



Ombudsman's Report

2023-2024

Building trust in public services at a time of challenge



Northern Ireland
Public Services
Ombudsman



An illustration on the left side of the page shows a city street scene. In the foreground, two construction workers wearing orange safety vests and blue hard hats are working on a road. One worker is standing near a red and white traffic cone, while the other is looking towards a large, grey, multi-story building in the background. The sky is light blue with a few white clouds. The overall style is clean and modern.

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Foreword from the Ombudsman

I am pleased to introduce my Ombudsman's Report for 2023-2024. NIPSO has a unique role in providing access to justice for individual citizens, who have a complaint about a public body. Our service is free, impartial and accessible and our work contributes to improved accountability, fairness, and transparency within public services.

While our investigations seek to provide redress for individual complaints, they can also identify systemic issues within public services and make recommendations for improvement. During 2023/24 we saw a substantial increase in our complaints from the previous year with an overall increase of 12% and complaints having more than doubled since our establishment under new legislation in 2016. 2023/2024 has been a challenging time for public services in Northern Ireland. The significant budget pressures on our public services are well documented, the impact of which is acutely demonstrated by the long health care waiting lists experienced by too many citizens. Across public services and perhaps particularly in health and social care, there has been an unprecedented, reported level of dis-satisfaction and stress among staff. Correspondingly, annual surveys show lower levels of public trust in services among citizens. The most recent Deloitte 'State of the State' report shows trust in government across the UK drifting downwards especially when it comes to delivery and unfortunately Northern Ireland continues to report the lowest level of trust in the UK. Pressure on budgets can mean that public services cannot always deliver how they would wish but nonetheless upholding standards remains important. Maintaining and improving trust in public services is critical and when something goes wrong or someone complains, it is an opportunity to improve trust. When public bodies take complaints seriously, confidence in the services they provide increases and levels of trust go up. However, when complaints are ignored or given a low priority, distrust sets in, confidence is undermined, and people can become disillusioned with public services.

Financial pressures are not an excuse for a lack of empathy or candour on the part of a public service. Resolving complaints as early as possible is much more effective and less costly than an elongated complaints process. In this report I am reflecting on the importance of improving and building public trust through robust investigation and meaningful learning from complaints. This has included the critical role of complaints as an early warning system in improving patient safety, the vital importance of complaints and engagement with local communities on the environment and the importance of listening to complaints from some of the most vulnerable in our society, particularly those who may be experiencing housing difficulties.

More broadly this year we have also focused on introducing statutory complaints standards for public bodies. A simplified, straightforward complaints approach that should make it easier for the public to complain and encourage public bodies to resolve complaints as early as possible. This is fundamental to improving trust in our public services.

Moving towards a public sector culture which is open to learning from inquiries and complaints is essential to gain and maintain public trust and confidence. Mistakes and errors are unfortunately a part of life and can never be fully eradicated. However, together we must move from a culture which is sometimes defensive with a lack of openness towards a culture which values complaints as an opportunity to learn and prevent future harm.



Margaret Kelly
Ombudsman

Health and Social Care

For example, Hospitals, GP's and Care Homes



Housing

Housing Executive and Housing Associations



Education

All schools, colleges and universities



Local Government

All 11 Local Councils



Central Government

All 9 Northern Ireland Government Departments and their Agencies



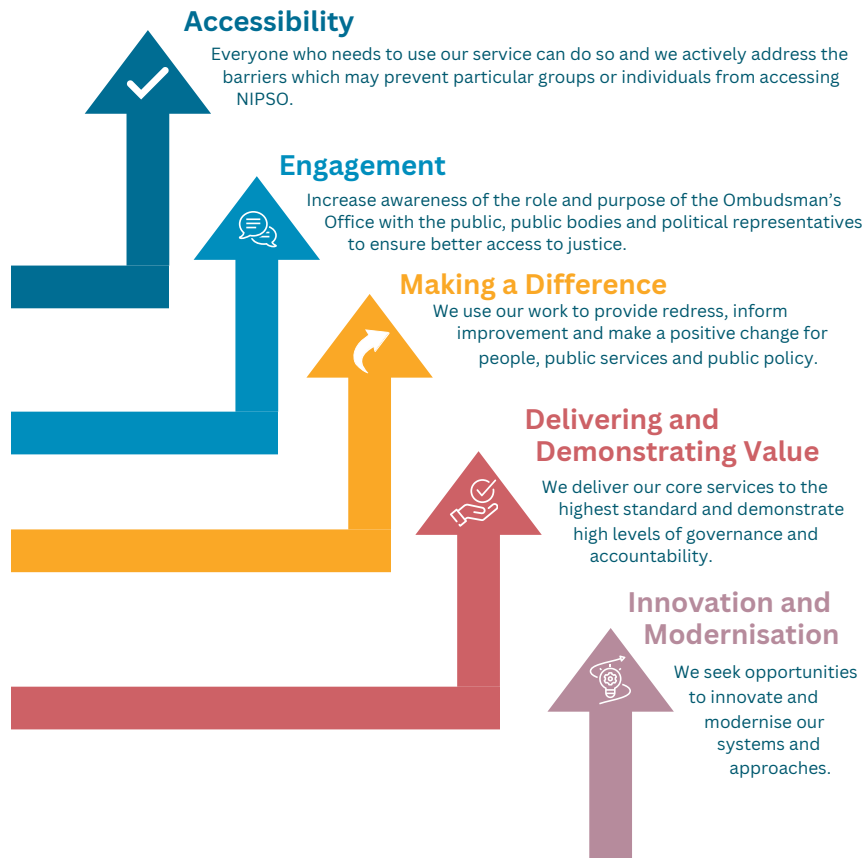
What we do

We investigate unresolved complaints about public service providers in Northern Ireland. Following our investigations we may decide either that a public body acted reasonably, or that it behaved unfairly. If we find failings we will ask the body to put things right.

