



**NORTHERN IRELAND  
JUDICIAL APPOINTMENTS COMMISSION**

**Equal Opportunities Policy**

**“Selecting the Best Applicants and  
Promoting Diversity”**

## INDEX OF CONTENTS

	Page Number
<b>1. Rationale</b>	<b>3</b>
<b>2. Principles</b>	<b>4</b>
<b>3. Policy Objectives</b>	<b>5</b>
<b>4. Implementation</b>	<b>6</b>
<b>5. Scope of the Policy</b>	<b>7</b>
<b>6. Monitoring and Review</b>	<b>7</b>
<b>7. Complaints</b>	<b>8</b>

## 1. Rationale

The aim of this policy is to communicate the commitment of the Northern Ireland Judicial Appointments Commission (NIJAC) to the promotion of equality of opportunity in line with its statutory remit for the selection of persons for appointment by NIJAC, and recommendation to the Lord Chancellor for appointment, to Judicial Office.

It is NIJAC's policy to have due regard to the need to promote equality of opportunity to all applicants in the assessment and selection process described in Section 75 of the Northern Ireland Act 1998 as:

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependants and persons without.

The promotion of equality must be irrespective of:

- Gender (including sex, pregnancy, maternity leave, gender re-assignment);
- Marital status and civil partnership status;
- Religious belief or political opinion;
- Race;
- Age;
- Sexual orientation.

NIJAC recognises that the provision of equal opportunities in assessment and selection to judicial office, is not only good employment practice, but aims to encourage the widest pool of applicants to make application for judicial office.

This policy sets out the framework for the provision of equality of opportunity in the assessment and selection process for judicial office and is intended to ensure the elimination of all forms of unlawful and unfair discrimination.

All applicants will be treated fairly and will not be discriminated against on any of the above grounds. Decisions about assessment and selection to judicial office will be made objectively and solely on the basis of merit.

All appointments to judicial office are underpinned by the core principles outlined below to demonstrate a real commitment to equality of opportunity.

## 2. Principles

The Commissioners of NIJAC are appointed to provide a high quality service to the people of Northern Ireland by selecting the best applicants for judicial office.

This equal opportunities policy is central to that goal and additionally aims to encourage applicants from the widest possible pool of eligible applicants.

NIJAC seeks to maintain confidence in the judicial appointments process by operating a system based on the following principles:

### **Principle 1: Merit**

The Commissioners uphold the belief that the operation of the merit principle is central to ensuring any recommendation for judicial appointment is fit for purpose and that selection for judicial office should be through open and fair competition.

The merit principle aligns itself with the promotion of equality of opportunity in the assessment and selection process.

### **Principle 2: Fairness and Accountability**

All assessment and selection processes and practices adopted by NIJAC will be fit for purpose and consistent with the merit principle. All processes and

selection decisions will operate in a fair, consistent and non biased manner in the pursuit of selecting the best applicant for judicial office. They will be based on a range of assessment tools and methods and assessment against job related criteria that assist in providing applicants with an opportunity to demonstrate that they possess the criteria necessary to undertake the responsibilities of the office.

**Principle 3: Transparency and Openness**

NIJAC wishes to promote confidence within the community and interested parties in communicating the assessment and selection process that it adopts. NIJAC continually strives to provide information regarding its assessment and selection processes to encourage the widest pool of applicants for judicial office.

**Principle 4: Diversity**

NIJAC is committed to providing the community, so far as is reasonably practicable to do so, with a judiciary that reflects the community in Northern Ireland. NIJAC will continue to actively encourage a diverse applicant pool for judicial appointments through the ongoing implementation of its Programme of Action which includes:

- tailored Outreach Plans for all competitions;
- working with others to promote and enhance understanding of judicial opportunities; and
- extending our understanding of the challenges and barriers to achieving Judicial diversity and doing what we can to alleviate or eliminate.

<b>3. Policy Objectives</b>
-----------------------------

NIJAC identifies the following commitments as its objectives to achieve and maintain equality of opportunity through its policies, practices and procedures.

NIJAC is committed to:

- promoting equality of opportunity for all applicants for judicial office;
- preventing occurrences of unlawful direct discrimination, indirect discrimination, harassment and victimisation regarding the assessment and selection process;
- fulfilling all our legal obligations under equality legislation and associated codes of practice;
- implementing the Programme of Action as part of NIJAC's strategic approach to diversity and communications;
- embedding the principles of this policy in other related policies, practices and procedures to ensure selection processes are demonstrably fair and underpinned by our commitment to equality of opportunity; and
- regarding all breaches of equal opportunities policy as a serious matter and taking appropriate action.

