

**NORTHERN  
IRELAND  
JUDICIAL  
APPOINTMENTS  
OMBUDSMAN**

**ANNUAL REPORT**

1 April 2007 to 31 March 2008

# **NORTHERN IRELAND JUDICIAL APPOINTMENTS OMBUDSMAN**

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1 April 2007 to 31 March 2008

Presented to each House of Parliament pursuant to  
Schedule 15(15) to the Constitutional Reform Act 2005.

Published on 24th June 2008

**LONDON: The Stationery Office £13.90**

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# Preface

**I** was appointed as the first Judicial Appointments Ombudsman for Northern Ireland in September 2006. This role was created by the statutory framework as set out in the Constitutional Reform Act 2005 and provides an independent and external element for those who wish to complain about any administrative aspect of their own experience as an applicant during an appointment process for judicial office.

One of the statutory requirements for my role is the submission of a report at the conclusion of each financial year which details the performance of my functions during that year. In my first Annual Report which was laid before Parliament last year, I used that unique opportunity in order to explore the broader context to judicial appointments by highlighting some of the issues arising from my discussions with a wide range of organisations and individuals.

In this, my second Annual Report, I have focused on my consideration of four individual complaints and the issues arising. Two of the complaints were considered in my capacity as the Northern Ireland Judicial Appointments Ombudsman. The other two complaints were considered in my capacity as the Temporary Ombudsman for England and Wales following my appointment during the period covered by this report. One of these complaints related to judicial conduct and for which I do not have a remit in the Northern Ireland context.

I continue to look forward to developing a constructive dialogue with the Northern Ireland Judicial Appointments Commission and the Northern Ireland Court Service without in any way compromising our respective roles. We all have a shared interest in promoting public confidence in the administration of justice and in ensuring that individual complaints are dealt with expeditiously and that as full an explanation as possible is provided.

As the Ombudsman, I consider that my role is to provide individual complainants with an assurance that their complaint will be investigated and adjudicated in a thorough and impartial manner. I do not take the view that the actual number of complaints received by my Office or the number of complaints upheld is the only possible measure of success. What is equally important is that applicants for judicial appointments should be reassured by the existence of the role of Ombudsman and of a robust external complaints process. I look forward to any opportunities in Northern Ireland that may present themselves which would allow me to explain my role further.

I am also conscious that there are wider developments occurring within Northern Ireland, not least the proposed devolution of policing and justice powers to the Assembly. In this context I think it is important to repeat the assumptions that I made in my Report last year and again in this year's report and these are:

- the independence and impartiality of the judiciary needs to be continually reinforced;
- judicial appointments should be free of bias, both in terms of perception and reality, and
- judicial appointments are not just a matter of interest to the legal community, but also to the wider community.

The proposed developments in the devolution of policing and justice are also pertinent to my own position. I was appointed as the Ombudsman by Her Majesty The Queen on the recommendation of the Lord Chancellor. This followed an openly advertised and competitive recruitment process for the post. It is important that any new governance arrangements proposed for this role continue to guarantee its existing independence from the judiciary and the executive. I also note that the recent review paper into the Devolution of Policing and Justice published by the Assembly envisages that my role would be sponsored by a different department to that sponsoring both the Northern Ireland Judicial Appointments Commission and the Northern Ireland Court Service.

Finally I would also like to take this opportunity to express my appreciation to Mrs Audrey Fowler for her personal commitment and support to my role.



**Karamjit Singh CBE**

*Northern Ireland Judicial Appointments Ombudsman*

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# Chapter 1

## The Northern Ireland Judicial Appointments Ombudsman

### Introduction

I was appointed as the Northern Ireland Judicial Appointments Ombudsman by Her Majesty The Queen on the recommendation of the Lord Chancellor. It is a new role which formally commenced on 25 September 2006. The key purpose of the Ombudsman's role is to investigate any complaints received from applicants for judicial office who are dissatisfied with any administrative aspect of the appointment process.

### Background

A wide ranging review of the criminal justice system in Northern Ireland was concluded in March 2000. Amongst its terms of reference was "the arrangements for making appointments to the judiciary and magistracy, and safeguards for protecting their independence"<sup>1</sup>. The recommendations also included the appointment of a person to oversee, monitor and audit the existing appointment procedures. This led to the appointment of the Commissioner for Judicial Appointments who carried out a review of the existing processes. These reviews also contributed to the statutory establishment in Northern Ireland of both the Judicial Appointments Commission and my own role as Judicial Appointments Ombudsman during 2005 and 2006 respectively.

### Legislation and Status

The Constitutional Reform Act 2005 provides the statutory framework for the establishment of the Northern Ireland Judicial Appointments Ombudsman. Sections 124 to 131 of the Act<sup>2</sup> define the arrangements for investigating complaints which are made to both the Judicial Appointments Commission and to the Ombudsman respectively and how they are to be reported. There is also provision for the Lord Chancellor to refer any matter for investigation to the Ombudsman which relates to procedures of the

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<sup>1</sup> Review of the Criminal Justice System in Northern Ireland Chapter 6, paragraph 6.1

<sup>2</sup> Inserted sections 9A to 9H into the Justice (Northern Ireland) Act 2002.

Judicial Appointments Commission or a Committee of the Commission. Such matters may relate to procedures generally or to the circumstances of a particular case.

The Constitutional Reform Act 2005 provides for the Ombudsman to submit a report at the conclusion of each financial year on the performance of his functions to the Lord Chancellor and who in turn is required to present it to each House of Parliament before publication. This constitutes my second such report under this procedure. Copies of the first Annual Report can be obtained from the website.

The Office of the Northern Ireland Judicial Appointments Ombudsman is defined as a corporation sole and is independent of the Government, the judiciary and the Northern Ireland Court Service.

### **The Ombudsman and his Office**

Appointment to the role of Ombudsman is for a period of five years and the role is part time. Schedule 15 of the Constitutional Reform Act<sup>3</sup> provides for the role of Ombudsman and states that the Ombudsman must never have practised law or held judicial office in the United Kingdom and should not currently be a civil servant, a member of either the House of Commons or the Northern Ireland Assembly or be engaged in political activity as a member of a political party.

Expenditure by the Ombudsman in the discharge of his functions and arrangements for administrative and other assistance to the Ombudsman are met by the Lord Chancellor, through the Northern Ireland Court Service. In practice this means the Office is situated independently from the Court Service estate which provides a necessary and appropriate degree of anonymity in order to allow the Ombudsman to see complainants or other persons should he consider this is necessary as part of his complaints investigation. The Ombudsman and his Office also have a separate financial budget which is managed by the Northern Ireland Court Service and his role is supported by dedicated staffing provision located at the Office.