We promote good administration in public bodies and help improve public services by making recommendations to try and prevent mistakes being repeated. The complaints we receive can be broadly broken down into five main sectors.

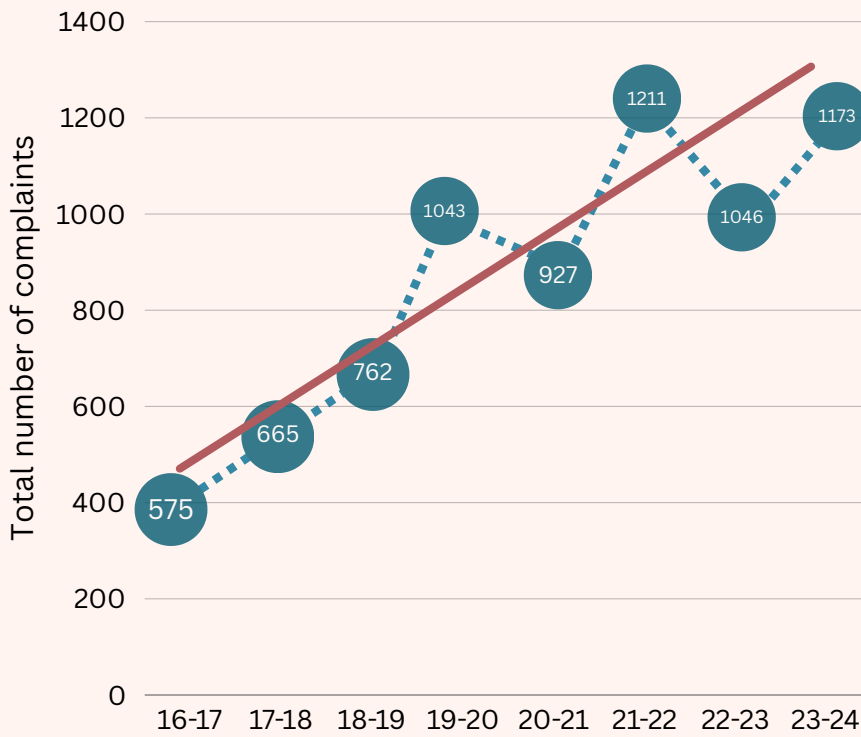
Strategic Themes

Our five strategic themes connect and drive all our work across our different functions. We ensure that we embed our values and approach across each. In these challenging times for our public sector it is pertinent in maintaining public trust and confidence that our work reflects the ethos of these themes and our values:



SECTION 1: The Year in Numbers

Graph showing trend in number of complaints received since 16-17



1173

complaints received

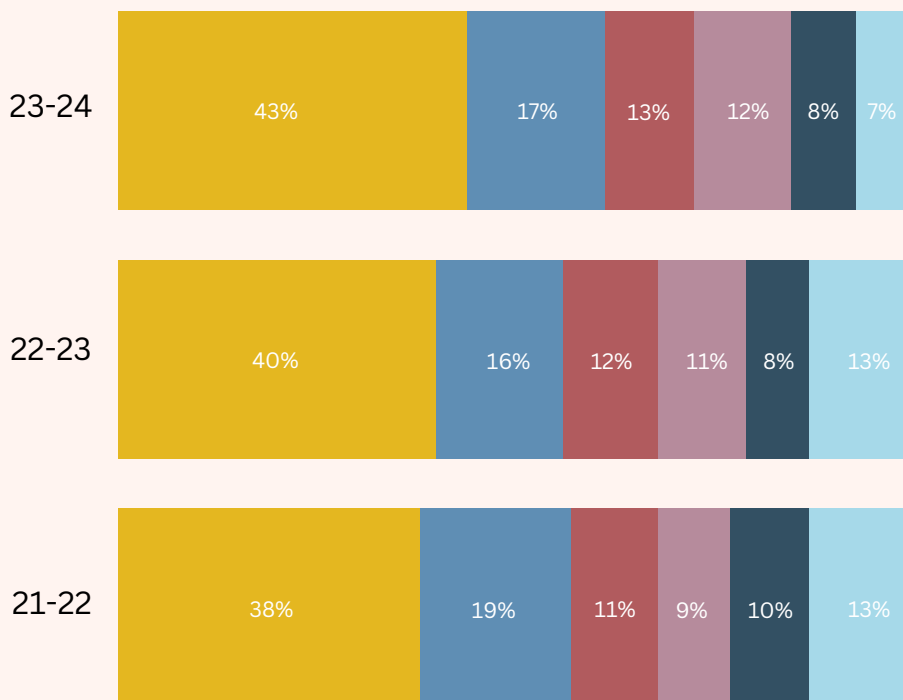
This is **more than double** the number of complaints we received when we were established in 2016

As shown in this graph, we continue to see a **steady increase** in the number of complaints received annually

1232

enquiries received

■ HSC
 ■ Govt Depts
 ■ Edu
 ■ Housing
■ Local Govt
 ■ Other



This graph shows the **breakdown of total complaints received by sector** for each of the past 3 years

Health & Social Care complaints continue to account for almost half of our total complaints received

SECTION 2: Our Investigations

Highlighting opportunities to improve trust within public services through the investigation of complaints

Health and Social Care

For example, Hospitals, GP's and Care Homes



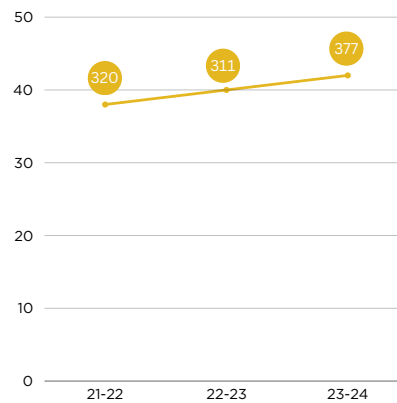
Our public services are under significant pressure and despite a number of reviews and recommendations, our health system continues to operate in crisis, with an unprecedented reported level of dissatisfaction and stress among HSC staff and practitioners. This in-turn has led to a decrease in public trust in our health service.

