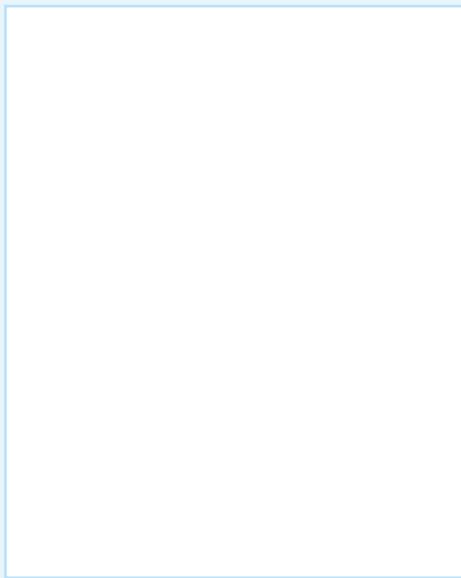


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Ronan Keane
Chief Justice of Ireland

Welcome from the Chief Justice

I am again honoured with welcoming you to the Annual Report of the Courts Service. This Report has become a feature of the legal calendar as it reminds us of the great effort which is put into organising our courts every day and as it also provides us with such a useful resource in terms of facts and figures.

The Report is published at a time when I have just completed my term as Chief Justice and as a judge of the Supreme Court. As I look back on my twenty five years as a judge, I have no hesitation in singling out the establishment and development of the vibrant organisation which is the Courts Service as one of the most remarkable developments in the judicial sphere in that time.

Many extraordinary efforts have made this modern, young agency a success in just four years. Extra resources have been forthcoming to back up the plans and objectives set out by the Board of the Service, and so expertly put in place by a dedicated team of managers and staff.

Layers of activity in every department of the organisation have seen a strengthening of administration systems, broadening of interaction with other justice and community

agencies, innovation in areas of information provision and dealing with the public and the media, and a definite improvement in the provision of modern and respectful facilities for court users.

At the same time, staff development and training have kept pace with the great changes in the world of work and technology. All in all, the Service has simply transformed the way we do business in organising our courts and facilities.

I would like to congratulate the Board of the Service and its Chairperson Mrs. Justice Susan Denham for their innovation and achievements. I extend this praise to the Chief Executive Officer and the staff of the Service.

I would also like to thank my colleague judges and the wider legal community for their ongoing participation in the creation of a world class Courts Service, and whose efforts have made my work

as Chief Justice a very rewarding experience.

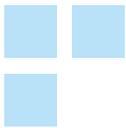
As I retire from the Bench, I wish the courts system well in its role as a flagship of our democracy and know the ongoing success of the Courts Service will aid it greatly in this vital role.

Ronan Keane

CHIEF JUSTICE OF IRELAND







Foreword by the Chairperson of the Board

The Annual Report 2003 reports the Courts Service growing and developing successfully. Established in 1999, it is going from strength to strength.

Success may be seen across the whole gamut of the work of the Service. For example, it may be seen in the building programme. Since 1999, we have refurbished 30 courthouses. In March 2003, we re-opened Dundalk courthouse, in May 2003 we re-opened Limerick courthouse and the new courthouse in Tubbercurry was opened in September 2003. Major maintenance and upgrading in many venues continues and the important work in Cork courthouse is nearing completion.

Success may be illustrated in our three-year strategic plans. Every one of the 127 projects in our first plan was completed or significantly progressed before we launched our second ambitious three-year Strategic Plan in 2003.

Success is evident from our five-year Information Technology Strategic Plan, "eCourts". Major progress has been made in implementing new information technology systems across all the jurisdictions. I believe that we are not far away from the day when e-filing of court documents will be a reality.

Case management is being successfully developed, including the implementation of criminal

and civil case management systems.

However, no matter how many court buildings we build or refurbish, or how much we invest in and develop information technology, or how efficient the staff of the Courts Service are, ultimately the success of the Service is affected by the availability of judges.

Over the last twenty years, there has been an enormous increase in the volume of cases coming before the courts. Also, the complexity of cases has increased. The trojan efforts of the staff of the Service and the judiciary have not only kept us abreast of this work but also have reduced waiting times in many areas. However, new buildings, modern tools, information technology and case management cannot alone address the situation. There is an urgent need for more judicial resources.

