



NIJAC

*Northern Ireland Judicial
Appointments Commission*

Annual Report and Accounts 2007 - 2008

*Selecting the best candidates
and promoting diversity*

Northern Ireland Judicial Appointments Commission

Annual Report and Accounts For the period ended 31 March 2008

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OUR GOAL IS:

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 candidates put themselves forward for each judicial and tribunal post it advertises; and
- selecting the best candidates through a fair, rigorous and transparent appointment process that is grounded in merit.

OUR VALUES ARE:

- **independence:** the Commission is independent of Government. We make our decisions on whom to recommend for appointment and work to achieve a reflective judiciary free from any outside influence;
- **appointment on merit:** we will recommend candidates for appointment solely on the basis of merit;
- **reflectiveness:** we will implement a programme of action to secure, so far as is reasonably practicable to do so, a reflective applicant pool and a judiciary that is reflective of the community;
- **fairness:** we will be fair in our decision making;
- **transparency:** we will be open about our policies, procedures and activities; and
- **accountability:** we will explain our activities and where appropriate provide reasons for our decisions.

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CHAIRMAN'S FOREWORD

This report covers the period 1 April 2007 to 31 March 2008. It is the third report on the work of the Commission, which was established on 15 June 2005.

I am pleased to report that this has been a very busy and successful year in terms of our appointments and appointments policy work, our diversity and outreach work and our internal governance and accountability.

Eleven recommendations for appointments to judicial posts and 38 recommendations for re-appointments were accepted by the Lord Chancellor. Five other schemes were also commenced during this reporting period and for the first time the Commission piloted the use of a written test as a shortlisting tool.

We consulted widely on our policies and procedures and, having reviewed and analysed the findings with the support of external consultants, we were able to implement some improvements and are now in a position to prioritise a programme of work to further consider other options available. My deepest appreciation goes to all those who took the time to respond to our consultation exercise.

You can read about the very interesting findings of our comprehensive diversity research into judicial post holders and members of the legal profession, carried out by the Northern Ireland Statistics and Research Agency (NISRA), and the arrangements we have made, with Queen's University Belfast (QUB), to build upon this information to take forward stage two of this research. Stage two will involve the collation of qualitative data through

in-depth interviews with judicial post holders and eligible lawyers, as well as focus groups with law students and qualified solicitors and barristers.

We have commissioned QUB to write a report that will consider stages one and two of the research and associated academic literature. The findings of this report will be made widely available.

I would like to take this opportunity to thank Dr John Mallon of NISRA, whose commitment and expertise was invaluable during the early research stage. I would also like to make special mention of QUB, the Judicial Studies Group, the Northern Ireland Court Service (the Court Service), the Bar Council and the Law Society, all of whom have spent considerable time and effort working with us.

We continued to equity monitor all applicants for each scheme and judicial office holders, which assisted with our individual scheme outreach plans and has helped identify our medium and long term diversity and outreach strategies. We also identified and used new vehicles to ensure that our adverts reach the widest possible pool of candidates.

During the year we carried out an in-depth review into the Commission's structures and how we operate. This led to amalgamating the Appointments and Appointments Policy Committee and the Diversity Committee into one Policy Committee. With the exception of the Audit and Risk Management Committee, which meets three times a year, all Committees now meet every two months, as opposed to every month.

Following on from the staffing review carried out last year the Commission directly recruited five staff at senior management level, including a new Chief Executive, with particular experience in recruitment and selection and diversity.

Commission staff have had several meetings with the Office of the First Minister and deputy First Minister in preparation for devolution of justice matters and continue to prepare the Commission for a seamless change of sponsor department.

I would like to express my appreciation to each Commissioner and to the Commission staff for their hard work and commitment during the year.

*The Right Honourable Sir Brian Kerr, the Lord
Chief Justice of Northern Ireland, Chairman of the
Northern Ireland Judicial Appointments
Commission.*

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DIRECTOR'S REPORT

History and Background

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

The Commission was established to enhance an independent process for the appointment of members of the judiciary and tribunals. It recommends candidates for appointment thereby removing this function from Government Ministers and the political process. It is funded by its Sponsor department, the Northern Ireland Court Service (the Court Service), which is a department of the Lord Chancellor and Secretary of State for Constitutional Affairs.

Purpose

The Commission is committed to appointing the best possible judges 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 recommending candidates for appointment. It is working to encourage all eligible candidates – 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 those best qualified will be appointed.

Vision

The Commission's vision is:

Selecting the best candidates and promoting diversity.

Composition of the Commission

The Commission comprises 13 members; drawn from the judiciary, the legal profession and members of the public who are not lawyers. Commission Members during the period of this report were as follows:

The Right Honourable Sir Brian Kerr (Chairman), the Lord Chief Justice of Northern Ireland;

Mrs Fiona Bagnall, Presiding Resident Magistrate;

Mrs Sinéad Burns, Lay Magistrate;

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

Mr Peter Cush, Barrister at Law, Legal Member;

Mr John G Gordon, Solicitor, Legal Member;

Dame Joan Harbison CBE DBE, Lay Member;

Mrs Ruth Laird, Lay Member;

Her Honour Judge Loughran, County Court Judge;

Mr Harry McConnell OBE, Lay Member;

Professor John Morison, Lay Member;

Dr Raymond Mullan OBE, Lay Member; and

The Honourable Mr Justice Weatherup, High Court Judge.

All members of the Commission have been appointed for an initial period of three years.

Their initial term of office expired on 14 June 2008. Three Commissioners: Lord Justice Campbell, Mrs Fiona Bagnall and Mr Harry McConnell OBE, did not seek re-appointment. Mr Donal Flanagan OBE replaced Mr McConnell as a lay member and took up post on 15 June 2008. Replacements for Lord Justice Campbell and Mrs Fiona Bagnall are being considered at present. 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.

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 make recommendations to the Lord Chancellor in respect of all listed judicial offices up to and including High Court Judge;
- recommend candidates 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

Change of Chief Executive

Alan Hunter resigned as Chief Executive on 30 September 2007. The post was temporarily filled by Claire Archbold, as acting Chief Executive, until the permanent appointment of Edward Gorringer, who took up post on 11 February 2008.

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 11 members of staff in the Commission were on secondment from the Court Service and 5 members of staff were directly recruited by the Commission. The directly recruited staff includes 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

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unfair or illegal discriminatory barriers to employment and advancement in the Commission. Generally Court Service Policies (contained in the Court 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 Court 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 Court 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 amongst those of different ages, marital status or sexual orientation or who have or have not dependents 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 exactly 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 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.

Payment of Suppliers

Through the Sponsor department, the Court Service, the Commission is committed to the prompt payment of suppliers. The Court Service has signed up to the Government's Prompt Payment Charter. The Commission does not itself pay suppliers directly but processes invoices through the Court Service. Unless otherwise stated, payment is made within 30 days of the receipt of goods or services on presentation of a valid invoice or similar demand, whichever is later.

A prompt payment survey for the financial year 2007-2008 shows that 90.00 % (2006-2007 94.54 %) of invoices were paid in accordance with the terms of the Charter.

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 2007-2008 resulted in an audit fee of £11,250 (2006-07: £10,400). The C&AG did not provide any non-audit services during the year. I, as Chief Executive, 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.

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Management Commentary

Operating Review

Appointments

In this reporting period the Commission made 11 recommendations for appointments to the Lord Chancellor and 38 recommendations for re-appointment. The Commission, for the first time, used a written test as a shortlisting tool in the scheme to recruit Deputy Resident Magistrates. 53 applicants participated in the exercise, out of this 21 applicants proceeded to interview and 6 successful candidates were recommended for appointment to the Lord Chancellor.

Over the past year the Commission conducted a consultation exercise on its policies and procedures and has engaged professional expertise to undertake a full review of policies and procedures.

One complaint was received by the Judicial Appointments Ombudsman. The Ombudsman did not uphold the complaint.

Diversity

The Commission has continued its programme of action to create a diverse judiciary and to collect equity monitoring information on applicants for judicial office to ensure that it maintains an up to date database. As a means of continuing to collate baseline data, the Commission has entered into an agreement with NISRA to ensure the annual analysis and reporting of collated equity monitoring information.

It has continued to design outreach plans on a scheme by scheme basis, reviewing and modifying where necessary. During this reporting period the Commission has used additional websites, journals and electronic notification to further widen the pool of applicants.

A priority of the Commission has been to carry out research to inform its medium to long term diversity strategies. During the last 12 months the research has been undertaken in two stages;

- A postal survey to gather the views of the legal profession and judicial office holders about the judicial appointments process in Northern Ireland; and
- Research led by QUB to examine in greater depth perceptions within different sections of the legal community in relation to the judicial appointments process.