When something goes wrong, it is an opportunity to be open and honest, to involve patients and families, and to rebuild trust. However, it remains the case that too often we see a defensiveness within the system. Patients and families who approach NIPSO continue to experience a lack of candour or support, and report a lack of compassion or empathy, compounding their trauma.

Total Health Trust Complaints	21-22	22-23	23-24
Belfast Health & Social Care Trust	86	110	102
Northern Health & Social Care Trust	74	58	74
South Eastern Health & Social Care Trust	47	57	63
Southern Health & Social Care Trust	48	39	69
Western Health & Social Care Trust	62	47	64
Northern Ireland Ambulance Service Trust	3	0	5
Total	320	311	377

377

complaints about
HSC Trusts 23-24



Percentage of overall complaints that relate to Health & Social Care over the past 3 years

Total other Health Complaints	21-22	22-23	23-24
General Practitioners	68	59	79
Independent HSC Provider	13	6	14
Private Nursing/Care Home	10	13	14
Dentists	14	11	12
Business Services Organisation	4	7	1
Pharmacists	1	1	1
Other	1	7	5
Total	111	104	126

126

complaints about
other health providers 23-24

¹ GMC, The state of medical education and practice in the UK Workplace Experiences 2024

SECTION 2: Our Investigations

Highlighting opportunities to improve trust within public services through the investigation of complaints

Health and Social Care

For example, Hospitals, GP's and Care Homes



Northern Ireland has had the need for too many public inquiries for such a small jurisdiction and too many times promises to 'learn the lessons' have not been fulfilled.

Health & Social Care complaints continue to account for the largest portion of our overall complaints received, increasing year-on-year. Many of the complaints we receive highlight **the need to prioritise patient safety to rebuild trust and confidence** in our health service.

Our office is committed to drawing attention to the significant issue of patient safety and public trust and in March this year we held a Patient Safety Conference. We were delighted to have participation from key staff members within Health and Social Care, including HSCT Chief Executives, Directors, Department of Health senior officials and the Minister of Health.



Ombudsman Margaret Kelly with Robin Swann (DoH Health Minister), Sir Robert Francis KC (Keynote Speaker) & Sean Martin (Deputy Ombudsman)



'Patient Safety - Public Trust' Conference report will be published later this year.

'Complaints, patient feedback, and raising concerns have proven to be a reliable indicator of safety issues... A Patient Safety Strategy setting out how our health system is prioritising safety and involving patients in the process would provide reassurance and help build public trust in a health system that is committed to being patient centred.'



Ombudsman Margaret Kelly speaking at the conference.

Health and Social Care

For example, Hospitals, GP's and Care Homes



Northern Health & Social Care Trust

We received a complaint about the care and treatment provided to a patient by the NHSCT. The complainant was not satisfied that her mother's symptoms were fully diagnosed prior to her discharge from hospital. The investigation did not find failings about the assessments conducted to formulate the post-discharge care plan, however it established that **the patient should not have been discharged from hospital** without fully exploring a diagnosis of delirium. We recommended the Trust apologise to the complainant as well as other actions for service improvement.

Western Health & Social Care Trust

We received a complaint about the care and treatment provided to a patient by the WHSCT. The patient's brother complained about treatment delay and its subsequent impact, how treatments were conducted, decisions made around transferring the patient, and poor communication. **Our investigation found significant failings and that, on the balance of probabilities, these failings caused the patient severe pain and contributed to the patient's death.** We recommended the Trust apologise to the complainant and develop an evidence supported plan for service improvement and to prevent recurrence of failings.

Belfast Health & Social Care Trust

We received a complaint about the actions of BHSCT. The complainant was concerned about the care and treatment provided to their father. The complainant also expressed dissatisfaction with the Trust's handling of their complaint. Whilst we found no failings in the care and treatment provided, the Trust's delay in providing the complainant with a final response added additional distress and anxiety to the family. The Trust have acknowledged **the need for medical professionals to reflect on the conversations had with families during difficult times.** I welcome the learning and service improvement identified by the Trust following the complaint.



SECTION 2: Our Investigations

Highlighting opportunities to improve trust within public services through the investigation of complaints

Central Government

All 9 Northern Ireland Government Departments and their Agencies

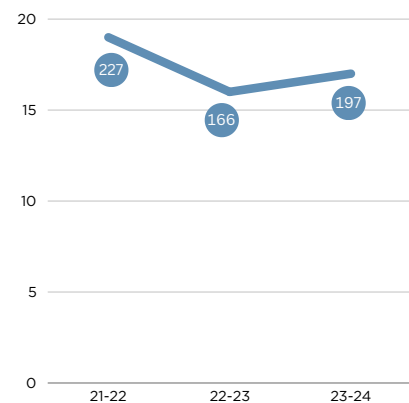


Total Central Government Complaints	21-22	22-23	23-24
Dept of Agriculture, Environment & Rural Affairs	11	9	10
Dept for Communities	77	60	60
Dept for the Economy	20	7	6
Dept of Education	2	2	0
Dept of Finance	8	3	8
Land & Property Services	26	20	14
Dept of Health	14	5	3
Dept for Infrastructure	29	14	28
Dept of Justice	7	1	6
Dept of Justice Compensation Services	0	0	3
The Executive Office	2	3	1
Driver & Vehicle Agency	30	26	32
NI Courts & Tribunal Service	13	5	6
Other govt agency	1	11	20
Total	227	166	197

197

complaints about Government departments 23-24

We can investigate complaints about maladministration in government departments. In the last year we have investigated complaints regarding requests for grants, MOT tests, property and household rates and benefits.