### **Remit and Relationships**

The Ombudsman's remit is to investigate complaints, where maladministration or unfairness is alleged to have occurred during the judicial appointments process by the Northern Ireland Judicial Appointments Commission or Committees of the Commission, the Northern Ireland Court Service or the Lord Chancellor. The appointments to listed judicial offices covered by the Commission are contained in Schedule 1 to the Justice (Northern Ireland) Act 2002 (see Appendix 2).

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<sup>3</sup> Inserted Schedule 3A in the Justice (Northern Ireland) Act 2002.

The Ombudsman does not investigate complaints relating to judicial conduct and these are dealt with by the Lord Chief Justice of Northern Ireland. This difference with the framework as it exists in England and Wales occurs because complaints relating to judicial conduct were identified as a distinct issue in the review of criminal justice, and the current process was formally legislated for in the Justice (Northern Ireland) Act 2002. By contrast the statutory provision for investigating complaints relating to judicial conduct in England and Wales was only recently established within the Constitutional Reform Act 2005 and included within the remit of the Ombudsman for that jurisdiction.

The Ombudsman can be appointed on a temporary basis by the Lord Chancellor in order to adjudicate on both appointment and conduct complaints in England and Wales when the Ombudsman for that jurisdiction is not able to do so. During the past year this occurred on two occasions and these complaints are summarised in Chapter 3. One of these complaints related to judicial appointments issues and the second was concerned with judicial conduct issues.

A mutually agreed Memorandum of Understanding<sup>4</sup> explicitly sets out how the relationship between the Ombudsman, his Office, the Lord Chancellor and the Northern Ireland Court Service will be conducted as well as defining operational objectives.

A similar document has recently been agreed with the Northern Ireland Judicial Appointments Commission<sup>4</sup>.

## **Complaints Procedure**

The legislation defines the Ombudsman's remit as covering "Commission complaints" and "Departmental complaints". A "Commission complaint" is one of maladministration by the Judicial Appointments Commission or a committee of the Commission in the process for judicial appointments. A "Departmental complaint" is one of maladministration by the Lord Chancellor or the Northern Ireland Court Service in connection with a recommendation for, or appointment to a listed judicial office.

The legislation defines a "qualifying complainant," as one "...who claims to have been adversely affected, as an applicant for selection or as a person selected...by the maladministration complained of".

Complainants should have exhausted the complaints processes within the Commission (Commission complaint) or the Northern Ireland Court Service (Departmental complaint), before bringing a complaint to the Ombudsman. Ordinarily such a complaint

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<sup>4</sup> Both Memoranda of Understanding can be viewed on the NIJAO website.

should be made to the Ombudsman not more than 28 days after a complainant is notified of the decision of Commission or Lord Chancellor (in the case of the Court Service).

Following the complaint investigation the Ombudsman will report his findings to the complainant, the Lord Chancellor and the appropriate organisation complained of. The Ombudsman must state whether or not the complaint is upheld and if so whether in whole or part. If a complaint is upheld he will recommend what action should be taken as a result of the complaint. Any recommendation for payment of compensation will only relate to loss by a complainant as a result of maladministration and not as a result of failure to be appointed to judicial office. Where the complaint has not been upheld, the Ombudsman may also make recommendations for consideration by the body complained of. The report of each complaint will be sent to the Lord Chancellor irrespective of whether it is a Commission or Departmental complaint and to the complainant.

The legislation requires the Ombudsman to submit a draft report to the Lord Chancellor and if the complaint was a Commission complaint, to the Commission. In finalising his report the Ombudsman must have regard to any proposal by the Lord Chancellor or the Commission for changes in the draft report and must include in the report a statement to any such changes not given effect to.

### **Developments elsewhere in the United Kingdom**

Sir John Brigstocke KCB, was appointed as the first Judicial Appointments and Conduct Ombudsman for England and Wales in April 2006. He investigates complaints about the judicial appointments process and the handling of matters involving judicial discipline or conduct. His Office was established under the provisions of the Constitutional Reform Act 2005.

At the present time there is no statutory provision for handling complaints emerging from the judicial appointments process within Scotland. However the Judiciary and Courts (Scotland) Bill which was introduced to the Scottish Parliament at the end of January 2008 provides for the Judicial Appointments Board for Scotland to investigate any complaints of maladministration and subsequently for the Scottish Public Services Ombudsman to externally review any matters arising. Complaints concerning judicial conduct are currently handled by the Scottish Executive Justice Department and the Bill proposes that the Lord President (in his new role as head of the Judiciary) should have responsibility for judicial conduct issues.

# Chapter 2

## The Northern Ireland Judicial Appointments Commission

### Introduction

The Northern Ireland Judicial Appointments Commission was established in June 2005 under the provisions of the Justice (Northern Ireland) Acts 2002 and 2004. It is an independent body with a specific remit to administer the selection processes for judicial appointments. The Commission states: “Our aim is to produce a judiciary that is reflective of our society and that is the best that it can be”<sup>5</sup>.

### Background

Since 1973 the Lord Chancellor has been responsible for directly appointing or advising on the majority of judicial appointments in Northern Ireland. Until the inception of the Judicial Appointments Commission he was supported administratively by the Northern Ireland Court Service in the discharge of this duty<sup>6</sup>. The recommendations made following the review of criminal justice<sup>7</sup> envisaged that a Judicial Appointments Commission would enhance public confidence by providing an appointments process that was “transparent and responsive to society’s needs on the one hand, but on the other must be clearly seen to be insulated from political influence”<sup>8</sup>.

Lord Clyde, Justice Oversight Commissioner<sup>9</sup>, concurred with this view in his sixth and final report “an obvious example of the courses taken to make processes more open has been the establishment of the Judicial Appointments Commission .... this should make the appointment of judges a more transparent process and enhance the confidence which they already possess in the public’s mind.”<sup>10</sup>

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5 Northern Ireland Judicial Appointments Commission Corporate Plan 2006- 09

6 The Judicature (NI) Act 1978, gave the Lord Chancellor responsibility for the unified courts administration.

7 Review of the Criminal Justice System in Northern Ireland, published March 2000.

8 Paragraph 6.102, Review of the Criminal Justice System in Northern Ireland.

9 Lord Clyde was appointed in June 2003 to provide an independent scrutiny of the changes in the criminal justice system which were recommended in the Report by the Criminal Justice Review Group published in March 2000.

10 Sixth Report of the Justice Oversight Commissioner June 2006; chapter 2.26

## **Legislation and Status**

A number of the recommendations made within the review of criminal justice were given legislative effect in The Justice (Northern Ireland) Act 2002 including the establishment of the Commission. The continued suspension of the Assembly at that time led to The Justice (Northern Ireland) Act 2004 which enabled the Commission to be established in advance of any arrangements proposed for the devolution of justice.