Through this, our fourth Annual Report, you will be informed of the nature of the daily work of the courts, and guided through the significant developments of this young public service body. You will see the many gains in court management achieved by the

partnership in the Service of the judiciary and the staff.

The content of this Report could only have been dreamed of a mere five years ago, both in terms of the information and statistics provided and the reporting of major developments. Despite the great strides we have made, we have a way to journey yet. Many challenges await us as we work toward a world class Courts Service.

I have no doubt of the commitment, energy and desire of my colleagues on the Bench, and of the Board of the Service, and of the staff of the Service, to strive to meet the modern day challenges. I extend my deepest appreciation for their efforts in the last year.

Finally, I wish to thank the Minister for Justice, Equality & Law Reform and the staff of his Department for their continued support and co-operation over the past year.

Many good wishes to all in the future work.

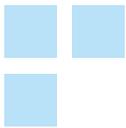
Susan Denham

CHAIRPERSON, COURTS SERVICE BOARD
AND JUDGE OF THE SUPREME COURT









Introduction by the Chief Executive Officer

It is a pleasure for me to introduce our fourth Annual Report for the calendar year 2003. The Report details the work carried out in court offices all around the country and highlights some of the major developments in modernising the courts administration and management.

A year of tremendous effort by all is reflected in the many modernisation initiatives implemented and you will find plenty of evidence of a workforce committed to modernisation and growth.

The “can do” attitude of those who work in the Service continues to contribute to a culture designed to deliver on many levels. The catalogue of developments is very impressive. These include the continued expansion of our major building and information technology programmes; improved work methods to allow for more customer friendly and customer centred approaches; improved access to offices and information making court procedures easier to understand.

Throughout the Report, you will find details of the huge volume of work processed by court offices and of many initiatives undertaken during 2003. Our second three-

year Strategic Plan and our first-ever Customer Service Action Plan was launched. Our partnership model continued to gain plaudits. The Service was one of four Civil Service organisations chosen by the National Centre for Partnership and Performance as case studies to reflect the manner in which change was effectively implemented in a number of areas utilising a partnership approach. In addition, the partnership process was extended to the regions during the year.

We further developed our information technology systems in keeping with the Government’s ‘New Connections’ initiative and are further on the way to interfacing with court users and citizens through on-line mechanisms - the first such initiative will enable users of the Small Claims procedure in the District Court to file claims on-line in 2004. The management of court funds was transformed with

the introduction of a computerised funds accounting system. The manual work associated with funds processed in court offices was substantially reduced with the introduction of a courts accounting system to a number of court offices.

The improvement of the court building stock continued to be high on our agenda as evidenced by the progress made to deliver on our capital building programme. Major refurbishments were completed in Limerick and Dundalk and plans were well advanced to develop a dedicated and modern criminal court complex for Dublin.

Support for our staff continues to be a major feature of the modernisation programme of the Service. Staff participation in the partnership arrangements, business planning and Performance Management and Development System has been





complemented by enhanced general and technical training; continuing access to an Employee Assistance Officer and the appointment of a Disability Liaison Officer.

Support for the judiciary has also continued, especially by way of assisting with efforts to reduce waiting times as evidenced by the improvements in the Court of Criminal Appeal and in the Central Criminal Court.

Reform and development remained high on the agenda during the year and is obvious from the many initiatives we supported to change legislation on courts administration and to modernise and simplify court rules and terminology.

We are well on the way to achieving a world class Courts Service. Already, we are being cited as an example for others and receive many visits each year from senior foreign judicial figures, government ministers and public officials.

This brief resumé of a year of major achievement, though based on a series of strategic documents, would not be possible without major staff involvement. The plans plot our course, identifying our objectives and performance indicators, and are a vital part of our new strategic outlook. However, the plans would remain

paper aspirations were it not for the enthusiasm and drive of our staff. They have taken up the challenge to learn new tasks, work in new environments and absorb new techniques into already busy schedules while all the time ensuring that the core and vital work of the courts continues uninterrupted. The court statistics in Chapter 4 of this Report give a flavour of the volume and complexity of the business of the courts in Ireland today. I thank all of our staff for their continued dedication to our core work and to our modernisation programme.