Percentage of overall complaints that relate to Government Departments over the past 3 years

Department for Infrastructure

We received a complaint about the Department for Infrastructure, a statutory consultee in the planning process for road safety issue. The complaint related to their consideration of the road safety aspects for new access onto a road as part of a planning application. The department's staff had visited the site, completing and documenting an assessment checklist, and the appropriate standards were considered in assessing the application taking account of the road safety issues raised by objectors. However, the investigation identified the Department's records did not include documentation on how it assessed the speed of the road traffic at the site, it also did not include records of an internal meeting, nor did it include records documenting its consideration of the site's accident history. The **failure to keep appropriate records on matters such as how speed was assessed, how the accident history was considered, and records relating to an internal meeting, amounted to maladministration.** However, it was considered the failings were not sufficient to question the basis for the department's view that the road access arrangements in the planning application were satisfactory. In addition to an apology to the complainant a number of recommendations were made to the Department for service improvement and to prevent future reoccurrence.

SECTION 2: Our Investigations

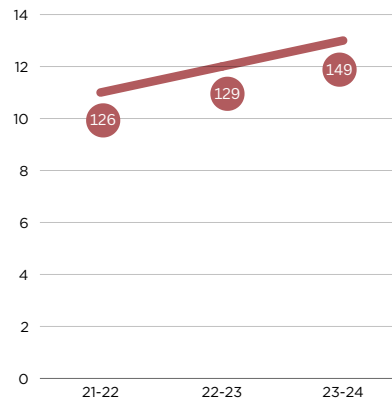
Highlighting opportunities to improve trust within public services through the investigation of complaints

Education

All schools, colleges and universities



Total Education Complaints	21-22	22-23	23-24
Nursery schools	0	0	3
Primary schools	42	36	35
Post-Primary schools	32	30	44
Special schools	7	2	5
Universities & Colleges	24	39	35
Other education body	21	22	27
Total	126	129	149



Percentage of overall complaints that relate to Education over the past 3 years

149

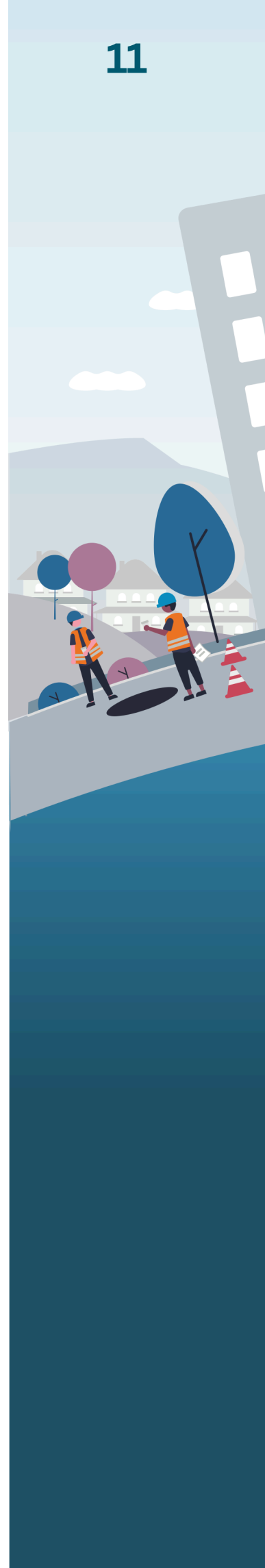
complaints about education 23-24



13% of the total complaints we received this year were about education. We continue to see a rise in education complaints received.

Education

We received a complaint about the education of a pupil with special educational needs (SEN). The pupil’s parents complained that the school failed to provide their child with the education and support they were entitled to receive, and failed to inform them of a safeguarding issue concerning their child. The investigation found that the school failed to correctly implement the pupil’s Individual Education Plan, provide support in accordance with their Statement; produce adequate records for our investigation; and comply with its own safeguarding policy. **We recommended an audit of SEN-pupil records to prevent the matters re-occurring and for the parents to receive an apology.**



SECTION 2: Our Investigations

Highlighting opportunities to improve trust within public services through the investigation of complaints

Housing

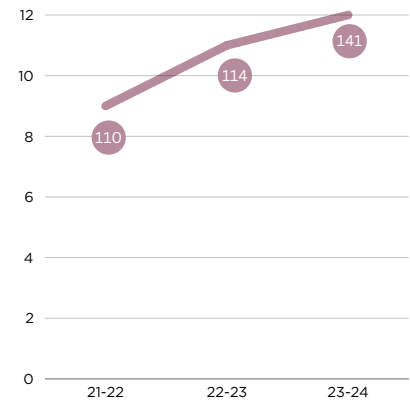
Housing Executive and Housing Associations



We currently face a housing crisis in NI, with a significant increase in homelessness. Planning for new build housing, maintaining the current housing estate, and addressing homelessness are key areas for focus to address these significant challenges.

So too, is responding openly and respectfully to complainants. Raising a complaint is difficult and many, particularly the most vulnerable may not do so. For those who do it is vital that every organisation uses complaints as an **opportunity to learn and improve**. It is notable that **housing complaints have increased by 28% between 21-22 and 23-24**. I am concerned that many of these contain complaints related to complaint handling.

Total Housing Complaints	21-22	22-23	23-24
NI Housing Executive	71	77	84
Radius Housing Association	16	12	13
Choice Housing Association	3	6	16
Clanmil Housing Association	7	8	9
Other Housing Association	13	11	19
Total	110	114	141



Percentage of overall complaints that relate to Housing over the past 3 years

Housing

We received a complaint about the actions of Northern Ireland Housing Executive (NIHE) concerning their complaints handling and poor communication. The complainant was unhappy with the length of time waiting for a response and lack of resolution offered for his complaint. NIHE did not respond to the Stage 2 complaint until 2 years later and only after intervention from NIPSO. **We found that NIHE failed to comply with its own Internal Complaints Procedure and reiterated the importance of timely and efficient complaints handling.** We also recommended a number of actions for NIHE to take to prevent these failings from happening again.