The Commission continued to meet with both the Law Society and the Bar Council in respect of its strategies and objectives on diversity. During October and November we co-hosted four awareness events which were attended by approximately 250-300 people. In February 2008 the Commission agreed a Communication Strategy and Implementation Plan for the next twelve months. Under the strategy a new, re-designed website was launched in June 2008.

Financial Review

As an NDPB, the Commission is subject to the relevant Government and accounting deadlines. The Commission is financed by grant-in-aid through the Court Service and does not normally obtain additional funding from any other source.

Deficit transferred to reserves for the year totalled £1,446,530 (2006-07 restated: £1,349,735). The main areas of expenditure were staff costs £635,554 (44 % of the total expenditure) (2006-07: £706,084) and services provided by the Court Service under separate service level agreements £237,106 (16% of the total expenditure) (2006-07: £226,124). Receipts for the year totalled £NIL (2006-07: £129,289) resulting in net expenditure of £1,448,997 (2006-07 restated: £1,351,456).

The total grant drawn down from the Court Service was £1,406,143 (2006-07: £1,432,774) which was £93,857 less than the budgeted allocation of £1.5M. The Commission made savings by reducing the size of advertisements for judicial posts placed in newspapers, reducing the number of meetings held (as a result of the restructure of Committees and the scheme of delegation) and by reducing the number of corporate publications circulated in hard copy by publishing documents on the website and circulating them electronically.

Capital expenditure during the year amounted to £546. At the year end, the assets owned by the Commission had a net book value of £2,965. In addition to these assets, the Commission also makes use of various assets that belong to the Court Service. An annual charge is made by the Court Service for the use of these assets.

The Future

Appointments Policies

The Commission is faced with a challenging year in terms of the disposal of business. The implementation of the outcomes of the Review of Policies and Procedures will lead our operational activities and will continue to provide the Commission with a best practice approach. This will enable the Commission to continually improve its business functions, efficiently and effectively, in pursuit of its statutory remit.

Staffing

Implementation of staff review

Following external recruitment schemes new staff took up position between September and December. Two Grade 7 appointments were made to head the Appointments Policy and the

Diversity and Communication teams. Deputies to these team leaders were also appointed at deputy principal level. The new staff have brought extensive knowledge and experience in their fields.

Diversity

The Commission eagerly awaits the publication of the research being carried out by QUB, at which time it will formulate its strategic and operational response to the document. This work, together with the operational objectives contained within the Commission's Communications Strategy, will result in the Commission focussing on addressing some of the identified barriers to securing a reflective judiciary, whilst raising awareness about the work of the Commission and the judicial appointments process generally. The new Commission website will play a central role in this.

Devolution

Should devolution of justice matters occur, there will be significant implications for the Commission in terms of the change in sponsor department responsibilities and the Ministers to whom we make our recommendations. The Senior Management Team through the sponsor department is considering the implications. Significant change in the procurement of the Commission's corporate services is likely. While there is still uncertainty as to when devolution will occur and what changes it will bring, the Commission has met with representatives from the OFMDFM and continues to make preparations in order to be ready for the change.

Succession Planning

The appointment of each member of the Commission expired on 14 June 2008. In preparation for this the Chairman sought an expression of interest from each Commission

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member asking them to indicate their intention to seek renewal of appointment or to stand down.

As stated previously three commissioners did not seek re-appointment. To assist with succession planning it was agreed that the period of all the new appointments and re-appointments 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 is working towards sustainable development and seeks to demonstrate its commitment to reducing environmental impacts wherever possible. Over the next period it will begin to develop a series of policies and procedures, including a sustainability checklist, which aims to move this agenda forward.

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.

Strategic Objectives

Appointments Process

- To recommend to the Lord Chancellor who to appoint to listed judicial office by identifying the best candidate on merit.

Diversity

- To engage in programmes 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.

Accountability

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

Interested Parties

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

PROGRAMME OF BUSINESS:

Introduction

This section sets out the programme of work completed by the Commission from 1 April 2007 to 31 March 2008.

During the period of this report it has made the following recommendations for appointment and reappointment:

Recommendations made 1 April 2007 – 31 March 2008

Judicial Appointment	Number recommended
• Deputy Social Security Commissioner & Child Support Commissioner	1
• Deputy Resident Magistrates	6
• Industrial Tribunals/Fair Employment Tribunal	1 Full Time Vice President
• Reserve Forces Re-instatement Committee	1 Chairman
• Special Educational Needs and Disability Tribunal	2 Legal Chairmen

Reappointments recommended 1 April 2007 – 31 March 2008

Judicial Office	Number Reappointed
• Deputy County Court Judges	3
• Deputy Social Security Commissioner & Child Support Commissioner	1
• Deputy Resident Magistrates	8
• VAT Tribunal	1 Chair and Vice President
• Special Educational Needs and Disability Tribunal	4 Legal Chairmen
• Special Educational Needs and Disability Tribunal	1 President
• Pensions Appeal Tribunals	1 (fee paid) Service Members

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- Pensions Appeal Tribunals 3 (fee paid) Legal Members
- Pensions Appeal Tribunals 1 (fee paid) Medical Members
- Industrial Tribunals/Fair Employment Tribunals 1 Chairman
- Mental Health Review Tribunal 4 (fee paid) Legal Members
- Mental Health Review Tribunal 4 (fee paid) Medical Members
- Mental Health Review Tribunal 4 (fee paid) Lay Members
- Mental Health Review Tribunal 1 Chairman
- Mental Health Review Tribunal 1 Deputy Chairman

- Commenced preparation for 5 appointment schemes to appoint:

- I. 3 Service members of the Pensions Appeal Tribunals
- II. 3 Medical members of the Pensions Appeal Tribunals
- III. 1 Coroner
- IV. 1 Social Security Commissioner and Child Support Commissioner for Northern Ireland
- V. 3 Legal members of the Mental Health Review Tribunal.

CHAPTER 1

Policies and Procedures on Appointments

Corporate Objective – Appointments

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

Principles and Policies

The Commission is committed by statute to select the best candidate for appointment only on the grounds of merit and is committed to doing so through a fair, rigorous and transparent appointment process that is grounded in the principle of merit.

Recommendations for Appointment

Each judicial appointment scheme begins with a request to the Commission from the Government department responsible for the particular judicial office for which the appointment is required. We are requested to conduct a recruitment scheme to identify one or more candidates for recommendation to the Lord Chancellor for appointment.

Once the Commission has approved the request and the timetable is set, taking account of the other appointment schemes which we are obliged to run; an advertisement inviting applications for the judicial office is placed in the newspapers and other locations such as the Commission website and publications of the professional bodies relevant to the potential pool of candidates.

The competences and criteria required for the judicial appointments undertaken in this year, in each instance, have been agreed by the Commission and a Selection Committee established by the Commission for the purpose of undertaking the selection process. The Selection Committees were comprised of four members, selected from the Commissioners and including non-Commissioners who have expertise relevant to the judicial office being advertised.

The Selection Committee is responsible for the shortlisting of candidates and the identification of the candidate(s) for recommendations for appointment.

The process in relation to each scheme included an eligibility sift, a shortlisting and an interview. A programme of action to meet our statutory responsibilities was also implemented in each case.

The Commission piloted the use of a written test, as an additional method of shortlisting, in the scheme to recruit Deputy Resident Magistrates. The test was administered in three venues throughout the province; Belfast, Londonderry and Enniskillen. 53 applicants participated in the exercise, out of this 21 applicants proceeded to interview and 6 successful candidates were recommended for appointment to the Lord Chancellor.

Renewal of Appointments

The Commission is also responsible for recommending to the Lord Chancellor whether or not he should renew the appointment of those appointed to deputy posts and those appointed to fee-paid posts. During the period of this report we made 38 recommendations for reappointment.

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We have 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 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.

In each case in respect of the recommendations for re-appointments made, the Commission had regard to the grounds of renewal and non-renewal and information provided in relation to those matters by the relevant sponsor department.

Policy Development

The Commission has taken significant steps throughout this year to develop further its policies

and procedures relevant to the appointment process. The Commission conducted a three month consultation exercise to elicit professional and lay views on its existing policies and procedures and subsequently engaged experienced and professional external assistance as part of its review of policies and procedures.

The initial results of this review have been considered by the Commission and priorities have been identified for the implementation of policy and practice improvements. The fact finding, evaluation and analysis stages of the review and consultation exercise have been completed and the Commission is currently considering options.

Complaints

During the year of this report one complaint was made to the Northern Ireland Judicial Appointments Ombudsman.

Following the completion of the investigation the Ombudsman did not uphold the complaint. The Ombudsman made a number of minor associated administrative recommendations which have been implemented.

CHAPTER 2

Diversity and Communications

Corporate Objective - Diversity

To engage in programmes 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.

Diversity and Communications

The Commission continues to work to create a diverse judiciary to ensure that those who are appointed as judicial office holders are attracted from the widest possible pool of applicants.