The Commission is an executive Non-Departmental Public Body which has responsibility for ensuring that its statutory purposes are being met and that the use of resources by it as a public body, are appropriate and effective. The Commission is funded through its sponsor department, which is the Northern Ireland Court Service.

## **Commission Membership**

The Commission has a membership of thirteen Commissioners, is chaired by the Lord Chief Justice of Northern Ireland and also includes five judicial members who are nominated by the Lord Chief Justice. They are a Lord Justice of Appeal, a High Court judge, a County Court judge, a Resident Magistrate and a Lay Magistrate.

There are also two Commissioners with legal professional backgrounds, (a barrister and solicitor) who were nominated by the General Council of the Bar of Northern Ireland and the Law Society of Northern Ireland respectively. There are also five non legally qualified Commissioners who were appointed following a process of open advertisement and selection. All Commissioners (with the exception of the Chairman) have been appointed for an initial period of three years. The Commission is supported in its work by a secretariat, which is headed by a Chief Executive and has its own office.

## **The Commission's Roles and Responsibilities**

The Commission has defined its key statutory roles in the Corporate Plan 2006 – 09 as being 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 as far as it is reasonably practicable to do so, appointments to judicial offices are such that they are reflective of the community in Northern Ireland; engage in a programme of action to secure, so as 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 and publish an annual report setting out the activities and accounts for the past year.

## **Appointment Procedures**

The Commission is responsible for recommendations to the Lord Chancellor of those applicants suitable for appointment to the range of judicial offices listed in Appendix 2. The procedures for all appointments comprise advertisements, self-assessment application forms, supporting documentation from consultees and interviews. Separate selection panels comprising a mixture of legal, judicial and non legally qualified Commissioners are constituted for the purposes of short listing applicants and conducting interviews.

Since its inception in June 2005, the Commission has recommended a number of judicial appointments. Re-appointments have also been recommended by the Commission in those instances where existing office holders' terms are due to expire.

## **Complaints Procedures**

The Judicial Appointments Commission also includes an information leaflet on the role of the Ombudsman (which has been prepared and published by my Office) amongst the application papers that are issued to candidates for judicial office.

The Commission has a statutory duty to make arrangements for handling complaints from an applicant for appointment who is dissatisfied with some part of the process. The legislation defines the period during which complaints should be made to the Commission as being not more than 28 days after the matter complained of.

Appeals in relation to decisions not to short list for reasons of eligibility or otherwise and complaints are dealt with by panels specially constituted for each appointment scheme. This ensures a membership of Commissioners which differs from the short listing or interview panels. In circumstances when the Commission's internal process has been exhausted and an applicant for judicial appointment still remains dissatisfied, a complaint can be made to the Ombudsman.

## **Developments elsewhere in the United Kingdom**

The Judicial Appointments Commission for England and Wales (JAC) was established on 3 April 2006 by the Constitutional Reform Act 2005. The JAC is an independent non departmental public body sponsored by the Ministry of Justice. The JAC comprises fifteen Commissioners of whom twelve, including the chairman, (who must be a non legally qualified member), are appointed following an openly advertised recruitment process. The remaining three Commissioners with judicial backgrounds are nominated by the Judges' Council. In addition to the chairman the current JAC membership includes five judicial members, two professional lawyers, five non legally qualified members, one tribunal member and one lay justice.

The JAC selects judges and tribunal members (both legal and non legal) on merit through fair and open competition. The judicial posts in the JAC's remit are listed in Schedule 14 of the Constitutional Reform Act 2005.

The JAC is statutorily required to investigate any complaints arising from the judicial appointments process. If the applicant remains dissatisfied a complaint can then be made to the Judicial Appointments and Conduct Ombudsman.

In Scotland, recommendations for judicial appointments are made by the Judicial Appointments Board which was established on a non statutory basis in June 2002 by the Scottish Executive. However Ministers made a commitment to place the Board on a statutory basis and following consultations and publication of a white paper, the Judiciary and Courts (Scotland) Bill was introduced to the Scottish Parliament at the end of January 2008 honouring this commitment. The Board comprises ten members with an even balance between non legally qualified and legal members, and with a non legally qualified chair. The current members of the Board were appointed by Scottish Ministers to whom the Board is responsible for its activities.

The remit of the Board differs from the Appointments Commissions for both Northern Ireland and England and Wales in that it covers appointments such as Sheriff Principal, Sheriff, Temporary Sheriff, Part - time Sheriff and Senator in the College of Justice. Another important difference is that tribunal jurisdictions are not covered by the Board.

The appointment processes employed by the Board are similar to those in England & Wales and Northern Ireland. Applicants complete self assessment application forms, supply details of referees and following short listing processes, interviews are conducted and the Board makes its recommendations to the First Minister. A personalised feedback process is also available to unsuccessful candidates. There is no formal internal appeal or complaints mechanism within the process and no external process similar to the Judicial Appointments Ombudsman role. As noted earlier there are proposals to introduce statutory provision for complaints of maladministration in the Judiciary and Courts (Scotland) Bill now before the Scottish Parliament which provides for the Board to consider complaints and for the Board to be included in the remit of the Scottish Public Services Ombudsman.

# Chapter 3

## Complaints Adjudicated During The Past Twelve Months

### Introduction

My remit as the Judicial Appointments Ombudsman, under section 9D of the Justice (Northern Ireland) Act 2002, is to consider complaints from candidates for judicial office about perceived maladministration in the handling of their application either by the Northern Ireland Judicial Appointments Commission (the Appointments Commission) or where this is relevant, the Northern Ireland Court Service (the Court Service). Part 1 of this chapter sets out two complaints (from the same complainant) that I have considered during the past twelve months in a Northern Ireland context and which were in relation to a specific competition. They relate to the respective roles of the Appointments Commission and the Court Service. In considering whether or not maladministration has occurred, my role is to determine whether the process for assessing the complainant's application ensured that he was treated fairly. I am not able to consider whether the complainant or any other candidate should have been appointed.

The Constitutional Reform Act 2005 provides for the Lord Chancellor to appoint a Temporary Ombudsman in circumstances where there is a potential conflict of interest for the Judicial Appointments and Conduct Ombudsman in England and Wales. Following a declaration by the Ombudsman in two such cases, the Lord Chancellor appointed me to act as Temporary Ombudsman under Paragraph 7(1) of Schedule 13 of the Constitutional Reform Act 2005. In each case this appointment was limited to determining only the complaint in question and concluded when my final report was issued. Part 2 of this chapter details the two complaints (each from different complainants) which dealt with an appointment issue and conduct issue respectively. My remit in a Northern Ireland context is, of course, limited to considering appointments issues only.