I also thank the Chief Justice, the Chairperson and members of our Board and Committees and the judiciary for their support and guidance throughout the past year. We do not work in a vacuum but co-operate with many agencies in the wider justice community. I extend my gratitude to the Bar Council, the Law Society of Ireland, An Garda Síochána, the Probation & Welfare Service, the Prison Service, Victim Support and the many other organisations and agencies who engage with the court system, for their continuous support.

I also thank the Office of Public Works and the local authorities for their ongoing assistance in improving court facilities throughout the country.

Finally, I extend thanks to the Minister for Justice, Equality & Law Reform and to the Secretary General and staff of his Department for their unstinting support for our efforts in the past year.

P. J. Fitzpatrick

CHIEF EXECUTIVE OFFICER



Structures & Environment

Chapter 1

2003

CHAPTER 1

Structures and Environment

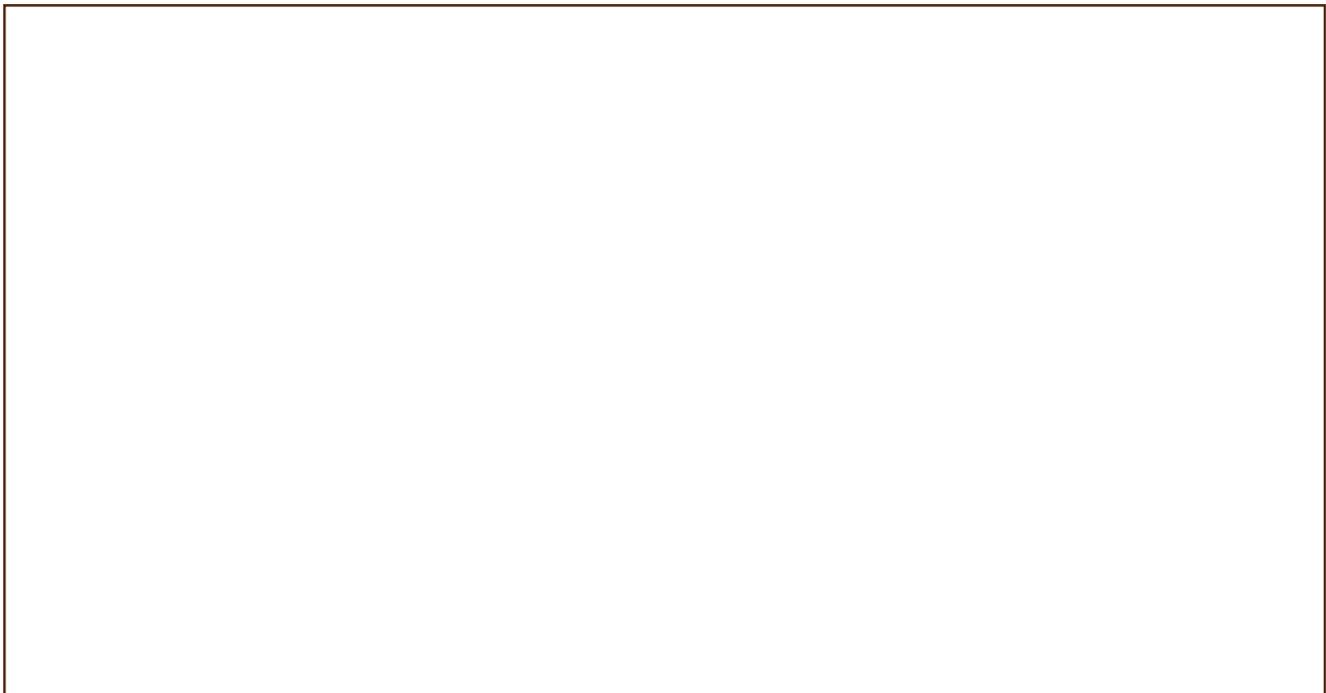
Structures and Environment

The Courts Service was established as an independent corporate body on the 9th November 1999 with the following functions:

- To manage the courts
- To provide support services for judges
- To provide information on the courts system to the public
- To provide, manage and maintain court buildings
- To provide facilities for users of the courts

The Service has a Board consisting of a Chairperson and 16 other members. The functions of the Board are to consider and determine policy in relation to the Service and to oversee the implementation of that policy by the Chief Executive Officer. The Chief Executive Officer is the accounting officer for the Service and has responsibility for the management and control of the staff as well as the day-to-day administration of the business of the Service.