141

complaints about housing 23-24



Over the last three years housing complaints have increased by 28%.

SECTION 2: Our Investigations

Highlighting opportunities to improve trust within public services through the investigation of complaints

Local Government

All 11 Local Councils



Total Local Government Complaints	21-22	22-23	23-24
Antrim & Newtownabbey	5	4	9
Ards & North Down	16	7	16
Armagh, Banbridge & Craigavon	13	9	10
Belfast City	15	9	15
Causeway Coast & Glens Borough	13	7	10
Derry City & Strabane	2	3	8
Fermanagh & Omagh	8	3	5
Lisburn & Castlereagh	10	16	8
Mid & East Antrim Borough	7	7	3
Mid Ulster	5	4	4
Newry, Mourne & Down	27	14	7
Total	121	83	95

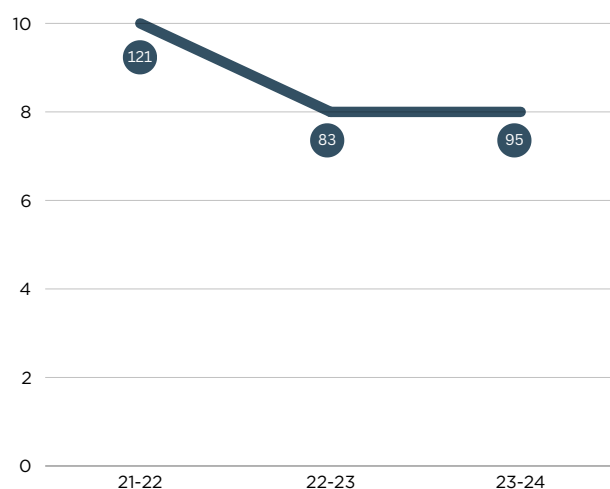
95
complaints about
local government 23-24



Local councils provide a broad range of essential services to both individuals and local communities. This includes environmental protection, waste management, leisure, planning and planning enforcement, economic development and community safety. As well as being essential to local democracy. We continue to receive complaints across a range of services provided by local councils.

Mid & East Antrim Borough Council

We received a complaint about how Mid & East Antrim Borough Council considered a planning application. Whilst we did not uphold every issue of complaint, the investigation established that there was maladministration in relation to some of the council's actions, including their recording of decisions and rationale, and allocation of speaking time at planning committees. We recommended that the report and its subsequent learning be shared with relevant staff within the council, and to ensure that objectors with speaking rights are afforded the full time allocated to them.



Percentage of overall complaints that relate to Local Government over the past 3 years



SECTION 3: Own Initiative

Using our Own Initiative powers to investigate systemic failures impacting public trust and confidence in public services



Forgotten

An Investigation into Healthcare Waiting List Communication

Our own initiative investigation found **the system for communicating with patients on healthcare waiting lists** is in 'disarray', and concluded that significant and repeated failures across the system amounted to 'systemic maladministration'.

The Investigation identified **a lack of openness and transparency in waiting list communications**, often resulting in patients and carers being negatively impacted.

88%

of public survey respondents feel like they have been forgotten whilst on a waiting list

47%

of people indicated that they may have considered private treatment had they been informed about the extent of the waiting time

on average

91%

of GPs across all 5 HSC Trusts who consider that Trust (waiting list) communication with their practice is not effective

Lack of information and communication can lead not only to distress, frustration, and anxiety, but also to administrative errors going unnoticed, and **damages public trust in our Health and Social Care sector.**

The report urged the Department of Health to work with Health Trusts, GPs and others to **address the failings**, and included a number of **recommendations** to Trusts and the Department that continue to be followed up.

"Lack of information/ confirmation creates mistrust and uncertainty which is detrimental to the belief that there is equality in the availability of healthcare"

Patient

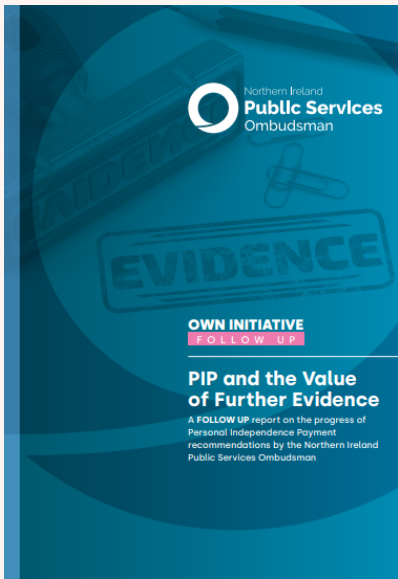
"Honesty from the Trusts about the waiting lists is required when speaking to patients."

GP

The waiting list communications follow up report will be published later this year

SECTION 3: Own Initiative

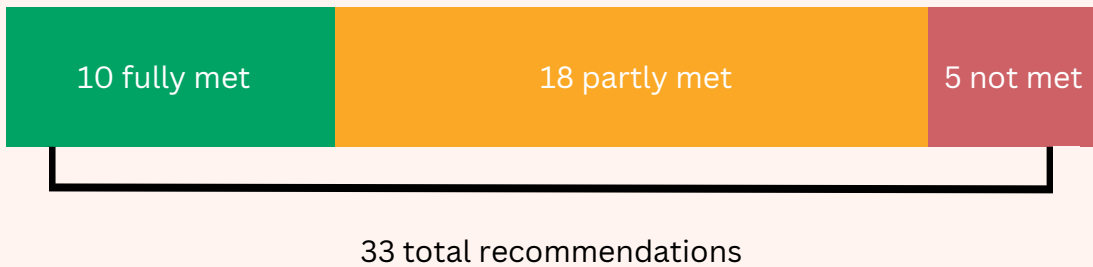
Using our Own Initiative powers to investigate systemic failures impacting public trust and confidence in public services



Personal Independence Payment and the value of further evidence - follow up report

The follow up report to our 2021 'PIP and the Value of Further Evidence' was published this year.