In order to ensure anonymity, no distinction has been made between different judicial and tribunal roles.

## **Part 1**

# **Complaints dealt with in my capacity as Northern Ireland Judicial Appointments Ombudsman**

## **Complaint in relation to the Northern Ireland Court Service**

### **Background**

The complainant applied for a judicial position during 2007. As part of the appointment process for this role, consultee comments were sought for each of the shortlisted candidates because they provide additional evidence for assessment of candidates by the Selection Committee of the Appointments Commission. In this particular instance the complainant was shortlisted and subsequently interviewed. During the course of this recruitment process, the complainant discovered that one of the three consultee responses had not been available to the Selection Committee when it considered his application. It had become apparent to him that the consultee in question did not receive the consultee form until after his interview had taken place. The Northern Ireland Court Service is responsible for delivering the consultee forms (which are sent out by the Appointments Commission), to judicial consultees at court premises.

### **Complaint to the Ombudsman**

Upon receipt of his complaint, the complainant was advised by my Office that any complaints about the role of the Court Service should first be pursued within the internal complaints process. The complainant lodged a complaint with the Court Service and focused on the issue of the consultee form not being delivered to his third consultee in time for completion before his interview. He received a response from the Court Service and subsequent to this lodged a complaint with my Office. Following this I met with the complainant in order to clarify what the essence of his complaint was and also to explain my remit.

### **Information taken into account**

In considering this complaint I took account of the complainant's views as expressed in his correspondence with my Office and discussions with myself, material supplied by the Court Service and the evidence outlined in the Investigating Officer's report.

### **My Findings**

As a department of the Lord Chancellor, the Northern Ireland Court Service is the sponsor department for the Northern Ireland Judicial Appointments Commission. However responsibility for selection processes and appointment to judicial office fall entirely within the remit of the Appointments Commission. I noted that the Court

Service has no role within the administrative procedures which support recruitment processes and this also includes any involvement in the obtaining of consultee comments.

From the material available it was clear that the third consultee form was issued (and franked) by the Appointments Commission at the same time as all other requests for consultee responses. However the form was not received by the consultee until after the conclusion of this appointment process. Although the Court Service had not been able to establish why this happened, I noted that in the response to the complainant there was an acceptance of an overarching responsibility to pass on promptly any correspondence received at court premises and which was addressed to the judiciary.

I was content that the arrangements put in place by the Court Service to consider this complaint were robust and fully addressed the issues raised within this particular complaint, and also that the procedures in relation to handling and adjudication of this complaint were correctly followed.

I noted that as part of its response to the complainant, the Court Service had apologised to him and also identified a system failure both in recording the receipt of correspondence and then in passing it to the judicial officer concerned. I also noted that the Court Service had now instituted revised procedures to ensure there was appropriate monitoring of receipt and timely transmission of post to members of the judiciary.

Given that the Court Service had responded to the complainant with an apology and an explanation of the revised procedures that have been instituted following his complaint, and also the completeness of the reply to the complaint I did not consider that this complaint could be upheld.

In accordance with the requirements of Section 9F of the Justice (Northern Ireland) Act 2002, a draft of my report was sent to the Lord Chancellor who noted and accepted the findings. I then issued a final report which was effectively unchanged.

## **Complaint in relation to the Appointments Commission**

### **Background**

The same complainant also lodged a complaint against the Northern Ireland Judicial Appointments Commission in relation to the same competition during 2007. This followed his complaint to the Appointments Commission in which he stated that because the Selection Committee did not have all three consultee reports this had seriously prejudiced their view of him. He also stated that the Commission did not make any

attempt to follow up the absence of one of his consultee reports before the closing date and that had led to unfairness in his competing for the role. His complaint was considered by a Complaints Committee of the Commission which did not uphold the complaint and this decision was conveyed to the complainant. The composition of the Complaints Committee was different from the Selection Committee which had shortlisted and interviewed the complainant.

### **Complaint to the Ombudsman**

In his complaint to my Office, the complainant stated that his complaint to the Appointments Commission had been mishandled because it had failed to address his concerns. He stated that the failure to receive the third consultee's response had seriously prejudiced the view taken of him by the Selection Committee and did not give him a fair and equal opportunity to compete for the role.

The complainant also stated that it was through no fault of his or the third consultee that his comments were not available to the Selection Committee. He stated that the Commission's policy of not following up consultee comments was improper or flawed. I met with the complainant in order to clarify what the essence of his complaint was and also to explain my remit.

### **Information taken into account**

In considering this complaint I took account of the complainant's views as expressed in his correspondence with my Office and in discussions with me; material supplied to this Office by the Commission; the evidence outlined in the Investigating Officer's report and the Commission's response to the questions set out in my subsequent correspondence.

### **My Findings**

It was clear from the material made available by the Commission that consultee responses formed part of the assessment process in this particular appointment scheme. The Commission response showed that although they do not attract a mark individually or collectively, evidence from consultee responses was taken into account following interview and when making an overall assessment of each candidate.

The complainant had confirmed to my Office that he sought and received the consent of his three nominated consultees at the outset of this competition and also supplied the correct contact details for each of them as requested by the Commission. In the event two of the complainant's three consultees had responded by the appropriate deadline before his interview.

It had been confirmed by the Commission that a consultee response form was issued to the third consultee at the same time as all other consultee requests and that it was properly addressed to him. The consultee had stated to the Commission that he did receive the consultee form but not until after the deadline for its return had passed.

The Commission had confirmed in its correspondence to my Office that it did not pursue non returned consultee responses and there was no explicit policy or procedure document relating to this. A summary of the candidates in this particular appointment scheme showed that several of them were considered by the Selection Committee despite having less than three consultee responses.

The Commission does have an explicit policy which covers the receipt of late consultee responses. I noted that this particular complaint to the Commission was considered as falling within the framework of this policy. In so doing, the Complaints Committee referred to the determination made in respect of other late consultee responses in this appointment scheme and the precedent which had been set that none had been allowed for broadly similar reasons. However I noted that the complainant's third consultee had stated that he did not receive the request for consultee comments until after the closing date for the competition. This contrasts with the other late consultee responses considered by the Commission, where in all cases the consultee forms had been received by the consultees before the closing date.

I did not see any evidence to suggest that the Commission's Selection Committee unfairly treated the complainant or that his application was disadvantaged because it was supported by two consultee responses instead of three. I also noted that the Commission had made the point that the number of consultee responses was not an overriding consideration and having less than three consultee responses do not appear to give any candidate, including the complainant, an unfair and unequal chance to compete for the role.