#### **4. Implementation**

The Commissioners, staff and those acting on NIJAC's behalf have specific responsibility for the effective implementation of this policy and promotion of equality in the application of its procedures.

In order to implement this policy we shall:

- communicate the policy to applicants, Commissioners, staff, Consultees and relevant others (such as those members co-opted to Selection Committees);
- incorporate specific and appropriate duties in respect of implementing the Equal Opportunities Policy in respect of all Selection Committee Chairpersons, members and staff;
- apply the requirements, committed to under this policy, to all other policies, practices and procedures relevant to NIJAC and the dispatch of its business;

- provide recruitment, selection and equality training and guidance as appropriate to all those involved in the assessment and selection process;
- ensure that those who are involved in assessing applicants for appointment will be trained in non-discriminatory selection techniques;
- incorporate our Equal Opportunities Statement into general communication practices (e.g. Information Packs, Website etc);
- highlight NIJAC's Equal Opportunities Policy to other persons or organisations assisting NIJAC with the assessment and selection process to enable them to comply with the policy; and
- seek to ensure that adequate resources are made available to fulfil the objectives of the policy.

## **5. Scope of the Equal Opportunity Policy**

The Equal Opportunities Policy applies to all those applying for appointment to judicial office through NIJAC and those persons involved in the process of selection, i.e.

- Applicants for Judicial Office;
- Commissioners;
- Staff of NIJAC; and
- Any other persons and organisations required to act on behalf of NIJAC in the assessment and selection process.

## **6. Monitoring and Review**

NIJAC will establish and maintain appropriate information and monitoring systems to assist the effective implementation of the Equal Opportunities Policy.

The Equal Opportunities Policy will be reviewed tri-annually and action taken as necessary.

The Annual Report published by NIJAC will provide information regarding equality monitoring.

## **7. Variation to Policy**

NIJAC may, at any time and at its discretion, vary, amend or make reasonable adjustments to this policy or to its procedures and practices implementing this policy, if it considers that this is reasonably necessary to undertake its statutory responsibilities.

## **8. Complaints**

All complaints will be seriously considered and dealt with promptly and confidentially, in accordance with NIJAC's Complaints Procedure.

Every effort shall be made to ensure that applicants who make complaints will be given an opportunity to have their complaints fully investigated. NIJAC assures applicants that they will not be victimised for bringing a complaint.

Applicants who wish to make a complaint can contact NIJAC in writing in accordance with NIJAC's Complaints Procedure. A copy of this procedure is available from NIJAC's offices at;

Northern Ireland Judicial Appointments Commission  
Head Line Building  
10-14 Victoria Street  
Belfast  
BT1 3GG

A copy is also available on NIJAC's website at [www.nijac.gov.uk](http://www.nijac.gov.uk)

Tel: 028 90569100

E mail: [judicialappointments@nijac.gov.uk](mailto:judicialappointments@nijac.gov.uk)

Complaints can also be made to the Northern Ireland Judicial Appointments Ombudsman's office who assumed its responsibilities under the provisions of the Constitutional Reform Act 2005.



The Ombudsman is completely independent of the Government and the judiciary and investigates complaints from applicants where maladministration / unfairness are alleged to have occurred in the process.

Office of the Northern Ireland Judicial Appointments Ombudsman

C/o Northern Ireland Courts and Tribunals Service  
Laganside House  
23-27 Oxford Street  
Belfast  
BT1 3LA

Telephone: (028) 90728930

In addition to our internal and statutory procedures applicants have the right to seek advice and support from the Equality Commission (contact details below) or the right to pursue complaints of discrimination regarding equality of opportunity to an Industrial Tribunal or the Fair Employment Tribunal.

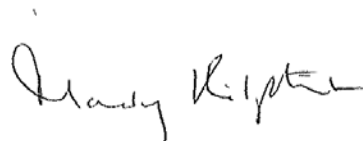
The Equality Commission  
Equality House  
7-9 Shaftesbury Square  
Belfast  
BT2 7DP

Telephone 028 90500600  
Text phone 028 9050 0589 (for deaf and hard of hearing users only)  
Email [information@equalityni.org](mailto:information@equalityni.org)

This Equal Opportunities Policy has been adopted by the Policy Committee of the Northern Ireland Judicial Appointments Commission with effect from 06 May 2014.

This Policy will be known as the 'Equal Opportunities Policy' and has the Policy Ref: C44/14 and will be reviewed in October 2017

Signed:



Mandy Kilpatrick, Chief Executive

9 October 2014