The Constitution of Ireland delineates the powers of the legislative, executive and judicial arms of government. It provides that judges shall be independent in their judicial function and subject only to the Constitution and the law. The functions of the Service do not include the administration of justice nor is the Service accountable for judicial decisions. Members of the judiciary participating as members of the Courts Service Board act in an administrative capacity in determining policies relating to the functions of the Service.



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Structures and Environment

The Board of the Courts Service



The Hon. Mrs. Justice **Susan Denham**, Chairperson, Judge of the Supreme Court
Nominated by the Chief Justice



The Hon. Mr. Justice **Joseph Finnegan**
President of the High Court



The Hon. Mr. Justice **John Murray**, Judge of the Supreme Court
Elected by the ordinary judges of the Supreme Court



The Hon. Mrs. Justice **Catherine McGuinness**, Judge of the Supreme Court
Nominated by the Chief Justice in respect of her experience or expertise in a specific area of court business



The Hon. Mr. Justice **John Quirke**, Judge of the High Court
Elected by the ordinary judges of the High Court



The Hon. Mr. Justice **Esmond Smyth**
President of the Circuit Court



His Honour Judge **Patrick Moran**, Judge of the Circuit Court
Elected by the ordinary judges of the Circuit Court



His Honour Judge **Peter Smithwick**
President of the District Court



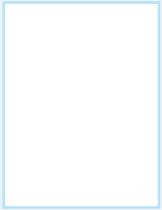
Judge **David Anderson**, Judge of the District Court
Elected by the ordinary judges of the District Court



Mr. **P.J. Fitzpatrick**, Chief Executive Officer



Mr. **Conor Maguire**, Chairman of the Bar Council
Nominated by the Chairman of the Council of the Bar of Ireland



Mr. **Gerard F. Griffin**, Solicitor
Nominated by the President of the Law Society of Ireland



Ms. **Brenda Amond**, Carlow Circuit Court Office
Elected by the staff of the Service



Mr. **Michael Mellett**, Deputy Secretary General, Department of Justice, Equality & Law Reform, an officer of the Minister nominated by the Minister



Ms. **Olive Braiden**
Nominated by the Minister to represent consumers of the services provided by the courts



Ms. **Paula Carey**
Nominated by the Irish Congress of Trade Unions



Mr. **Gerry McCaughey**, Chief Executive, Century Homes
Nominated by the Minister for relevant knowledge and experience in commerce, finance or administration

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COMMITTEES OF THE BOARD

The Board of the Service can establish and authorise a Committee of the Board or the Chief Executive Officer to perform many of its functions or powers. During 2003, the following Committees dealt with a range of issues:

Finance Committee

The Hon. Mrs. Justice Susan Denham, Chairperson

The Hon. Mr. Justice Joseph Finnegan

The Hon. Mr. Justice Esmond Smyth

Judge David Anderson

Mr. Michael Mellet

Mr. Gerry McCaughey

Mr. P.J. Fitzpatrick.

Judicial Support Committee

The Hon. Mr. Justice John Murray, Chairperson

The Hon. Mr. Justice Nicholas Kearns

His Honour Judge Desmond Hogan

Judge David Anderson

Mr. Brendan Ryan.

Building Committee

The Hon. Mr. Justice John Quirke, Chairperson

The Hon. Mr. Justice Iarfhlaith O'Neill

His Honour Judge Patrick Moran

His Honour Judge Michael White

Judge David Anderson

Mr. Michael Durack S.C. (nominee of Mr. Conor Maguire S.C.)