From the material available I considered that there was evidence the Commission has an overall approach to ensuring policy and guidance frameworks exist in relation to appointments processes. I considered the material which was supplied by the Commission to my Office and it showed that a number of documents prepared for candidates in this particular recruitment scheme provided policy information and guidance on the use of consultee comments in the assessment process. These included the Application Form (Section E) and the Guide for Candidates. Consultees were also provided with similar information in the Guide for Consultees.

The Commission does have an explicitly stated policy on late consultee comments and this is clearly indicated to both candidates and consultees alike in the documentation that they each receive at the outset of the appointment scheme. Although late consultee comments are generally not accepted, each case is treated on its merits and considered by a specially constituted committee. Several late consultee responses were considered in accordance with the policy during this particular appointments process but none were accepted.

I noted that the Commission's Complaints Committee which was constituted to investigate this complaint had all the relevant material available before it when considering the complaint. This included a paper outlining the issue in the complaint and providing a factual background. The Complaints Committee dealt with the complaint in a timely manner and also set out its findings with reference to the Commission's guidance and policy documentation on consultee comments. This information was subsequently communicated to the complainant.

I was content that the internal arrangements put in place by the Commission to consider complaints from candidates are robust and that the procedures followed in handling and adjudicating on this particular complaint were correct. I did not uphold the complainant's complaint of maladministration by the Commission in the appointment process for this judicial role for the reasons set out in the paragraphs above.

However I did make a number of comments for consideration by the Commission in terms of its administrative arrangements for the future.

I had noted that it might have assisted the complainant's understanding of the process (particularly the role of consultee comments and also addressed his concern about the view taken of him by the Selection Committee) if a copy of the Draft Commission Guidance on Consultation had been made available to him. If much of that document had been included in the Commission's letter of response to him or was available in some other format, it would have made a number of issues clear to him such as the fact that consultee comments are not weighted by the attribution of marks, the rank of the consultee or the number of consultees.

I noted that there was scope for clarifying whether there should be explicit responsibility for ensuring consultee responses are received from the nominated consultees. The Commission's Guide for Candidates specifies that it is the candidate's responsibility to ensure Application forms and Equity Monitoring forms are returned by the closing date. In relation to the consultee responses, the Guide also advises candidates to seek the agreement of their consultees that they are willing and available to complete consultee forms by the date required. However I noted this date was not conveyed to the candidates nor was there any guidance to a candidate to remind their nominated consultees of the need to complete and return responses by the closing date. However candidates would also need to be aware of the closing date.

I noted that the Commission was currently undertaking a Review of its Policies and Procedures for Appointment and would be considering whether or not there should be an explicit reference to consultee reports. I suggested that in the light of this complaint and the Commission's emphasis on providing guidance to candidates, the Commission might wish to consider this matter further.

In accordance with the legislation, a draft of my report was sent to the Lord Chancellor and to the Chairman of the Northern Ireland Judicial Appointments Commission. The Lord Chancellor noted and accepted the findings of my report and agreed with the recommendation that this was an opportune time for the Commission to consider suggestions in the context of the current consultation exercise on appointment policies and procedures.

The Chairman of the Appointments Commission responded by informing me that the Commission had considered my recommendations and agreed that procedures could be improved if candidates were informed of the expected closing date for the return of consultee comments. The Commission had noted that this would allow candidates the opportunity to remind their consultees about the necessity to submit their comments on time. The Chairman also drew my attention to the fact that following a full review and consultation regarding Commission policies and procedures, it was anticipated that future changes would streamline the process for applicants and consultees as well as for Commissioners participating on selection committees.

## **Part 2**

### ***Complaints dealt with in my capacity as Temporary Ombudsman***

#### **Temporary Ombudsman's Report on an Appointment Complaint (England and Wales)**

##### **Background**

I was appointed as the Temporary Judicial Appointments and Conduct Ombudsman by the Lord Chancellor because the Judicial Appointments and Conduct Ombudsman for England and Wales considered that it would be inappropriate for him to deal with the complaint because of a potential conflict of interest. I also considered whether there were potential conflicts of interest in relation to myself and was satisfied that there were none.

The complainant applied for a judicial position in England and Wales during 2007. The complainant subsequently made a complaint concerning his unsuccessful application for appointment and the subsequent handling of his complaint by the Judicial Appointments Commission (JAC).

##### **Complaint to the Temporary Ombudsman**

The complainant noted that the JAC had made a judgement regarding his character solely on the basis of his driving offences (each of which would only have attracted a fixed penalty); had not taken account of his references and he did not understand why he had been told he could apply again in the future. The complainant had also stated that he did not understand why his character was considered sufficiently good for him to be responsible for his professional duties but not for appointment and also that he had a longstanding interest in the matters covered by the role for which he was applying.

I did not consider that the last two issues were relevant to my consideration of the complaints because they were directly related to a consideration of his suitability for appointment and I communicated this to the complainant.

##### **Information taken into account**

In considering this complaint, I took account of the letter of complaint to me; the exchange of correspondence between the complainant and the JAC; the documentation relating to the complainant's application in this competition; the Investigating Officer's Report and the Good Character Guidance issued by the JAC.

## **My Findings**

I noted that the Judicial Appointments Commission wrote to the complainant informing him that the Commission could not proceed further with his application because he did not currently meet the character requirements necessary for appointment to judicial office. The complainant's attention was drawn to the guidance (the Good Character Guidance) which had been adopted by the Commission in determining good character and what factors were taken into account.

I noted that this letter went into some detail in setting out why his disqualification from consideration as a candidate was considered the right course of action in this case. Specific reference was made to the Guidance, which refers to disqualifications and fixed penalties. It was explained to the complainant that the Commissioners considered his history of several speeding convictions during a five year period as well as the fact that he only avoided being disqualified from driving because of a plea of exceptional hardship by his employer. It was also explained in the letter that the Commission did not regard the offences as so serious as to rule him out of consideration for the future.

I also noted that the Guidance makes it clear that decisions on character grounds will usually be taken at the start of the selection exercise and if the applicant is not considered to meet the standards required, then the application will not be allowed to proceed. I noted that in a further communication with the complainant he was informed by the Commission that (as indicated on the application form and in the information pack) references were only considered later as part of the selection process.

I was content that the Commission took appropriate notice of the 'Good Character Guidance' in making their decision that the complainant's application should not proceed. I was also satisfied that the Commission appropriately communicated to the complainant how the Guidance had been interpreted both in explaining the original decision and in its response to his complaint. I was content that the complainant was treated fairly in this competition and found no evidence that he had been treated exceptionally or unfairly. I did not uphold the complaint for the reasons set out in the paragraphs above.