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 as reflective of our society as can be achieved consistent with the requirement of appointment on merit.

In order to do so the Commission has, and continues to:

- Promote and stimulate interest in judicial service and take measures to ensure that career opportunities are understood and appeal to a broad spectrum of eligible candidates;
- Encourage applications for a judicial career from candidates from a wide range of backgrounds;
- Promote diversity through fair and open processes for selection to judicial office, solely on merit, and consider and address potential

adverse impact issues in advance of schemes;

- Evaluate each appointment scheme and make improvements, where appropriate, to increase the diversity of the applicant pool;
- Conduct a programme of consultation with interested parties and analyse their responses to inform programmes of action;
- Conduct appropriate and timely research to inform and support programmes of action;
- Identify factors that may discourage applications and seek to eliminate them;
- Publish in the annual report anonymised information about the diversity of those who apply and those who are recommended by the Commission as suitable for appointment; and
- Work on the publication of a suite of disability policies and procedures which will contain clear guidance on how the Commission should deal with the wide range of disability issues.

Equity monitoring

The Commission is committed to the equity monitoring of existing judicial office holders and has continued, throughout the reporting period, to collate equity monitoring data from applicants to judicial office. This enables the existing database to be continually updated once appointments are made.

Existing judicial offices include those which were added to Schedule 1 of the Justice (Northern Ireland) Act 2002 by the Constitutional Reform Act and those who have been appointed from schemes, administered by the Commission, during this period.

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Equity monitoring information has been collated and analysed for each of the recruitment schemes conducted this year.

This information will assist with the development of future scheme outreach plans and will inform the Commission about their effectiveness. It will also contribute to building comparative data which will assist in monitoring any change in the profile of existing judicial office holders and candidates over time.

All equity information is collected anonymously and is used to assist the Commission in complying with its statutory requirement to include information in its Annual Report about applicants and those recommended for appointment, subject to the requirement that no person is identified or information is included that allows identification of an individual to occur.

To that end, in November 2007 the Commission established a Service Level Agreement with NISRA to ensure the annual analysis and reporting of the collated equity monitoring information.

The NISRA report will include analysis on the:

- composition of the judiciary in Northern Ireland; and
- equity information at the application, short-listing and appointment stages of Commission recruitment schemes.

The NISRA report will also contextualise the findings using the appropriate comparator groups.

Appendix 1 of this report contains information about persons who have applied to, and those

persons who have been recommended for appointment by, the Commission during the reporting year.

Research and Analysis

A priority for the Commission has been to carry out research to:

- examine historical patterns of female appointments to judicial office;
- consider any equity and/or diversity issues; and
- obtain the views and perceptions of our judiciary and the wider legal profession about the judicial appointments process in Northern Ireland.

The aim of the research is to inform the Commission's medium to long term diversity and outreach strategies which are designed to increase the diversity in judicial appointments in line with the Commission's overriding statutory remit to ensure that all appointments are made on merit.

During the last 12 months, commissioned research has been undertaken in two stages.

The first stage consisted of a postal survey gathering the views of the legal profession and judicial office holders. The design, distribution, collation and analysis were led by Dr John Mallon (NISRA).

The survey was widely consulted upon with interested parties including the Bar Council and the Law Society of Northern Ireland. The survey was initially piloted to ensure its effectiveness and drew upon the judicial appointments expertise of Kate Malleson, an internationally recognised

academic whose main areas of interest are the judiciary, the legal system and the constitution. There was a 31% response rate to the 3561 questionnaires issued. This represented a higher response rate than similar surveys recently conducted.

The profile of respondents matched the profile of the target population in terms of professional status, gender and community background.

The first stage findings revealed that before qualifying as a solicitor or barrister, two thirds of respondents had no prior links with the legal profession.

The survey also revealed that male and female respondents had different views on issues such as suitability of current post and experience (i.e. solicitor or barrister) for judicial office, pension arrangements, the isolation of a judicial role, experience of advocacy and the influence of being known by the senior judiciary.

Specifically, the survey revealed that whereas 37% of male respondents perceived that “being a solicitor” would have a positive influence on the outcome of an application for judicial office, 27% of female respondents felt the same.

Furthermore, whereas 58% of male respondents felt that “representing plaintiffs” would have no influence on the successful outcome of an application for judicial office, this figure dropped to 45% for female respondents.

On the issue of “being known by the senior judiciary”, the survey revealed that female respondents were more likely (89%) than male respondents (77%) to perceive “being known by

the senior judiciary” as having a positive influence and they were less likely to perceive this as having no influence (4% compared with 13% of male respondents).

Female respondents were much more likely (47%) than male respondents (35%) to perceive that “specialising in criminal law” would have a positive influence on the outcome of an application for judicial office.

The analysis also revealed that female respondents (37%) were more likely than male respondents (31%) to perceive that ‘specialising in family law’ would have a positive outcome on an application.

The most common areas of work of full time judicial office holders prior to taking up office were Common Law, Criminal Law and Administrative and Public Law.

15% of those who responded to the survey indicated that they had applied for a judicial post.

However, 40% of respondents stated they would consider applying for a judicial post in the future, whilst 33% reported that they would not and 27% were undecided.

The survey also revealed a lack of awareness about how the appointments process operated.

The interview process, application form and the requirement to identify consultees were the areas identified by respondents as those most likely to deter individuals from applying for judicial office.

Respondents also stated that there was an interest in seeing more information about the nature of judicial office, the work involved and how best to

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demonstrate the competences required for the role.

Most respondents also considered that the following work-related factors would have a positive influence when applying for judicial office: being Senior Counsel; having higher court experience; and experience as a deputy or part-time judicial office holder.

Whereas 38% of solicitors thought that being a solicitor would have a negative influence on deemed suitability for judicial office, only 5% of barristers thought this was true.

The survey revealed a perception that one requires many more years experience than stated and that gender differences in areas of specialisation may be a barrier to being suitable for judicial office.

Whereas most respondents to the survey believed that community background would have no influence in determining suitability for judicial office, fewer than half believed that gender would have no influence on the same.

The second stage of the research is currently underway and is being led by QUB. The purpose of this stage of the research is to examine in greater depth, through qualitative research techniques, perceptions within different sections of the legal community in relation to the judicial appointments process.

QUB are building on NISRA's comprehensive earlier findings and are currently conducting in-depth interviews with current judicial office holders and lawyers eligible for judicial appointment.

In tandem, QUB have also conducted focus groups with law students, qualified solicitors and barristers. This process continued throughout April 2008.

QUB's report will incorporate NISRA's findings plus a review of relevant academic literature in addition to their own findings.

The report, including recommended approaches to addressing any potential barriers or disincentives for applicants or issues of gender imbalance, is expected in the next reporting period.

The Commission's strategic response to the report will be widely circulated.

Appointment Scheme Outreach

In line with its statutory responsibility, the Commission continued to develop individual Programmes of Action for each scheme (otherwise known as "Scheme Outreach Plans").

Scheme Outreach Plans are designed on a vacancy by vacancy basis to attract the widest possible pool of eligible applicants.

This typically involves advertising judicial vacancies in the three main local newspapers (Belfast Telegraph, Irish News and Newsletter), the Law Society in-house magazine (The Writ) and on the Bar Council, the Court Service and Commission websites.

However, during the last 12 months, the Commission has also used new websites, professional journals and contacts with other professional bodies (e.g. Health Trusts) to ensure

that advertisements for judicial office reach the widest possible pool of candidates.

Of note was a recent vacancy for a Pensions Appeals Tribunal (PAT) Medical post. This position was re-advertised due to a less than satisfactory level of interest after it was first advertised in November 2007.

Following positive discussions with Senior Management in the Department of Health and Social Services & Public Safety and the Central Services Agency all appropriately qualified medical practitioners in Northern Ireland were electronically contacted and advised of the vacancy. The Scheme Outreach Plan was also extended to include an advertisement for the position in the British Medical Journal (BMJ).

The two new approaches (e-mail and BMJ advert) were very successful in generating significantly greater interest, culminating in a ninefold increase in information packs issued and an elevenfold increase in completed application forms.

Scheme Evaluation

The Commission is committed to keeping its processes under review and modifying them where necessary.

In this context, we have undertaken scheme by scheme evaluations, partly by seeking the views of those who did not apply.

This has assisted in identifying barriers and to help assess the effectiveness of each Scheme Outreach Plan.

Outreach and Engagement

During the period under review, the Commission continued to meet with both the Law Society of Northern Ireland and the Bar Council, in respect of the Commission's strategies and objectives on diversity.

The Commission worked closely with these two bodies and the Institute of Professional Legal Studies (IPLS) and the Judicial Studies Board (JSB) in hosting awareness seminars for the profession.