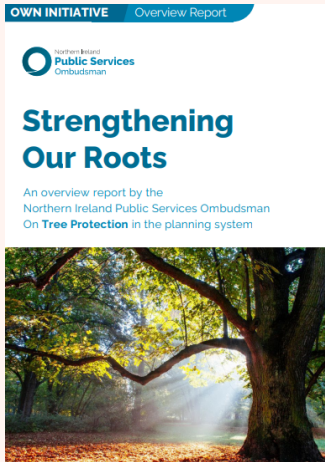
The report found that whilst considerable action has been taken by the Department to implement our recommendations, **further work is required to progress implementation.** Our office continues to engage with the Department to monitor progress and delivery.



Strengthening our Roots

An overview report on tree protection in the planning system

Our own initiative overview report into Tree Preservation Orders was prepared in response to **concerns about the protection given to trees and the lack of enforcement action** following reported breaches.



369
tree protection order breaches reported between 2019 & 2022



26
recommendations made, including improving information accessibility, and imploring the Department to work more closely with the councils.

only **1**
breach resulted in enforcement action and no prosecutions.

SECTION 4: Our Recommendations

Improving public trust by ensuring learning is actioned appropriately to reduce mistakes from reoccurring

The figures below highlight how many individual investigation reports we issued for each sector as well as what those recommendations were and how many were made. The below graphs also provide detail on the breakdown of Stage 3 Complaint decisions as well as the trend pattern of our decisions over the past 3 years. The majority of complaints received being 'fully' or 'partially upheld' since 21-22 has remained consistent, emphasising the importance of listening and responding to complaints early.

Total Investigation Reports for Stage 3 Complaints 23-24	
Health & Social Care	60
Central Government	2
Local Council	5
Education	5
Housing	2
Total	74

1427

Stage 1
Decisions

439

Stage 2
Decisions

74

Stage 3
Investigation
Reports Issued

10

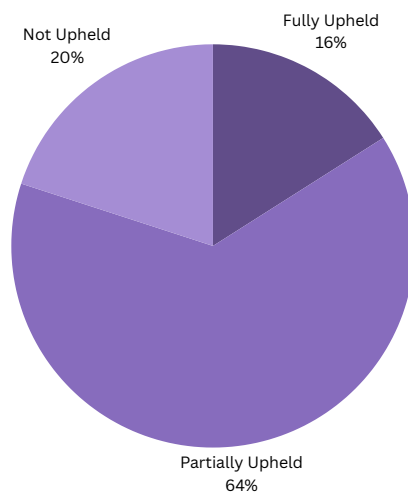
Stage 3
Settlements

5

Stage 3
Cases Discontinued

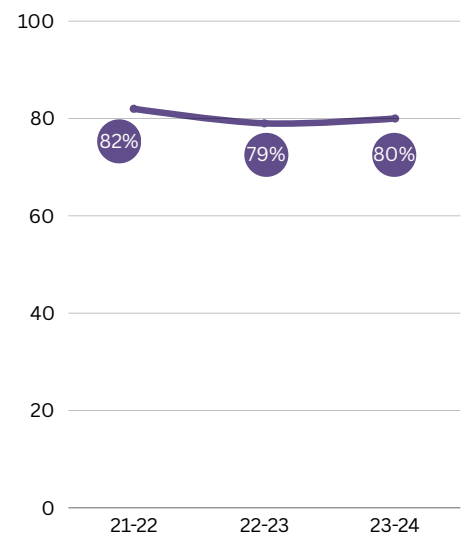
89

Stage 3
Decisions



Stage 3 Complaint Decisions	
Fully Upheld	12
Partially Upheld	47
Not Upheld	15
Total	74

Recommendations for Service Improvements Stage 3 Complaints 23-24	
People/Staff e.g. training	107
Policies/Procedures	81
Refunds/Recompense	2
Other (e.g. provide complainant with written explanation of its decision)	2
Total	192



Percentage of Stage 3 complaints upheld or partially upheld over the last 3 years

SECTION 5: Our Settlements

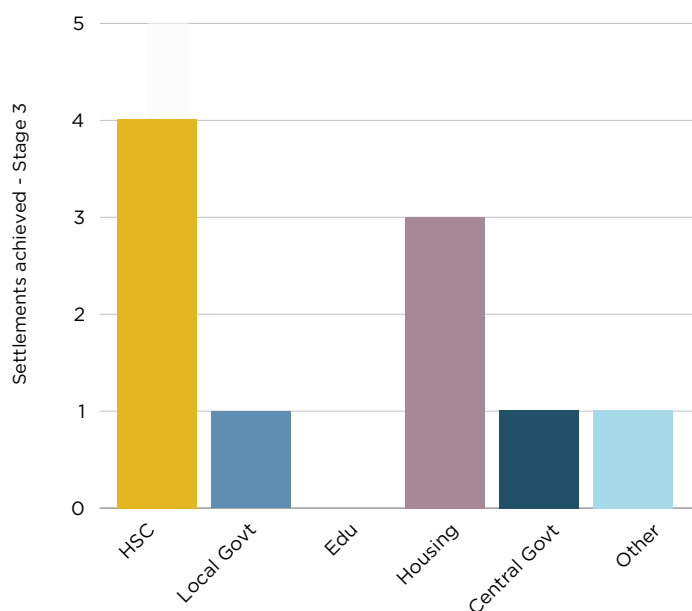
Improving public trust by facilitating an opportunity to provide redress and resolution prior to an investigation.

