRS, as a result, previous years' comparatives have been restated in line with IFRS. The impact of this restatement is shown in Note 2.

## 19. EVENTS AFTER THE REPORTING PERIOD

There were no material events post Statement of Financial Position for the year ended 31 March 2010. The annual report and accounts were authorised to be issued on the date of certification by the C&AG.

On 12 April 2010, policing and justice functions in Northern Ireland were devolved to the Northern Ireland Assembly. From this date, the Commission became a NDPB of OFMDFM.



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