However in considering this complaint, I did make a number of comments for further consideration by the Commission in terms of its administrative arrangements for the future.

I noted that the Terms of Reference for the Commission's Selection and Character Committee state that:

“all Commissioners of the JAC may attend each meeting but the quorum of the selection and character committee is not less than 6 Commissioners, which is double that set out in the Constitutional Reform Act (CRA) 2005, Schedule 12, Part 1, 21, (2). It follows that there needs to be at least two judicial and two lay members (as defined under CRA 2005 Schedule 12 Part 1, (1) – (4) for the meeting to be quorate.”

I noted that where applicants wished their decisions to be reviewed then the matter was investigated by an assistant director who had not previously been involved in that particular competition, and a paper was prepared for consideration by the Selection and Character Committee. The Committee reconsiders all the information presented before making its final decision.

I noted that in relation to the complainant's application, the first meeting where his case was discussed was attended by fourteen Commissioners. The second meeting of the Committee was attended by all the Commissioners (including the fifteenth Commissioner who had not been at the previous meeting).

I noted that the Commission had made arrangements for a fresh investigative perspective to be introduced through the involvement of a different assistant director. I suggested that the Commission should consider whether there was merit in convening a different committee of Commissioners in order to consider any complaint, which may be made following initial decisions about character issues. My reason for doing so was that it might be perceived that an element of closed minds was operating because the same decision makers may be present, although I recognised that a fresh perspective was being introduced into the investigation.

As required by statute my draft report was sent to the Lord Chancellor and to the Chairman of the Judicial Appointments Commission. The Lord Chancellor, in his response agreed that it would be valuable if the Commission considered whether, when considering complaints about the decision to exclude an applicant on character grounds, the constitution of the Selection and Character Committee should differ from that which made the initial decision to exclude the applicant. The Chairman of the JAC has advised me that the Commission will consider my suggestion that it might be worth asking a different panel of Commissioners, from the one which made the original decision, to consider subsequent representations. She noted that my suggestion, if implemented, would require a change to the Commission's “established and effective ways of working”.

# **Temporary Ombudsman's Report on Conduct Complaint (England and Wales)**

## **Background**

The complainant had applied to the Judicial Appointments and Conduct Ombudsman seeking a review of the investigation by the Office for Judicial Complaints (OJC) into a complaint that had been made against a senior judge.

The Judicial Appointments and Conduct Ombudsman considered that there was a potential conflict of interest if he should proceed to investigate this complaint. In accepting this invitation by the Lord Chancellor to be appointed as a Temporary Ombudsman, I considered whether any of my other past or current public appointments constituted any actual or potential conflict of interest. I decided that they did not.

## **Complaint to the Temporary Ombudsman**

The original complaint to the OJC alleged that the judge had failed to recuse himself from a hearing in which one of the parties had a business relationship with his brother, who had also appeared in a disciplinary hearing before a professional body which was another of the parties involved.

The complaint to the Ombudsman stated that the OJC:

accepted the judge's comments at face value and did not take the complaint seriously by failing to pursue anything more than a superficial investigation; took seven months to deal with the complaint but failed to ask any in-depth or searching questions; only provided the complainant with a summary of the judge's response to the complaint and allowed the judge to discuss the merits of the court case and the merits of his decision in his response to the complaint.

It was clear from the complainant's correspondence which formulated the complaint to me that she remained concerned about the judge's decision not to recuse himself from the hearing.

These were issues which fell within the original complaint and could not form part of my investigation. As the Ombudsman I could look only at how the OJC investigated the original complaint and could not review the outcome of the previous complaint or comment on whether or not the judge should have recused himself from the hearing.

## **Information taken into account**

In considering this complaint I took account of the complainant's views as expressed in her correspondence with my office, the contents of the OJC complaint file and the evidence outlined in the Investigating Officer's report.

## **My Findings**

I considered the handling of these allegations in great detail and I was content that the OJC, the Nominated Judge,<sup>11</sup> the Lord Chancellor and the Lord Chief Justice took her complaint seriously. The fact that the OJC clearly put considerable effort into investigating a complaint about a matter that could have been dismissed immediately as being about a judicial decision or judicial case management and which related to a hearing more than twelve months previously (but which was felt to raise significant public interest issues that could no longer be considered through the appeal process) demonstrates how seriously the matter was viewed. I noted that the OJC's file contained a clear audit trail of documentation. I also noted that the key question which had been identified was not whether the judge should have made the connection between his brother and the party or between his brother's professional disciplinary hearing and the case involving the party but whether he had actually made the connection and failed to disclose the matter.

I did not see any evidence of bias. I appreciated that it would have been possible to have referred the matter for judicial investigation. This might in theory have identified evidence suggesting that the judge should have made the connection between his brother and the other party. This would not, in practice, have cast any further light on the key question with regards to the misconduct allegation. I took this view because it would have been extremely difficult to probe further the judge's statement that he had not made the connection between his brother and the party being litigated against by the complainant. There was no evidence to the contrary which could have formed the basis of any investigation.

I noted that the OJC's initial view was that the judge had not directly addressed the question as to whether he had made a connection between the hearing over which he presided, at which the professional body had been represented, and his brother's earlier appearance before the same professional body. I also noted that in this context there was a degree of uncertainty in the judge's response to the key issue in the complaint (he stated that he did not believe that he had made the connection between the party and his brother but could not be totally sure). The OJC, and subsequently the Lord Chancellor and Lord Chief Justice, accepted the Nominated Judge's advice that there was no case of misconduct to address in this case and therefore precluded any further enquiries.

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<sup>11</sup> Regulations 16 – 18 of the Judicial Discipline (Prescribed Procedures) Regulations 2006 detail the role of the Nominated Judge.

Because no further input or information was sought on these matters, it was possible to understand why the complainant might believe that the judge's comments had been taken at face value or that the OJC had failed to pursue anything more than a superficial investigation and was therefore biased. However this had to be balanced against the fact that throughout the investigation there was recognition of the serious nature of these complaints.

With regard to the complainant's concerns that the investigation took seven months to complete, I did not see any evidence to suggest that the OJC failed to progress the case as quickly as they were able to. I noted that the OJC regularly kept the complainant updated with regard to the position in the investigation.