Not every case that proceeds to Stage 3 leads to further investigation. At this stage we continue to consider opportunities for an earlier resolution. These 'settled cases' help reach a positive outcome for the complainant without the need for further investigation and reflect the willingness of the public body to resolve the issue.

10
settlements
achieved at stage 3
23-24

Agreeing a settlement decision can help to restore the relationship between the complainant and public body. When a public body recognises they may have made an error, a channel of open and transparent communication can be initiated. This can prevent escalation and deterioration of the relationship between the public body and service user.

This is a positive step that helps to rebuild and repair trust in public services.



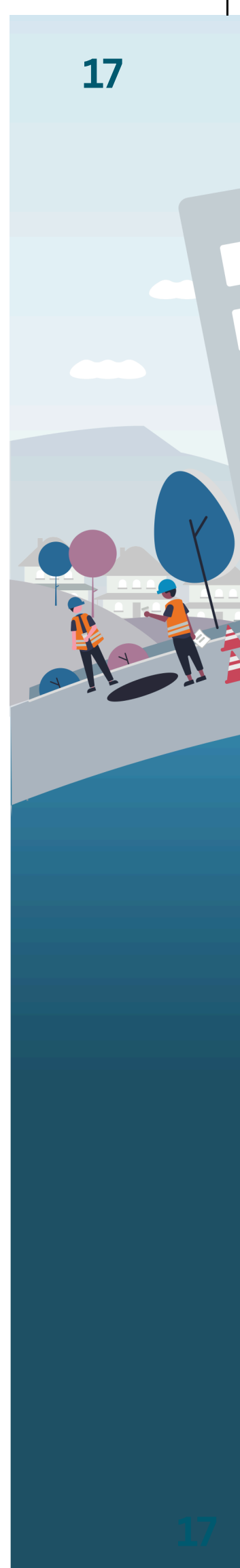
When a case is settled it is usually because the public body has agreed to take action to redress the individual's complaint.

For example some of the actions in our 23-24 settlements included:

An agreement from NI Housing Executive in one case to carry out necessary property repairs.

South Eastern Health & Social Care Trust agreeing to appoint an independent assessor to conduct a review of a decision made about the complainant's direct payments.

Department for Communities agreeing to make a 'special payment' to compensate the complainant's recovered over payment.



SECTION 5: Our Settlements

Improving public trust by facilitating an opportunity to provide redress and resolution prior to an investigation.

Settlements can also be achieved at Stage 2 of our complaint process. This is before the complaint reaches the 'Further Investigation' stage and occurs when an alternative resolution can be sought for the complainant without the need to progress their complaint further, and where the public body acknowledges and remedies their mistake.

76
settlements
achieved at stage 2
23-24



We received a complaint about Ulster University's refusal to accept evidence for consideration in relation to the complainant's inability to attend exams and complete their course.

Whilst the EC1 self-certification form from the University does state that retrospective self-certification will not be accepted, we found that this was included in the section of the form that was marked for staff completion. This caveat was also not included in the University's guidance notes.

The complainant was also asked to provide evidence from their GP. However, as the absence only covered a period of less than 5 days, they were only required to provide self-certification and not medical evidence.

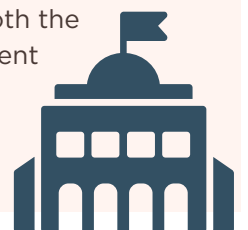
In response, Ulster University agreed to the following actions, which was accepted as an alternative resolution for the complainant:

- Accept the self-certification affording the complainant an opportunity to attempt the module.
- Apologise to the complainant and waive fees normally levied in these circumstances.
- Review student facing policies including the EC1 process.

A complainant approached us because their house number was being used by the quarry beside their home, including in planning applications. They stated that Mid- Ulster District Council had failed to take steps to resolve the issue and was told it was an issue for the Royal Mail to resolve.

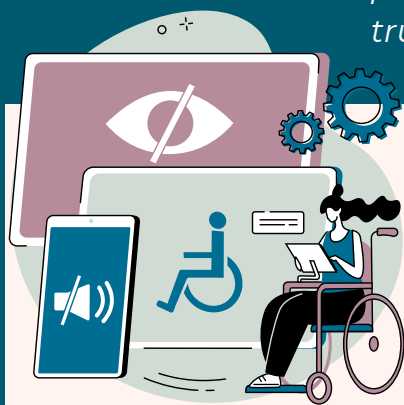
The Council had obtained legal advice on the matter, which suggested there was an onus on the Council to resolve the matter using sequencing of numbers, which if done would be in the complainant's favour. We encouraged the Council to take action in this regard and following our intervention the Council produced a proposal for resolution.

The Council agreed to conduct a review of the case and meet with both the complainant and representatives from the quarry to reach an agreement on an acceptable resolution.



SECTION 6: Engagement & Accessibility

Raising awareness of NIPSO's role and addressing barriers that prevent access to public services and negatively impact public trust



Our Engagement Team met with organisations who represent individuals **experiencing vulnerability**, whether that be disability, illness, financial difficulties, challenging home environments, etc. This was to identify potential barriers for accessing our service and inform our **Accessibility** work.

AIM: Increase awareness of the **role and purpose** of the Ombudsman's Office with the **public**, **public bodies** and **political representatives** to ensure better access to justice.

ENGAGEMENT STRATEGY



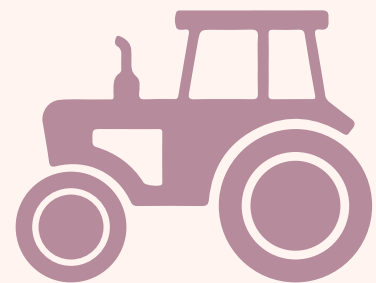
100+

This year we engaged with an additional 39 individual organisations in various capacities and had multiple engagement sessions with several groups, bringing our total number of groups connected with to **over 100** since our engagement work commenced in 2022.