On 24th and 26th October 2007, the Commission co-hosted two seminars with the Bar Council and with the IPLS, at the Old Bar Library and QUB respectively.

On 22nd and 27th November 2007, the Commission co-hosted a further two seminars for the Law Society of Northern Ireland and the JSB.

The seminars were designed to raise awareness about the work of the Commission, the application process and career opportunities in the judiciary. Over the four events, it is estimated that approximately 250-300 people attended the seminars.

Six Commissioners lent their support to all four events. Feedback received from attendees and participants was overwhelmingly positive with many expressing a real interest in further events to be organised by the Commission.

Continuing to build on the Commissions' relationships with the Judicial Appointments Commission (England and Wales) (JAC), and the Judicial Appointments Board for Scotland, Lord

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Justice Campbell was invited and attended the JAC's annual strategic review.

Communications Strategy

In February 2008 Commissioners agreed the content of the Commission's Communications Strategy and Implementation Plan.

The Communications Strategy will be an integral part of the Commission's day-to-day work over the next 12 months whereupon it will be reviewed.

The Strategy has five key objectives.

Each one is supported by a dedicated Implementation Plan which illustrates specific actions, and responsibilities.

- 1. To deliver a communications strategy with clear responsibilities, effective use of resources and measured performance management.**
- 2. To raise awareness about judicial posts, the Commission, its statutory remit, staff and core business.**
- 3. To raise awareness about the appointments process for judicial posts.**
- 4. To promote our commitment to merit and diversity by encouraging applications for judicial posts from the widest possible pool.**
- 5. To develop the ways in which information is communicated and shared within and by the Commission.**

It will directly contribute to fulfilling the statutory responsibilities under the Justice (Northern Ireland) Act 2002 ensuring that appointments and

programme of action use the most effective methods of communication to reach the widest possible pool of eligible candidates for judicial office.

The Strategy will be used to increase general awareness of the work of the Commission, its statutory remit and to develop appropriate means of communication both internally and externally.

It will be an evolving document, amended periodically to reflect developments in the Commission's approach to its appointments process, scheme outreach and communications generally, research findings and the Commission's business planning process.

Website Development

During the last 6-9 months, the Commission re-designed and developed its website:
<http://www.nijac.org>

The new website was launched in June 2008 and features many changes.

In short, it will allow greater accessibility for all users, and in particular those with a disability. The website has both Bobby (national) and W3C Level AA (international) accreditation for its disability access.

The website also contains clear guidance on the appointments process, the work of the Commission and up to date information on current vacancies and how to apply for judicial office.

We anticipate that users of the website will also be able to access application forms and information packs relating to forthcoming vacancies.

CHAPTER 3

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 which enabled it to meet its identified objectives within budget.

The Commission reviewed its Committee structure and reduced the number of Committees from four to three and moved to holding meetings of the Commission and its committees each two months rather than monthly (with the exception of the Audit and Risk Management Committee which meets three times a year). New Terms and Conditions for each Committee were drafted and approved. A scheme of delegation was also approved during the year which delegated areas of responsibility to individual Committees and provided Committees with greater autonomy in their areas of work. Under the scheme further administrative work was delegated to the Commission staff, thereby allowing Commissioners more time to focus on strategic issues. This review of our operations and governance has and will continue to deliver substantial efficiencies for the Commission. Internal auditors from Court Service's Audit and Risk Assurance Branch (RAB) conducted reviews in terms of risk and value for money and reported that adequate assurances were in place. A Risk Management Accreditation Document Set (RMADS) provides assurance in relation to the Commission's Information Technology (IT).

Staffing

The Commission was provided, by the Court Service, with funding for a staff complement of 16. In order to take forward its work as effectively and efficiently as possible, the Business Committee and plenary meetings approved priorities on an ongoing basis to enable the Commission to meet the requirements placed upon it. Staff at Deputy Principal and below on secondment have been invited to remain on secondment on an ongoing basis subject to annual renewal and the Commission is pleased to say that the majority has agreed to remain on this basis. Direct recruitment at senior management level was completed and the new appointees started work between September and December 2007.

Corporate Plan

The Commission has begun to turn its mind to the production of its second Corporate Plan. The Plan will set out the aims and objectives of the Commission for the period 2009-2010 to 2010-2011. This timeframe will bring the Commission's Corporate Plan into line with the Government's Comprehensive Spending Review.

Procurement Policy

The Commission has developed a comprehensive procurement policy to regulate the purchase of all its goods, services and training. All staff received training on the content of the policy and on its application.

Liaison meetings

The Commission has established a programme of regular meetings with the Sponsor department. Key business issues are addressed in this forum. During this reporting period there were 6 meetings.

CHAPTER 4

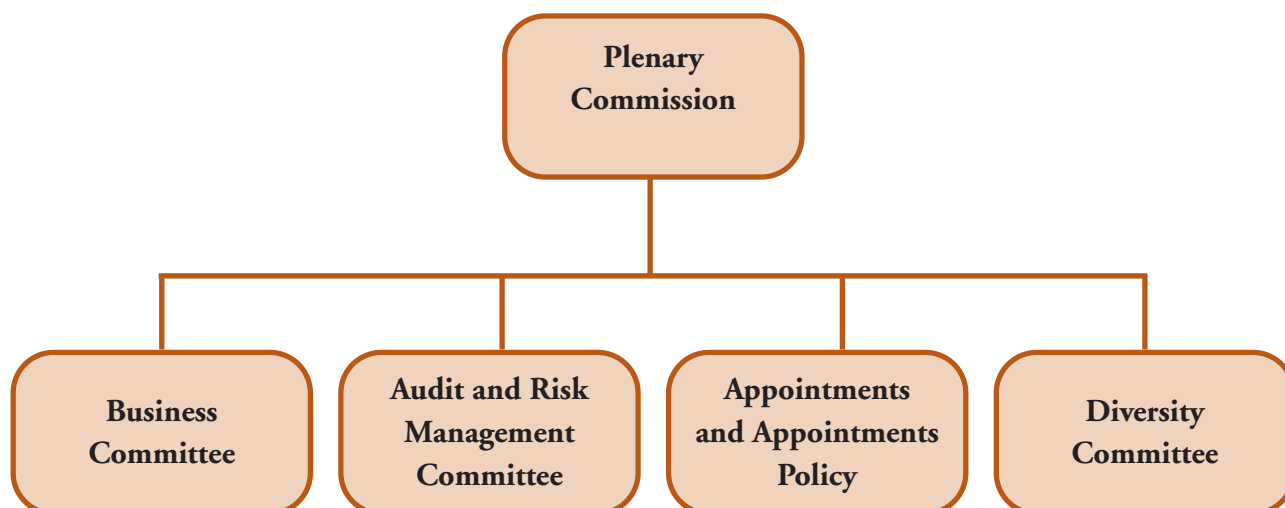
Internal Working Arrangements

Restructure of Committees

The Commission reviewed its committee structure, membership and Chairmanship. This resulted in approval of a new Committee structure, membership and Chairmanship, which was implemented in September 2007. The revised Committee structure reduced the number of Committees from four to three and the programme of business for the Commission was similarly realigned to fall within the new Committee structure. New terms and conditions

for each Committee were drawn up and approved. A scheme of delegation was implemented in order to support these new arrangements. The Scheme sets out the various functions and roles of the Commission and apportions responsibility for them to the various Committees. An important aspect of the Scheme of Delegation was to delegate more administrative functions to Commission staff, thereby allowing Commissioners more time to focus on strategic issues. Meetings of the plenary Commission and its Committees are now held every two months, with the exception of the Audit and Risk Management Committee which meets three times a year.

The Committee Structure from April 2007 until August 2007 was as follows:



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 Commission meetings are published on the Commission's website.

Membership of Committees April 2007- August 2007

Membership of the standing Committees from April until August 2007 was as follows:

Audit and Risk Management Committee; Membership

Dr Raymond Mullan (Chairman) OBE, Lay Member
Dame Joan Harbison, CBE DBE, Lay Member
Her Honour Judge Loughran, County Court Judge
Professor John Morison, Lay Member
The Honourable Mr Justice Weatherup, High Court Judge

Appointments and Appointments Policy Committee; Membership

The Honourable Mr Justice Weatherup (Chairman), High Court Judge
Mrs Sinéad Burns, Lay Member
Mr Peter Cush, Barrister at Law
Mr John Gordon, Solicitor
Dame Joan Harbison, CBE DBE, Lay Member
Dr Raymond Mullan OBE, Lay Member

Diversity Committee; Membership

Mrs Ruth Laird (Chairman), Lay Member
Mrs Fiona Bagnall, Presiding Resident Magistrate
The Right Honourable Lord Justice Campbell, Lord Justice of Appeal
Mr Peter Cush, Barrister at Law
Mr John Gordon, Solicitor
Her Honour Judge Loughran, County Court Judge
Professor John Morison, Lay Member
Mr Harry McConnell, OBE, Lay Member

Business Committee; Membership

The Right Honourable Sir Brian Kerr (Chairman), the Lord Chief Justice of Northern Ireland
Mrs Fiona Bagnall, Presiding Resident Magistrate
Mrs Sinéad Burns, Lay Member
Mr John Gordon, Solicitor
Mrs Ruth Laird, Lay Member
Mr Harry McConnell, OBE Lay Member.

