

**Office of the Northern Ireland Judicial
Appointments Ombudsman**

**Freedom of Information
Publication Scheme**

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Part 1: Introduction

1. Role of the Northern Ireland Judicial Appointments Ombudsman

The role of the Northern Ireland Judicial Appointments Ombudsman was established under the provisions of the Constitutional Reform Act 2005 and came into effect on 25 September 2006. The Ombudsman is completely independent of Government and the judiciary. The functions of the role are set out in the Constitutional Reform Act 2005¹ and provide for the Ombudsman to investigate complaints from applicants for judicial appointments where maladministration or unfairness is alleged to have occurred in the process by:

the Northern Ireland Judicial Appointments Commission or Committees of the Commission;
the Northern Ireland Court Service or
the Lord Chancellor.

In addition, the Ombudsman may also investigate, determine and make recommendations on matters referred to the Ombudsman under the Act, by the Lord Chancellor.

In investigating a complaint the Ombudsman aims to be impartial, accessible and effective within the limits of his authority. In so doing he has a duty of care equally to complainants and those complained about. In the event of maladministration the Ombudsman will seek redress and through recommendation and constructive feedback aim to improve standards and practices in the authorities concerned.

2. Freedom of Information Act 2000: Introduction

The Freedom of Information (FOI) Act 2000² (the Act) received Royal Assent on 30 November 2000. It establishes a **general right of access to all types of recorded information held by public authorities**, sets out exemptions from that right and places a number of obligations on public authorities. The Act applies to a huge number of public authorities. Access rights under the Act entitle you, on making a request for information (unless the information falls under one of the specific exemptions in the Act):

- (a) to be informed in writing by the office whether it holds information of the description specified in your request, and
- (b) if that is the case, to have that information communicated to you.

¹ Sections 124 to 132 and Schedule 15

² (c.36). Copies of the Act are obtainable, for a charge, from the Stationery Office. A copy of the Act is also available via HMSO website at www.legislation.hmsso.gov.uk

The Act provides for a time limit for dealing with a request for information – that is, within 20 working days. The Act also provides for an appeal mechanism whereby you may apply to the Information Commissioner for a decision as to whether we dealt with a specified request in accordance with the Act.

We may charge a fee for processing Freedom of Information requests. The fee is prescribed by secondary legislation.

Full access rights under the Freedom of Information Act came into force on 1 January 2005.

3. Publication Scheme: Introduction

Under the Freedom of Information Act 2000 all public authorities are obliged to adopt and maintain a Publication Scheme specifying -

- classes of information which they publish or intend to publish
- the manner in which the information is or is intended to be published; and
- whether the material is or is intended to be made available to the public free of charge or on payment.

The purpose of the Publication Scheme is to ensure that a large amount of information is readily available to members of the public, i.e. without the need for specific consideration under the Freedom of Information Act, and to inform the public of the extent of material that is available.

By readily available, we mean that the information is available on our website, or will be supplied immediately on receipt of a letter or telephone call.

Part 2 below sets out the **classes** of information that the Office of the Northern Ireland Judicial Appointments Ombudsman publishes or intends to publish.

4. Responsibility for the Publication Scheme

The Secretariat to the Ombudsman has overall responsibility for the Publication Scheme.

The person responsible for ***maintaining*** the Publication Scheme on a daily basis is:

Audrey Fowler
Office of the Northern Ireland Judicial Appointments Ombudsman

5. Publication Scheme: Contacting the Northern Ireland Judicial Appointments Ombudsman

A copy of any of the publications contained within the scheme can be obtained from Audrey Fowler at,

Office of the Northern Ireland Judicial Appointments Ombudsman
6th Floor Bedford House
Bedford Street
Belfast
BT2 7DS

Telephone: 028 90728932

Fax: 028 90728936

6. How much do publications cost?

The publications are all free unless otherwise stated.

7. Copyright

The Northern Ireland Judicial Appointments Ombudsman may produce information which is subject to Crown copyright, which is administered by Her Majesty's Stationery Office. The copyright in some of the material which may be found in this Publication Scheme has been waived, meaning you can reproduce this material freely. Categories of material for which copyright has been waived include: press notices, legislation and explanatory notes on the legislation, consultation documents, documents featured on official websites (except where expressly indicated otherwise), headline statistics and unpublished public records. More details of these and other categories can be found at the [HMSO website](#). For other types of material however, the supply of documents under Freedom of Information does not give the person or organisation who receives them an automatic right to reuse the documents in a way that would infringe copyright, for example, by making multiple copies, publishing and issuing copies to the public.

Brief extracts of any of the material included in this Publication Scheme may be reproduced under the fair dealing provisions of the Copyright, Designs and Patents Act 1988 (sections 29 and 30) for the purposes of research, private study, criticism, review and news reporting.

Details of the arrangements for reusing Crown copyright material can be found on [HMSO's website](#) or by contacting HMSO at:

HMSO Licensing Division
St Clements House
2-16 Colegate

Norwich
NR3 1BQ

Tel: 01603 621000

Fax: 01603 723000

e-mail: hmsolicensing@cabinet-office.x.gsi.gov.uk

Authorisation to reuse copyright material not owned by the Crown should be sought from the copyright holders concerned. If in doubt, users should contact HMSO in the first instance.

8. Comments and complaints about the Publication Scheme

If you have any comments about our Publication Scheme or if you think we have not supplied information in accordance with our scheme then you should write, in the first instance, to:

Audrey Fowler
Office of the Northern Ireland Judicial Appointments Ombudsman
6th Floor Bedford House
Bedford Street
Belfast
BT2 7DS

Telephone: 028 90728932

Fax: 028 90728936

If, after the investigation of your complaint, you remain dissatisfied then you may ask for the matter to be reviewed internally. If you are still dissatisfied then you may refer your complaint to the Information Commissioner.

We aim to deal with the investigation of complaints within twenty working days and we aim to complete internal reviews also within twenty working days.

9. Review of the Publication Scheme

We will review our Publication Scheme between June and December 2008 and annually thereafter.

Part 2: Classes of Information

The publication scheme is a complete guide to the information routinely published by the Office of the Northern Ireland Judicial Appointments Ombudsman. It is not a list of

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the actual publications, since this will change as other things are published but rather it is a description of the classes or types of information published.

Information that falls into the classes below will be retained in line with Public Record Office guidance.

Class: Information leaflet
Definition: Provides general information on the role of the Northern Ireland Judicial Appointments Ombudsman.
Format available: Hard Copy, Soft Copy.

Class: Complaints Leaflet; complaints handling
Definition: Provides information on the steps involved in conducting a complaint about judicial appointment.
Format available: Hard Copy. Soft copy.

Class: Role, profile and powers of the Ombudsman
Definition: Provides information on the role of the Ombudsman, profile of the Ombudsman, powers of the Ombudsman, contact details and links to other relevant websites
Format available: Website: www.nijao.gov.uk

Class: Annual Report
Definition: Details the Ombudsman's activities for the preceding year and is laid before Parliament.
Format available: Hard Copy, Soft Copy.