

Written Ministerial Statement - Northern Ireland: Appointments

1. The ongoing absence of a Northern Ireland Executive has meant that a number of key public appointments cannot be made both in Northern Ireland and to some posts appointed by UK Ministers. As I told the House on 20 June [HC Deb, col. 309], this is an issue that I have been considering carefully.
2. While my overriding priority remains reaching agreement on restoring an inclusive power-sharing Executive, it is clear that there are current and developing issues in relation to certain public appointments in Northern Ireland that need to be addressed urgently. If an Executive is not in place soon, I intend to take measures to ensure good governance and the continued functioning of vital public bodies. This is consistent with my wider political strategy which aims to ensure we take the necessary action in the absence of Northern Ireland Ministers whilst we also continue to remove the obstacles to the restoration of a fully functioning Executive and Assembly.
3. Existing legislation confers responsibility for the most significant public appointments in Northern Ireland on Northern Ireland Ministers. Therefore, in the absence of Northern Ireland Ministers, new legislation is needed in the autumn to enable certain key Northern Ireland and UK appointments to be made.
4. This legislation would allow for certain specified appointments normally made by Northern Ireland Ministers to be made by the relevant UK Minister, either the Secretary of State or the Lord Chancellor as appropriate to the appointment being made. I have considered whether each appointment is essential for good governance and public confidence in Northern Ireland and my officials have engaged with the main political parties in Northern Ireland.
5. Currently, I am of the view that the appointments specified in the legislation would address the most pressing appointments held up by the lack of Northern Ireland Ministers, including the Northern Ireland Policing Board, the Northern Ireland Judicial Appointments Commission and the Probation Board for Northern Ireland. Further consideration is being given to the ongoing ability of Northern Ireland departments to make appointments already conferred on them in legislation. The legislation would also need to address those appointments to key UK Government sponsored bodies that cannot be made as they require consultation with Northern Ireland Ministers, such as the Chair of the Disclosure and Barring Service. Detailed policy work will continue over the summer on how to achieve this, should legislation be necessary.
6. Any such legislation would, of course, apply only while there are no Northern Ireland Ministers in place. Once a new Northern Ireland Executive is formed, the responsibility for appointments in Northern Ireland would return to Ministers in that Executive, and UK Ministers would again be required to consult Northern Ireland Ministers prior to making certain UK-wide appointments.
7. We are continuing to engage closely with the political parties, and the Irish Government as appropriate, to encourage and support work towards an accommodation to restore the Executive. This legislation would contribute towards ensuring good governance in Northern Ireland while the Government redoubles those efforts to restore a locally elected, democratically accountable devolved government.