Committee Structure September 2007 – March 2008



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Membership of Committees September 2007 - March 2008

Membership of the standing Committees from September 2007 until March 2008 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)

The Honourable Mr Justice Weatherup, High Court Judge

Mrs Fiona Bagnall, Presiding Resident Magistrate

Dame Joan Harbison, CBE DBE, Lay Member

Dr Raymond Mullan OBE, Lay Member

Policy Development Committee; Membership

The Right Honourable Lord Justice Campbell, Lord Justice of Appeal, (Chairman)

Mrs Sinéad Burns, Lay Member

Mr Peter Cush, Barrister at Law

Mr John Gordon, Solicitor

Dame Joan Harbison, CBE DBE, Lay Member

Mrs Ruth Laird, Lay Member

Her Honour Judge Loughran, County Court Judge

Professor John Morison, Lay Member

Mr Harry McConnell, OBE, Lay Member

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. It 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 Court Service's Risk and Assurance Branch (RAB) and members of External Audit are invited to attend.

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, to whom the Head of Internal Audit reports.

The ARMC is authorised to obtain independent professional advice if it considers it necessary.

Remit

The ARMC 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.

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APPENDIX 1

Diversity Statistics

1. Appointments; 2. Reappointments; 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 2007 - 2008

During the reporting period the Commission made 11 recommendations for appointment (Courts 7; Tribunals 4) to the Lord Chancellor – 1 Deputy Social Security Commissioner and Child Support Commissioner; 6 Deputy Resident Magistrates; 1 Vice President of the Industrial Tribunal/Fair Employment Tribunal; 1 Chairman of the Reserve Forces Reinstatement Committee; 2 Legal Chairmen of the Special Educational Needs and Disability Tribunal.

Gender	Male		Female			Total	
	9		2			11	
%	81.8%		18.2%			100%	
Community Background	Protestant		Roman Catholic			Neither	
	4		6			1	
%	36.4%		54.5%			9.1%	
Age on Appointment	35 & under	36-40	41-45	46-50	51-55	56-60	60+
	0	3	3	3	0	1	1
%	0%	27.3%	27.3%	27.3%	0%	9.05%	9.05%
Ethnic Origin	White						
	11						
%	100%						
Disability	No Disability Declared			Disability Declared			
	11			0			
%	100%			0%			
Personal Geographic Location			Business Geographical Location				
Belfast	6	54.5%	Belfast	7	63.6%		
Co Antrim	1	9.1%	Co Antrim	1	9.1%		
Co Armagh	1	9.1%	Co Armagh	0	0%		
Co Down	0	0%	Co Down	0	0%		
Co Fermanagh	0	0%	Co Fermanagh	0	0%		
Co Londonderry	3	27.3%	Co Londonderry	0	0%		
Co Tyrone	0	0%	Co Tyrone	0	0%		
Not Indicated	0	0%	Province wide	0	0%		
			Not Indicated	3	27.3%		

2. Recommendations for reappointment during the Period 2007/2008

During the reporting period the Commission made 38 recommendations for reappointment (Courts 12; Tribunals 26) to the Lord Chancellor – 3 Deputy County Court Judges; 1 Deputy District Judge; 1 Deputy Social Security Commissioner and Child Support Commissioner; 7 Deputy Resident Magistrates; 1 Chair and Vice President of the VAT Tribunal; 4 Chairmen of the Special Educational Needs and Disability Tribunal; 1 President of the Special Educational Needs and Disability Tribunal; 3 Legal members of the Pensions Appeal Tribunals; 2 Service members of the Pensions Appeal Tribunals; 1 Chairman of the Industrial Tribunal/Fair Employment Tribunal; 5 Legal members of the Mental Health Review Tribunal; 4 Medical member of the Mental Health Review Tribunal; 3 Lay member of the Mental Health Review Tribunal; 1 Deputy Chairman of the Mental Health Review Tribunal; 1 Chairman of the Mental Health Review Tribunal.

Gender	Male	Female	Total				
	26	12	38				
%	68.4%	31.6%	100%				
Community Background	Protestant	Roman Catholic	Neither				
	18	18	2				
%	47.4%	47.4%	5.2%				
Age on Reappointment	35 & under	36-40	41-45	46-50	51-55	56-60	60+
	0	1	0	7	10	7	13
%	0%	2.7%	0%	18.4%	26.3%	18.4%	34.2%
Ethnic Origin	White						
	38						
%	100%						
Disability	No Disability Declared	Disability Declared					
	36	2					
%	94.7%	5.3%					
Personal Geographic Location			Business Geographical Location				
Belfast	12	31.6%	Belfast	19	50.0%		
Co Antrim	5	13.1%	Co Antrim	2	5.3%		
Co Armagh	2	5.3%	Co Armagh	1	2.6%		
Co Down	6	15.8%	Co Down	3	7.9%		
Co Fermanagh	2	5.3%	Co Fermanagh	1	2.6%		
Co Londonderry	4	10.5%	Co Londonderry	2	5.3%		
Co Tyrone	3	7.9%	Co Tyrone	2	5.3%		
Not Indicated	4	10.5%	Province wide	4	10.5%		
			Not Indicated	4	10.5%		

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3. Applicant pools during the Period 2007/2008

Applicant Pools 2007/08

Courts

During the reporting period the Commission received 53 applications for the Deputy Resident Magistrates Scheme of which 6 applicants were recommended for judicial office.

Gender	Male		Female			Total	
	39		14			53	
%	73.6%		26.4%			100%	
Community Background	Protestant		Roman Catholic			Neither	
	21		28			4	
%	39.6%		52.8%			7.6%	
Age	35 & under	36-40	41-45	46-50	51-55	56-60	60+
	7	15	9	14	5	3	0
%	13.2%	28.3%	17.0%	26.4%	9.4%	5.7%	0%
Ethnic Origin	White						
	53						
%	100%						
Disability	No Disability Declared			Disability Declared			
	52			1			
%	98.1%			1.9%			
Personal Geographic Location			Business Geographical Location				
Belfast	26	49.1%	Belfast	37	69.8%		
Co Antrim	4	7.5%	Co Antrim	4	7.5%		
Co Armagh	1	1.9%	Co Armagh	0	0%		
Co Down	14	26.4%	Co Down	1	1.9%		
Co Fermanagh	0	0%	Co Fermanagh	0	0%		
Co Londonderry	3	5.7%	Co Londonderry	3	5.7%		
Co Tyrone	4	7.5%	Co Tyrone	3	5.7%		
Other	1	1.9%	Province wide	0	0%		
			Other	2	3.7%		
			Not Indicated	3	5.7%		

Applicant Pools 2007/08

Tribunals

During the reporting period the Commission received 13 applications for the following schemes – 1 Vice President of the Industrial Tribunal/Fair Employment Tribunal (4 applications received); 2 Legal Chairmen of the Special Educational Needs and Disability Tribunal (9 applications received).

Gender	Male		Female			Total	
	7		6			13	
%	53.8%		46.2%			100%	
Community Background	Protestant		Roman Catholic			Neither	
	6		6			1	
%	46.15%		46.15%			7.7%	
Age	35 & under	36-40	41-45	46-50	51-55	56-60	60+
	0	3	2	6	1	1	0
%	0%	23.1%	15.4%	46.1%	7.7%	7.7%	0%
Ethnic Origin	White						
	13						
%	100%						
Disability	No Disability Declared			Disability Declared			
	13	0					
%	100%	0%					
Personal Geographic Location			Business Geographical Location				
Belfast	5	38.4%	Belfast	8	61.5%		
Co Antrim	2	15.4%	Co Antrim	1	7.7%		
Co Armagh	0	0%	Co Armagh	0	0%		
Co Down	3	23.1%	Co Down	1	7.7%		
Co Londonderry	1	7.7%	Co Fermanagh	0	0%		
Co Fermanagh	0	0%	Co Londonderry	1	7.7%		
Co Tyrone	2	15.4%	Co Tyrone	1	7.7%		
Other	0	0%	Province wide	0	0%		
			Other	0	0%		
			Not Indicated	1	7.7%		

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Applicant Pools 2007/08

Combined

During the reporting period the Commission received 66 applications for the following schemes – 6 Deputy Resident Magistrates (53 applications received); 1 Vice President of the Industrial Tribunal/Fair Employment Tribunal (4 applications received); 2 Legal Chairmen of the Special Educational Needs and Disability Tribunal (9 applications received).