I noted the complainant's concern that she was provided with only a summary of the judge's response to the complaint but I did not consider that she was disadvantaged by it as this summary did not exclude any of the salient issues raised. However I noted that the OJC provided the judge with a full copy of the complaint when it could also have been summarised in similar form. Whilst I did not uphold the complaint on this issue, the fact that complainants receive only a summary whilst judges receive the whole complaint raised an issue of actual or perceived equality of treatment in the provision of information. I did consider that this was an issue of future practice that the OJC should consider addressing and I am pleased that it has agreed to do so. Consistency of treatment is an important aspect of enhancing confidence in the process of complaint handling and avoiding any perceptions of bias.

I also considered that whilst it was unnecessary for the judge to volunteer comments on the decision that he reached as part of his response to the OJC about the complaint, I am satisfied that no weight was given to this. Passing these comments to the complainant was consistent with the OJC's policy of disclosing as much information as possible to the complainant. It would, however, have been helpful if the OJC had also made it clear to the complainant that these comments played no role in the decision to dismiss the complaint and also that no consideration had been given to the merits of the court case. I think that this is an issue of future practice that the OJC should consider addressing and I am pleased that it has agreed to do so.

I was satisfied that the Lord Chancellor and the Lord Chief Justice followed the correct procedures in dismissing the complaint under regulation 26 (1) (a) of the Judicial Discipline (Prescribed Procedures) Regulations 2006. I also noted that the OJC's correspondence to the complainant clearly explained the reasons for dismissing the complaint under Regulation 26(1) (a).

I did not believe that the investigation into the issues raised in this complaint amount to maladministration or render unsafe the decision to dismiss the complaint. I did raise issues in terms of future practice as discussed above and I am pleased that the OJC has agreed to consider them.

My report, in draft, was issued to the Lord Chancellor and Lord Chief Justice, as required under section 112 of the Constitutional Reform Act 2005. Both have noted my decision and have made no further comments before the final report was issued.

# Chapter 4

## Themes arising from Complaints

The previous chapter has covered in some detail the four complaints that have been considered by me during the past year. Each of them has raised different themes which are set out below.

When I considered the complaint made against the Northern Ireland Court Service, I was pleased to see that there were a number of good practice points. The Court Service response to the complainant was expeditious, accepted an overall responsibility for handling correspondence to the judiciary, made an apology and explained to him that new procedures had been introduced in order to ensure that there was no repetition. This exemplifies good complaint handling as promoted by such organisations as the British and Irish Ombudsman Association.

The same complainant also made an associated complaint (in relation to the same competition) to the Northern Ireland Judicial Appointments Commission. I was pleased to see that the Commission's arrangements to consider complaints ensure that a different Committee to that involved in the selection decisions is responsible. This ensures that any perceptions of unfairness or closed minds can be demonstrably refuted.

Although there is no explicit policy or procedure document relating to follow up of, as opposed to late consultee reports which was the essence of this particular complaint, the Commission's response to my Office set out the policy and guidance frameworks relating to this particular competition. The Commission does not pursue any consultee responses which are outstanding and neither does it give specific guidance to the candidate to ensure that consultee forms have been received by consultees or have been returned by the closing date. I was pleased to note that the Appointments Commission will address this in future competitions by ensuring that candidates will know when the deadline for responses is and will therefore be able to remind their consultees.

The Appointments Commission is currently consulting about its appointment procedures in general and will be taking the opportunity to consider and possibly introduce further changes. This is a welcome development because it not only allows the Commission the

opportunity to stand back and look at what has been happening in the competitions which it has administered to date, but also to take note of any external perceptions and to inform a wider public of its role. This is essential for ensuring public confidence in the overall integrity of the judicial appointments process in Northern Ireland.

However one aspect of this complaint which gives me some cause for concern was the length of time from the receipt of the complaint to my Office to the issue of the final report (approximately six months). I understand that the Commission was undergoing a period of considerable change in its senior management structure during this time which may have contributed to the delays. Given the recent agreement of a Memorandum of Understanding between the Commission and my Office, I look forward to working with the Commission in the future in order to avoid any repetition of this. Confidence in any complaints process has a high correlation with an expeditious response and it is accepted good practice if complainants can have explicit expectations of the timescales within which their complaints could be finalised.

When considering the two England and Wales complaints, I am conscious that these covered two different aspects – namely judicial appointments and judicial conduct.

Whilst the judicial appointments complaint in the England and Wales context was not upheld I did draw the attention of the Lord Chancellor and the Chairman of the Judicial Appointments Commission to the fact that I thought there may be some merit in considering the arrangements for complaints, specifically to the composition of the panel considering the complaint. I had noted that during the handling of this complaint by the Commission the composition of the Selection and Character Committee (which initially considered the complainant's application and then his complaint) was largely the same. Whilst I was satisfied that no maladministration occurred in this instance, I noted that this was an issue which could be considered further by the Commission in order to avoid any external perceptions of closed minds or potential conflicts of interest.

A major determinant in my decision not to uphold the complaint was that a fresh investigation was undertaken by another official who had not been involved in the appointment process. However it is important to consider not just the issue of perceptions and fairness in terms of investigation but that a different college of commissioners could (in theory) come to a different decision. The appearance of fairness is as important as achieving fairness itself.

The fourth complaint concerns judicial conduct, which is not part of my remit in the Northern Ireland context, but was considered by myself when acting as a Temporary Ombudsman in the England and Wales context.

Allegations such as those within this particular complaint could have implications for public confidence in a senior member of the judiciary in particular and the judiciary as a whole. It is therefore important that any process which is reviewed does not provide scope for any perceptions that the investigation process was biased or cast doubt on their rigour. This is particularly the case in circumstances where it might appear to a complainant that the word of the judicial office holder complained against has been given greater weight than his or her statement of concerns.

I was pleased to note that the Office of Judicial Conduct readily accepted my suggestion that future correspondence to the judges complained of and complainants should be on a basis of parity. Although this particular complaint was not upheld, the general point was again one of good administrative practice, namely consistency and equal treatment. Similarly it is not appropriate for judges who are subject of a complaint to express their views about matters such as the merits or otherwise of proceedings involving the complainant. It is important to focus on the matters under consideration.

These are matters for the bodies concerned to consider. As Ombudsman I cannot stipulate what changes, if any, should occur. However a key issue which is common to all these complaints is; what do complainants and the wider public perceive is happening and how does this relate to best practice in complaint handling?



# Appendices

# Appendix 1



Mr Karamjit Singh took up his office on 25 September 2006. His earlier career has covered academia, the voluntary sector and local government. Since January 2001 he has held a corporate United Kingdom wide role on the Electoral Commission and currently has a special responsibility for the English regions. He was previously the Electoral Commissioner with a special interest in Northern Ireland matters (2001 – 2007). He also chairs an NHS Trust in the West Midlands and serves as a non legally qualified member of the Queens Counsel Selection Panel for England and Wales.