4 University Freshers' Fairs
5000+ students

Balmoral Show
100,000 people from diverse backgrounds and ages over 4 days



203

We delivered NIPSO information sessions to 203 individuals



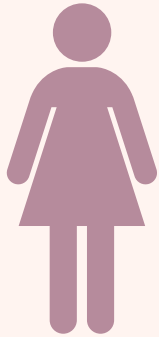
Belfast Pride
One of the highest attended annual events in Belfast celebrating LGBTQIA+ community



46% of the organisations we met were health-focused, such as Dementia NI, Autism NI & Mindwise



8% of the organisations we met were focused on Community Development, such as Carrickfergus Community Forum & COSTA

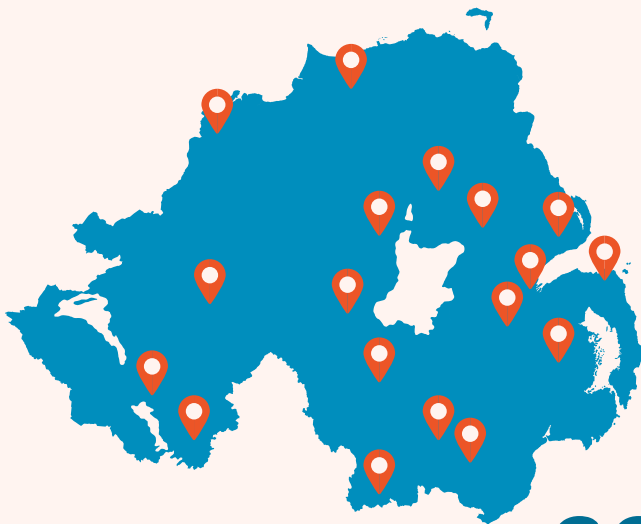


20% of the organisations we met were women's groups, such as Women's Aid, Atlas Women's Group, & Women's Institute



The other 26% of organisations we met were from a diverse range of focuses including young people, carers, older people, ex-prisoners, etc.

Engagement with groups across all of NI



100%
council areas engaged with

66%
groups engaged with based outside Belfast



19
All Party Groups attended including APG for Carers, APG for Housing, APG for Ethnic Minority Communities



Our new website is in the **top 10%** of all UK public bodies in terms of accessibility. It includes a new **translation tool** and **improved search function**.



40+

Our Ombudsman & Deputy Ombudsman also attended over 40 events, engaging with **public bodies, political representatives**, media, and other organisations

SECTION 7: Complaints Standards

Using statutory complaints standards powers to drive improvement and learning and build public trust

Vital to ensuring our public services maintain public trust and confidence in how they operate and provide services, is creating a culture where complaints are valued as an opportunity to learn and improve.

Part 3 of the *Public Services Ombudsman Act (Northern Ireland) 2016* provides the legislative basis for NIPSO to introduce **complaints handling standards across the public sector in Northern Ireland**.

Navigating complex complaint systems can lead to stress and confusion, unnecessary delay, and missed opportunities to put things right. Local Government was the first sector to implement the **Model Complaints Handling Procedure**, a streamlined procedure that helps public bodies action complaints more efficiently, maximise the impact complaints can have on driving service improvements, and help repair and rebuild public trust in making a complaint.



The **Model Complaints Handling Procedure** is based on the **Six Principles of Good Complaints Handling**.

The Local Government sector is the first sector to implement the MCHP with work underway to support the Health & Social Care sector to adopt the procedures.



David Burns, Chairperson Solace NI speaking at the MCHP Local Government Launch Event

The **Model Complaints Handling Procedure** launch for Local Government was marked with an event in Stormont in June 2023.

In attendance were Local Government CEOs, members of the MCHP strategic network and operational network, and other stakeholders invested in the MCHP.



Northern Ireland

Judicial Appointments Ombudsman

Introduction

The role of Judicial Appointments Ombudsman was created by the statutory framework set out in the Justice (Northern Ireland) Act 2002 and provides an independent and external element for those persons who wish to complain about any administrative aspect of their own experience as applicants during an appointment process for judicial office.

Background

A wide-ranging review of the criminal justice system in Northern Ireland concluded in March 2000. One of its recommendations included the appointment of a person to oversee, monitor and audit the existing appointment procedures for judicial roles. This in turn led to the creation of the role of Commissioner for Judicial Appointments who carried out a review of the existing processes for appointing judges. Following the passage of legislation, this resulted in the establishment in Northern Ireland of Northern Ireland Judicial Appointments Commissioner (NIJAC) in 2005 and the Northern Ireland Judicial Appointments Ombudsman (NIJAO) in 2006.

Legislation and Status

The 2002 Act provided the statutory framework for the establishment of the Northern Ireland Judicial Appointments Ombudsman. Sections 9A to 9H of the 2002 Act defined the arrangements for investigating complaints which were made to both NIJAC and to the Judicial Appointments Ombudsman respectively and how they were to be reported. The 2002 Act provides for the Judicial Appointments Ombudsman to submit a report at the conclusion of each financial year. Following the devolution of policing and justice matters to the Northern Ireland Assembly in April 2010, such reports were laid by the Minister of Justice before the Assembly. However, the legislation governing the procedures for laying a report were amended by the Public Services Ombudsman Act (Northern Ireland) Act 2016 (the 2016 Act) to provide for the report to be laid before the Assembly by the Ombudsman.

The statutory role of the Judicial Appointments Ombudsman is defined as a corporation sole and is independent of the Assembly, Government, the judiciary, NIJAC, the Northern Ireland Courts and Tribunals Service or the Department of Justice (Northern Ireland).

Complaint Activity

During 2023-24 one complaint received progressed to investigation and a draft report has been issued.





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