Gender	Male		Female			Total	
	46		20			66	
%	69.7%		30.3%			100%	
Community Background	Protestant		Roman Catholic			Neither	
	27		34			5	
%	40.9%		51.5%			7.6%	
Age	35 & under	36-40	41-45	46-50	51-55	56-60	60+
	7	18	11	20	6	4	0
%	10.6%	27.3%	16.7%	30.3%	9.1%	6.0%	0%
Ethnic Origin	White						
	66						
%	100%						
Disability	No Disability Declared			Disability Declared			
	65			1			
%	98.5%			1.5%			
Personal Geographic Location			Business Geographical Location				
Belfast	31	47.0%	Belfast	45	68.2%		
Co Antrim	6	9.1%	Co Antrim	5	7.5%		
Co Armagh	1	1.5%	Co Armagh	0	0%		
Co Down	17	25.7%	Co Down	2	3.0%		
Co Fermanagh	0	0%	Co Fermanagh	0	0%		
Co Londonderry	4	6.1%	Co Londonderry	4	6.1%		
Co Tyrone	6	9.1%	Co Tyrone	4	6.1%		
Other	1	1.5%	Province wide	0	0%		
			Other	2	3.0%		
			Not Indicated	4	6.1%		

APPENDIX 2

Achievement of Corporate Objectives through Business Planning

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 has decided that objectives should reflect activity against appointments process, diversity, accountability and interested parties.

The following sets out the achievement of objectives in the context of the current model.

The Objectives in the 2007-2008 Business Plan

The four perspectives of appointments process, diversity, accountability and interested parties 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 candidate on merit.

1. To make recommendations to the Lord Chancellor for appointments and re-appointments to listed judicial offices. **Achieved and ongoing.**
2. To agree all scheme paperwork and records, for internal use, by March 2008. **Achieved pending ongoing review following consultation on policies and procedures.**

Diversity

To engage in programmes 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.

3. To carry out equity monitoring of appointment schemes and produce reports of the findings within two weeks of the completion of the interviews. **Achieved and ongoing.**
4. To complete a report following the equity monitoring exercise of the existing judiciary to identify areas of under representation by June 2007. **Achieved and ongoing.**
5. To develop and implement a research programme to assist in the identification of barriers and perceived barriers to applying for judicial posts and to publish a report containing recommendations by March 2008. **Reprofiled.**

Accountability

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

6. To publish the Annual Report and Accounts within the agreed timetable with NIAO. **Achieved.**
7. By 31 March 2008 to secure from the NICtS the required level of resources to deliver the Commissions 2008/09 objectives. **Achieved.**
8. To maintain financial and stewardship controls within the Commission, which meet central government guidelines. **Achieved and ongoing.**

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- | | |
|--|---|
| 9. To appoint a Grade 6 and two Deputy Principals to the Commission as recommended in the Staffing Review.
Achieved. | 87 % of targets were achieved
13 % were reprofiled
0 % of targets were not achieved |
| 10. To demonstrate strong corporate governance at all times. Achieved and ongoing. | |
| 11. To agree a scheme of delegation. Achieved. | |
| 12. To prepare the Commission for devolution.
Ongoing. | |

Interested Parties

To communicate helpful information, advice 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.

13. To agree for publication an Appointments Policies & Procedures Handbook and a Code of Practice by end of March 2008 following a consultation exercise. **Reprofiled.**
14. 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 and ongoing.**
15. To develop a communication strategy with interested parties to include website development, a booklet about judicial careers and presentations to the profession, JSB and to the IPLS throughout the period of this plan. **Largely achieved. Judicial careers booklet deferred to 2008-2009.**

REMUNERATION REPORT

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 60. 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 competences and individually targeted 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 Northern Ireland Court Service, 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 that does not involve attendance at stated meetings. 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

From 1 April 2007 the Chief Executive position was filled by three separate individuals, two of whom were seconded from the Court Service and the third recruited as a direct employee of the Commission. Alan Hunter was seconded to the Commission from April 2007 until September 2007. He was replaced by Claire Archbold, who served from October 2007 until February 2008. The position of Chief Executive was successfully filled on a permanent basis by Edward Gorringer who took up post on 11 February 2008, as a direct employee of the Commission and served for the remainder of the financial year.

The total amount payable to the Court Service in respect of staff seconded to the position of the Chief Executive for the year ended 31 March 2008 amounted to £72,831 (2006-07: £102,833). This represents £50,387 for the secondment of Alan Hunter from April 2007 to September 2007, and £22,444 for the secondment of Claire Archbold from October 2007 until February 2008. No other costs were incurred by the Commission in respect of these staff.

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The remuneration payable to the Chief Executive was as follows:

Name	2007-08 Salary £000	Benefits in Kind (nearest £100)	2006-07 Salary £000	Benefits in Kind (nearest £100)
Edward Gorringe	10-15 (full year equivalent is 60-65)	–	N/A	N/A

Commission members

The remuneration payable to the Commission members was as follows:

Name	2007-08 Salary £000	Benefits in Kind (nearest £100)	2006-07 Salary £000	Benefits in Kind (nearest £100)
The Right Honourable Sir Brian Kerr (Chair)	-	-	-	-
Fiona Bagnall	-	-	-	-
Sinéad Burns	0-5	-	5-10	-
The Right Honourable Lord Justice Campbell	-	-	-	-
Peter Cush	0-5	-	0-5	-
John Gordon	0-5	-	5-10	-
Dame Joan Harbison	0-5	-	5-10	-
Ruth Laird	5-10	-	20-25	-
Her Honour Judge Loughran	-	-	-	-
Harry McConnell	0-5	-	5-10	-
Professor John Morison	0-5	-	5-10	-
Raymond Mullan	5-10	-	10-15	-
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 & 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

	Accrued Pension at age 60 at 31 March 2008 and related lump sum	Real increase/ (decrease) in pension and related lump sum at age 60	CETV at 31 March 2008	CETV at 11 February 2008	Real increase/ (decrease) in CETV	Employer contribution to partnership pension account Nearest
Name and Title	£000	£000	£000	£000	£000	£100
Edward Gorringe <i>Chief Executive</i>	0.5 plus 0.5 lump sum	0-2.5 plus 0-2.5 lump sum	2	n/a	2	—

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 joining from October 2002 may opt for either the appropriate defined benefit arrangement or a good quality ‘money purchase’ stakeholder pension with a significant employer contribution (partnership pension account).

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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 in respect of service before 1 October 2002 calculated broadly as per classic and benefits for service from October 2002 calculated 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 the accrued pension is updated 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

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 individual has transferred to the Civil Service pension arrangements.

They also include any additional pension benefit accrued to the member as a result of their purchasing additional pension benefits at their own cost. CETVs are calculated 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 drawn.

Real Increase in CETV

This reflects the increase in CETV effectively 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.

A handwritten signature in dark ink, appearing to read 'Edward Gorringer', with a stylized flourish at the end.

Edward Gorringer

Accounting Officer
3 October 2008

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

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 *Government Financial Reporting Manual* 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 *Government 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.

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* (previously *Government Accounting*).

The Accounting Officer of the Northern Ireland Court Service has designated the Chief Executive

Statement on Internal Control

Scope of responsibility

As 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 NDPB Accounting Officer Memorandum. The Commission is financed by grant-in-aid by the Northern Ireland Court Service (the Court Service), and the Accounting Officer's responsibilities in respect of the Commission are defined in the NDPB Accounting Officer Memorandum.

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 2008 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 the management meeting agenda 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. During the year risk management refresher training was provided to all staff to ensure that they continue to effectively adhere to the Commission's Risk Management Policy. The Audit & 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 are provided by the 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 regular review of attendant risks thus ensuring that risk management has been incorporated fully into the

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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.

The activity of the Audit and Risk Management Committee is defined in its terms of reference, under which the Committee should meet three times annually, with a set guideline of items to consider at each meeting. During the year the Committee met twice, 14 May 2007 and 23

October 2007. The usual third meeting (that was timetabled for 19 March 2008) was postponed until 14 May 2008 to facilitate the Annual Report and Accounts. 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, with the Finance Officer in attendance for relevant agenda items. RAB activity in the year included the delivery of an agreed audit plan which was based upon discussion with the Chief Executive, delivery of risk management training; and the provision of control related consultancy. The audit plan was ratified by the Audit and Risk Management Committee.

Review of effectiveness

As 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 completed by Business Managers provided 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.

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 charges with Governance following the audit of the 2007/08 accounts will also inform my ongoing review of the effectiveness of the system of internal control. The review processes outlined ensure that there is continuous improvement in the system of internal control.