Mr Singh's previous public appointments in England and Wales have covered such areas as investigating suspected miscarriages of justice, adjudicating on parole applications, investigating complaints against the police, judicial training, regulation of financial services and recruitment to senior civil service positions.

His voluntary interests include being a Trustee of the British Lung Foundation and organising a medical camp in India each year. He has previously been a Trustee of the Citizenship Foundation and the Lloyds TSB Foundation for England and Wales. During 1990-1991 he was awarded a mid career Harkness Fellowship to the United States with a focus on the relationships between institutions and their communities.

He was awarded the CBE in 1999 for services to the administration of justice.

# Appendix 2

## SCHEDULE 1

### **LISTED JUDICIAL OFFICES – these roles all come within the remit of the Judicial Appointments Commission**

#### Section 2

Judge of the High Court

Temporary judge of the High Court

County court judge

Deputy county court judge

Resident magistrate

Deputy resident magistrate

Coroner

Deputy coroner

Statutory officer

Deputy for a statutory officer

Temporary additional statutory officer

Chief Social Security Commissioner for Northern Ireland

Social Security Commissioner for Northern Ireland

Deputy Social Security Commissioner for Northern Ireland

Chief Child Support Commissioner for Northern Ireland

Child Support Commissioner for Northern Ireland

Deputy Child Support Commissioner for Northern Ireland

President of appeal tribunals

Member of the panel of persons to act as members of such appeal tribunals

Chairman of an Appeal Tribunal for the purposes of the Adoption (Northern Ireland) Order 1987

Member of the panel of persons who may serve as chairmen of the Care Tribunal

President of the Industrial Tribunals and the Fair Employment Tribunal

Acting President of the Industrial Tribunals and the Fair Employment Tribunal

Vice-President of the Industrial Tribunals and the Fair Employment Tribunal

Acting Vice-President of the Industrial Tribunals and the Fair Employment Tribunal

Member of the panel of chairmen of the Industrial Tribunals

Member of the panel of chairmen of the Fair Employment Tribunal

President of the Lands Tribunal for Northern Ireland

Deputy President of the Lands Tribunal for Northern Ireland

Other member of the Lands Tribunal for Northern Ireland

Temporary member of the Lands Tribunal for Northern Ireland

President of the Special Educational Needs [and Disability] Tribunal for Northern Ireland

Member of the panel of persons who may serve as chairman of that Tribunal

Member of the tribunal established under section 91 of the Northern Ireland Act 1998 (c 47)

Member of the Mental Health Review Tribunal for Northern Ireland

Lay magistrate

Member of the panel of persons who may serve as chairmen of a tribunal established for the purposes of the Deregulation (Model Appeal Provisions) Order (Northern Ireland) 1997

Chairman of a Tribunal appointed under paragraph 1(1)(a) of Schedule 3 to the Misuse of Drugs Act 1971

Member of a Tribunal appointed under paragraph 2(1) of the Schedule to the Pensions Appeal Tribunals Act 1943

President or Deputy President of Pensions Appeal Tribunals

Chairman of the Plant Varieties and Seeds Tribunal

Member of the panel of persons to act as chairmen of the Reserve Forces Reinstatement Committees

Member of the panel of persons appointed under section 6(1) of the Tribunals and Inquiries Act 1992 to act as chairmen of tribunals that sit in Northern Ireland

Member of the panel of chairmen of VAT tribunals for Northern Ireland

Northern Ireland Valuation Tribunal Members

[General Commissioner for a division in Northern Ireland (appointed under section 2 of the Taxes Management Act 1970)] – not yet enacted.

## Appendix 3

### Meetings and functions attended:

During the period covered by this report the Ombudsman or his staff attended the following functions and meetings in addition to a small number of meetings that are connected with the issues discussed in the first Annual Report. These individuals are listed in Appendix A to the first Annual Report.

26th and 27th April 2007:	British Irish Ombudsman's Association (BIOA) Bi-annual Conference.
1 May 2007:	Seminar at Scottish Public Services Ombudsman's Office.
22 May 2007:	Attendance at meeting of the Diversity Committee of the Northern Ireland Judicial Appointments Commission.
5 September 2007:	Meeting with the Minister, Mr David Hanson MP and Mr David Lavery, Director of the Northern Ireland Court Service.
5th September 2007:	Reception to mark the opening of Northern Ireland legal year.
7th/9th September 2007:	British Irish Association Conference.
10 October 2007:	Meeting with Mr David Lavery and other court officials.
26 October 2007:	Northern Ireland Law Society Annual dinner.
31 October 2007:	The Northern Ireland Council for Ethnic Minorities Annual General Meeting.
30 November 2007:	Attendance at working group on "First Contact" organised by BIOA.
11 February 2008:	Board meeting of the Judicial Appointments Board for Scotland.
Various dates:	Offices of the Judicial Appointments and Conduct Ombudsman for England and Wales.

# Appendix 4

## Expenditure

In the period 1 April 2007 – 31 March 2008 the expenditure of the Office of the Northern Ireland Judicial Appointments Ombudsman was **£ 108,862** made up as follows:

<b>Salaries</b>		<b>£57,447</b>
Ombudsman	£15,716	
Secretariat	£41,731	
<b>Travel and subsistence</b>		<b>£5,648</b>
<b>Design &amp; Printing</b>		<b>£4,159</b>
<b>Office running costs:</b>		<b>£41,608</b>
Rent and Rates	£22,969	
Service Charges – rented building	£6,558	
Managed Services	£5,228	
Other Costs: e.g. Electricity, Telephone, Office Machinery Leases.	£6,853	

# **Appendix 5**

## **HOW TO CONTACT THE OMBUDSMAN**

Telephone:  
**028 9072 8930**

Fax:  
**028 9072 8936**

Write to:  
**Northern Ireland Judicial Appointments Ombudsman  
6th Floor  
Bedford House  
Bedford Street  
BELFAST  
BT2 7DS**

Visit the Website at:  
**[www.nijao.gov.uk](http://www.nijao.gov.uk)**

If you would like additional copies of this Annual Report please contact the Office of the Northern Ireland Judicial Appointments Ombudsman.

Copies can also be obtained from our website.

Printed in the UK for The Stationery Office Limited  
on behalf of the Controller of Her Majesty's Stationery Office  
PC2258 06/08

Printed on paper containing minimum 75% fibre content



Published by TSO (The Stationery Office) and available from:

Online  
[www.tsoshop.co.uk](http://www.tsoshop.co.uk)

Mail, Telephone, Fax & E-mail  
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0870 606 5566 Fax 0870 606 5588

TSO@Blackwell and other Accredited Agents