Edward Gorringer

Accounting Officer
3 October 2008

Northern Ireland Judicial Appointments Commission

THE CERTIFICATE AND REPORT OF THE COMPTROLLER AND AUDITOR GENERAL TO THE HOUSES OF PARLIAMENT

I certify that I have audited the financial statements of the Northern Ireland Judicial Appointments Commission for the year ended 31st March 2008 under the Justice (Northern Ireland) Act 2002, as amended by the Justice (Northern Ireland) Act 2004. These comprise the Income and Expenditure Account, the Balance Sheet, the Cash Flow Statement 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, Accounting Officer and auditor

The Northern Ireland Judicial Appointments Commission and Chief Executive, as Accounting Officer, are responsible for preparing the Annual Report, which includes the Remuneration Report, and the financial statements 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 for ensuring the regularity of financial transactions. These responsibilities are set out in the Statement of Northern Ireland Judicial Appointments Commission's and Accounting Officer's Responsibilities.

My responsibility is to audit the financial statements and the part of the remuneration report to be audited in accordance with relevant legal and regulatory requirements, and with International Standards on Auditing (UK and Ireland).

I report to you my opinion as to whether the financial statements give a true and fair view and whether the financial statements and the part of the Remuneration Report to be audited 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. I report to you whether, in my opinion, the information, which comprises the Director's Report, and the Management Commentary, included in the Annual Report, is consistent with the financial statements. I also report whether 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.

In addition, I report to you if the Northern Ireland Judicial Appointments Commission has not kept proper accounting records, if I have not received all the information and explanations I require for my audit, or if information specified by HM Treasury regarding remuneration and other transactions is not disclosed.

I review whether the Statement on Internal Control reflects the Northern Ireland Judicial Appointments Commission's compliance with HM Treasury's guidance, and I report if it does not. I am not required to consider whether this statement covers all risks and controls, or form an opinion on the effectiveness of the Northern Ireland Judicial Appointments Commission's corporate governance procedures or its risk and control procedures.

I read the other information contained in the Annual Report and consider whether it is consistent with the audited financial statements. This other information comprises the Chairman's Foreword, the Programme of Business and the unaudited part of the Remuneration Report. I consider the implications for my report if I become aware of any apparent misstatements or material inconsistencies with the financial statements. My responsibilities do not extend to any other information.

Basis of audit opinions

I conducted my audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. My audit includes examination, on a test basis, of evidence relevant to the amounts, disclosures and regularity of financial transactions included in the financial statements and the part of the Remuneration Report to be audited. It also includes an assessment of the significant estimates and judgments made by the Northern Ireland Judicial Appointments Commission and Accounting Officer in the preparation of the financial statements, and of whether the accounting policies are most appropriate to the

Northern Ireland Judicial Appointments Commission's circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations which I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that the financial statements and the part of the Remuneration Report to be audited are free from material misstatement, whether caused by fraud or error, and that 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. In forming my opinion I also evaluated the overall adequacy of the presentation of information in the financial statements and the part of the Remuneration Report to be audited.

Opinions

In my opinion:

- the financial statements give a true and fair view, 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, of the state of the Northern Ireland Judicial Appointments Commission's affairs as at 31st March 2008 and of its deficit and the cash flows for the year then ended;
- the financial statements and the part of the Remuneration Report to be audited 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; and

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- information, which comprises the Director's Report and the Management Commentary, included within the Annual Report, is consistent with the financial statements.

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.

Report

I have no observations to make on these financial statements.

T J Burr
Comptroller and Auditor General
National Audit Office
151 Buckingham Palace Road
Victoria, London
SW1W 9SS

29 October 2008

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NORTHERN IRELAND JUDICIAL APPOINTMENTS COMMISSION

ACCOUNTS 2007-2008

INCOME AND EXPENDITURE ACCOUNT

for the year ended 31 March 2008

		<i>Year ended 31/03/08</i>	<i>Year ended 31/03/07 (Restated)</i>
		£	£
	<i>Note</i>		
<i>Income</i>	<i>2</i>	<i>-</i>	<i>129,289</i>
<i>Expenditure</i>			
Staff costs	3	635,554	706,084
Depreciation	5	504	851
Other operating costs	4	810,472	772,089
Notional cost of capital	1.6	2,467	1,721
<i>Total expenditure</i>		<i>1,448,997</i>	<i>1,480,745</i>
<i>Net expenditure for year</i>		<i>1,448,997</i>	<i>1,351,456</i>
Credit in respect of notional charges		(2,467)	(1,721)
<i>Deficit transferred to reserves</i>		<i>1,446,530</i>	<i>1,349,735</i>

There were no other gains or losses recognised during the year.

The notes on pages 51-60 form part of the accounts

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BALANCE SHEET

as at 31 March 2008

		31 March 2008		31 March 2007 (Restated)	
		£	£	£	£
	Note				
Fixed assets:					
Tangible assets	5		2,965		3,744
Current assets:					
Debtors	6	183,322		234,013	
Cash at bank and in hand	7	-		-	
		<u>183,322</u>		<u>234,013</u>	
Creditors (amounts falling due within one year)	8	(135,997)		(147,080)	
Net current assets			<u>47,325</u>		<u>86,933</u>
Total assets less current liabilities			<u>50,290</u>		<u>90,677</u>
Net assets			<u>50,290</u>		<u>90,677</u>
Financed by:					
Capital and reserves					
General Reserve	9		50,290		90,677
			<u>50,290</u>		<u>90,677</u>



Edward Gorringe

Accounting Officer
3 October 2008

The notes on pages 51-60 form part of the accounts

CASH FLOW STATEMENT

for the year ended 31 March 2008

		<i>Year ended 31/03/08</i>	<i>Year ended 31/03/07 (Restated)</i>
	<i>Note</i>	<i>£</i>	<i>£</i>
<i>Net cash outflow from operating activities</i>	<i>10(a)</i>	<i>(1,405,597)</i>	<i>(1,431,207)</i>
Capital Expenditure and Financial Investment	<i>10(b)</i>	(546)	(1,567)
Financing	<i>10(c)</i>	1,406,143	1,432,774
<i>Increase/(decrease) in cash in the year</i>		<i>-</i>	<i>-</i>

The notes on pages 51-60 form part of the accounts

Notes to the Financial Statements

1.0 Statement of Accounting Policies

The financial statements have been prepared in accordance with the 2007–2008 Government Financial Reporting Manual (FReM) issued by HM Treasury. The accounting policies contained in the FReM follow UK generally accepted accounting practice for companies (UK GAAP) to the extent that it is meaningful and appropriate to the public sector.

Where the FReM 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 Commission's accounting policies have been applied consistently in dealing with items considered material in relation to the accounts.

1.1 Accounting convention

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

1.2 Tangible fixed assets

Assets costing more than the prescribed capitalisation level of £500 are treated as capital assets. For furniture and fittings the individual assets are recorded on a pooled basis.

Assets are stated at their value to the business by reference to Office of National Statistics (ONS) indices. The indices for fixed assets are obtained

from ONS MM17 Price Index Numbers for Current Cost Accounting.

1.3 Depreciation

Tangible fixed assets are depreciated at rates calculated to write them down to estimated residual value on a straight-line basis over their estimated useful lives. Assets in the course of construction are depreciated from the point at which the asset is brought into use. A further adjustment is made for any backlog depreciation arising from the Treasury requirement to value fixed assets by reference to current costs.

Useful lives are normally in the following ranges:

Furniture and Equipment 5-10 years

Information Technology 3 years

Additions to fixed assets will be depreciated from the month of acquisition where material.

Disposals from fixed assets will not be depreciated in the month of disposal.

1.4 Stocks

Stocks of consumable stores held by the Commission are not considered material and are written off in the operating cost statement as they are purchased.

1.5 Income

Income consists of amounts charged to external bodies for the provision of certain recruitment schemes. No income was received during

2007/08. Grant in aid funding received from the Northern Ireland Court Service is treated as a movement on reserves.

1.6 Notional cost of capital

The income and expenditure account bears a non-cash charge for interest relating to the use of capital by the Commission. The charge is calculated at the real rate set by HM Treasury (currently 3.5%) on the average capital employed by the Commission during the period defined as the total assets less current liabilities.

1.7 Operating leases

Rentals under operating leases are charged to the operating cost statement on a straight line basis over the lease term.

1.8 Pensions

Past and present employees are covered by the provisions of the Principal Civil Service Pension Schemes that are described in Note 3. The defined benefit elements of the 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 Principal Civil Service Pension Schemes (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 schemes, the Commission recognises the contributions payable for the year.

1.9 Value Added Tax (VAT)

The Commission is ineligible to reclaim input VAT on expenditure. Therefore, all expenditure is inclusive of VAT.

1.10 Provisions

The Commission provides for legal or constructive obligations, which are of uncertain timing or amount at the balance sheet 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 2007/08.

1.11 Contingent Liabilities

Where the time value of money is material, contingent liabilities, which are required to be disclosed under FRS 12, are stated at discounted amounts.

1.12 Changes to estimation techniques

There were no material changes in estimating techniques introduced during the financial year.

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2. Income

	<i>Year ended 31/03/08 £</i>	<i>Year ended 31/03/07 £</i>
Miscellaneous income	-	129,289
Total income	-	129,289

3. Staff Numbers and Related Costs

	<i>Year ended 31/03/08 Total £</i>	<i>Permanently employed staff £</i>	<i>Commission members £</i>	<i>Year ended 31/03/07 Total £</i>
Wages and salaries	123,293	87,281	36,012	68,871
Social security costs	9,855	7,528	2,327	7,474
Other pension costs	19,199	19,199	-	-
Sub Total	152,347	114,008	38,339	76,345
Inward secondments	483,207	483,207	-	629,739
Total costs	635,554	597,215	38,339	706,084

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).

For 2007-08, employers' contributions of £19,199 were payable to the PCSPS (2006-07 - NIL) at one of four rates in the range 17.1% – 25.5% (2006-07: 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. Employer contribution rates were revised from 2005-06 and will remain unchanged until 2008-09. The contribution rates reflect benefits as they are accrued, not when the costs are actually incurred, and reflect past experience of the scheme.

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% (2006-07 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 2007-08, 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:

	<i>Year ended 31/03/08 Number</i>	<i>Year ended 31/03/07 Number</i>
Chief Executive	1	1
Secretariat and Support Team	4	4
Appointment and Policy Team	6	8
Diversity Team	5	4
Total	<u>16</u>	<u>17</u>

4. Other Operating Costs

	<i>Year ended 31/03/08 £</i>	<i>Year ended 31/03/07 £</i>
Accommodation costs	166,106	144,390
Heat and light	15,211	19,586
Maintenance	24,294	23,039
Printing and stationery	20,012	16,676
IT services	138,351	127,131
Consultancy services	62,008	20,944
Services provided by NI Court Service	237,106	226,124
Other services	45,168	44,236
Recruitment scheme costs	42,277	86,325
Auditors' remuneration	11,250	10,400
Other costs	48,689	53,238
Total	<u>810,472</u>	<u>772,089</u>

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5. Tangible fixed assets

	<i>Furniture and Equipment £</i>	<i>Information Technology £</i>	<i>Total £</i>
<i>Cost or valuation</i>			
At 1 April 2007	2,291	2,388	4,679
Additions	546	-	546
Disposals	-	-	-
Adjustment*	-	(821)	(821)
<i>At 31 March 2008</i>	2,837	1,567	4,404
<i>Depreciation</i>			
At 1 April 2007	267	668	935
Charged in year	302	202	504
Disposals	-	-	-
<i>At 31 March 2008</i>	569	870	1,439
<i>Net book value at 31 March 2008</i>	2,268	697	2,965
<i>Net book value at 31 March 2007</i>	2,024	1,720	3,744
<i>Asset financing:</i>			
Owned	2,268	697	2,965
Finance Leased	-	-	-
<i>Net book value at 31 March 2008</i>	2,268	697	2,965

* A computer was erroneously recorded as an asset in 2005/06. Adjustments have been made in 2007/08 to reverse all incorrect accounting entries (including depreciation of £319).

The fixed assets were not revalued during the year as there were no material differences between historical cost amounts and the revalued amounts.

6. Debtors

6(a) Analysis by type

	<i>31/03/08</i>	<i>31/03/07</i>
	<i>£</i>	<i>£</i>
<i>Amounts falling due within one year:</i>		
Amount due from NI Court Service	173,542	154,214
Prepayments and accrued income	9,780	8,673
Other debtors	-	71,126
	183,322	234,013

There are no debtor amounts falling due after more than one year.

6(b) Intra-Government Balances

	<i>Amounts falling due within one year</i>	
	<i>31/03/08</i>	<i>31/03/07</i>
	<i>£</i>	<i>£</i>
Balances with other central government bodies	173,542	225,340
Balances with local authorities	-	-
Balances with NHS Trusts	-	-
Balances with public corporations and trading funds	-	-
Sub-total: intra-government balances	173,542	225,340
Balances with bodies external to government	9,780	8,673
Total debtors at 31 March	183,322	234,013

7. Cash at bank and in hand

The Commission does not hold any cash balances at the bank or in hand. Grant in aid drawn down by the Commission is held by the Northern Ireland Court Service, which makes all payments required on behalf of the Commission. The balance held by the Court Service on behalf of the Commission is included within debtors (see note 6).

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8. Creditors

8(a) Analysis by type

	31/03/08 £	31/03/07 £
<i>Amounts falling due within one year:</i>		
Trade creditors	(460)	(16,058)
Accruals and deferred income	(135,537)	(131,022)
	<u>(135,997)</u>	<u>(147,080)</u>

There are no creditor amounts falling due after more than one year.

8(b) Intra-Government Balances

	<i>Amounts falling due within one year</i>	
	31/03/08 £	31/03/07 £
Balances with other central government bodies	(50,926)	(113,348)
Balances with local authorities	-	-
Balances with NHS Trusts	-	-
Balances with public corporations and trading funds	-	-
Sub-total: intra-government balances	<u>(50,926)</u>	<u>(113,348)</u>
Balances with bodies external to government	(85,071)	(33,732)
Total debtors at 31 March	<u>(135,997)</u>	<u>(147,080)</u>

9. Capital and Reserves

	General Reserve £
Balance at 1 April 2007 (Restated)	90,677
Net expenditure for year	(1,446,530)
Grant received from Northern Ireland Court Service	1,406,143
Balance at 31 March 2008	<u>50,290</u>

10. Notes to the Cash Flow Statement

10(a) Reconciliation of operating deficit for year to operating cash flows

	<i>Year ended 31/03/08</i>	<i>Year ended 31/03/07 (Restated)</i>
	<i>£</i>	<i>£</i>
Deficit for year	(1,448,997)	(1,351,456)
Adjustments for non-cash transactions	2,971	2,572
Decrease in Debtors	50,691	94,939
(Decrease) in Creditors	(10,262)	(177,262)
<i>Net cash outflow from operating activities</i>	<i><u>(1,405,597)</u></i>	<i><u>(1,431,207)</u></i>

10(a) Analysis of capital expenditure and financial investment

		<i>Year ended 31/03/08</i>	<i>Year ended 31/03/07 (Restated)</i>
	<i>Note</i>	<i>£</i>	<i>£</i>
Tangible fixed asset additions	5	(546)	(1,567)
Fixed Asset Adjustment	5	821	-
(Decrease) in capital accrual		(821)	-
<i>Net cash outflow from investing activities</i>		<i><u>(546)</u></i>	<i><u>(1,567)</u></i>

10(c) Analysis of financing

		<i>Year ended 31/03/08</i>	<i>Year ended 31/03/07 (Restated)</i>
	<i>Note</i>	<i>£</i>	<i>£</i>
Receipt of grant in aid from NI Court Service	9	1,406,143	1,432,774
<i>Net financing</i>		<i><u>1,406,143</u></i>	<i><u>1,432,774</u></i>

11. Capital commitments

There are no contracted capital commitments at 31 March 2008 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 Northern Ireland Court Service. The Commission reimburses the Court Service for the leasing costs as they are incurred, but does not have any future commitments in respect of these leases.

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 2008 for which no provision has been made.

14. Financial instruments

FRS 13, *Derivatives and Other Financial Instruments*, requires disclosure of the role financial instruments have had during the period in creating or changing the risks an entity faces in undertaking its activities. Because of 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 FRS 13 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.

As permitted by FRS 13, the Commission has elected to exclude from disclosure all debtors and creditors which mature or become payable within 12 months from the balance sheet date.

Liquidity risk

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

Interest rate risk

The Commission's financial assets and its financial liabilities carry no rates of interest.

The Commission is not therefore exposed to interest rate risks.

Foreign Currency Risk

The Commission's exposure to foreign currency risk is not significant. Foreign currency income and expenditure is negligible.

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 Treasury discount rate of 2.2 per cent in real terms.

15. Contingent liabilities

As at 31 March 2008, the Commission did not have any contingent liabilities.

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 by the Northern Ireland Court Service. The Court Service is regarded as a related party. The Commission has had various material transactions with the 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

The 2006/07 account continued to disclose capital grant-in-aid in the capital grant reserve

however FReM required that this be recorded in the general reserve. The comparative figures for 2006/07 have been restated to reflect this requirement. This has resulted in the Capital Grant Reserve amount of £3,744 disclosed as at 31 March 2007 being recognised in the General Reserve rather than in a Capital Grant Reserve, together with associated adjustments.

19. Post Balance Sheet events

There were no material post balance sheet events for the year ended 31 March 2008. The annual report and accounts were authorised to be issued on 29 October 2008.

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