Mr. Gerard Griffin

Mr. Gerry McCaughey

Ms. Olive Braiden

Mr. Jim McCormack (replaced by Mr. Shay Kirk with effect from April 2003)

District Court Committee

His Honour Judge Peter Smithwick, Chairperson

Judge David Anderson

Mr. Gerard Griffin or nominee

Ms. Paula Carey

Mr. Diarmaid MacDiarmada

Family Law Court Development Committee

The Hon. Mrs. Justice Catherine McGuinness, Chairperson

Her Honour Judge Jacqueline Linnane

His Honour Judge Peter Smithwick

Ms. Olive Braiden

Mr. David Bergin

Ms. Brenda Amond

Mr. Conor Maguire S.C. or nominee

Ms. Nuala McLoughlin

Mr. Diarmaid MacDiarmada

Audit Committee

The Hon. Mr. Justice Joseph Finnegan, Chairperson

His Honour Judge Seán O'Leary

Mr. Tom O'Higgins (external chartered accountant)

Mr. Gerry McCaughey

CHAPTER 1

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Organisational Chart

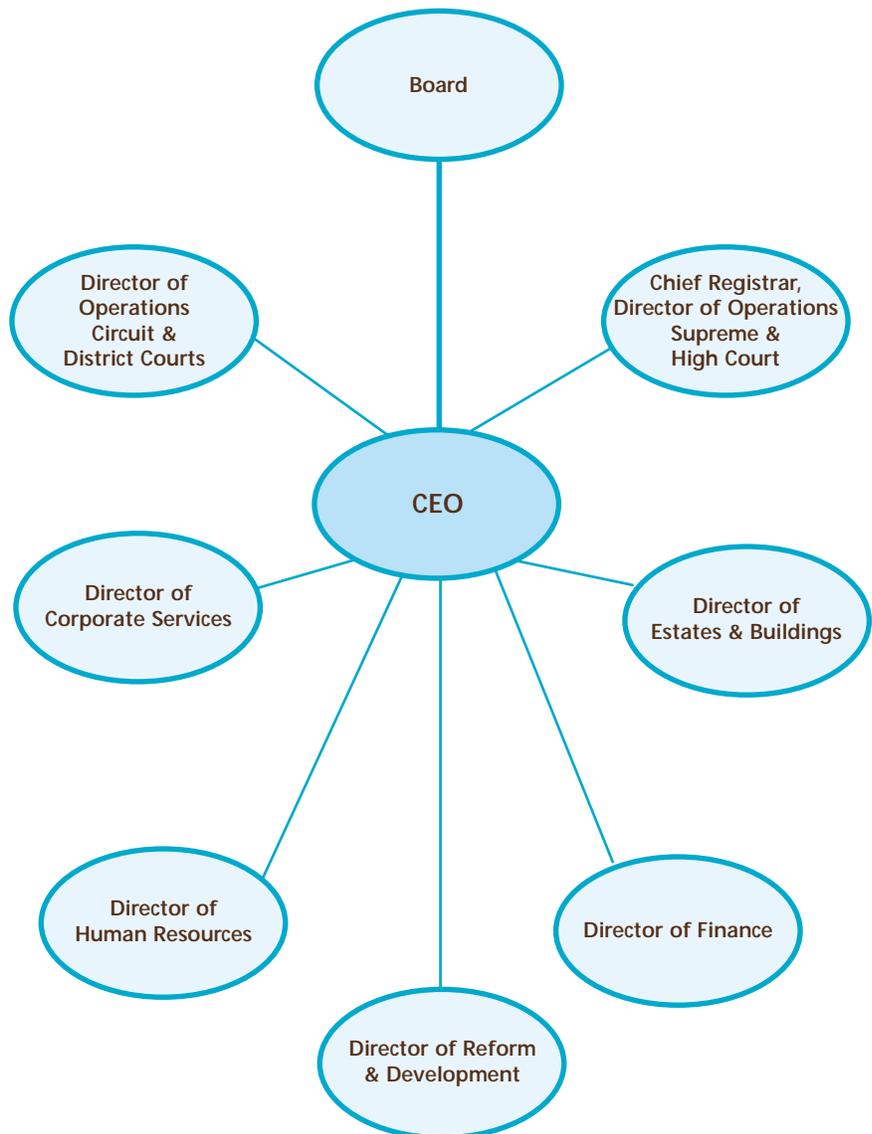
							
P.J. Fitzpatrick, Chief Executive Officer	Nuala McLoughlin, Chief Registrar, Director of Operations, Supreme & High Court	Diarmaid MacDiarmada, Director of Operations, Circuit & District Court	Jim McCormack, Director of Estates & Buildings* <small>* retired in April 2003</small>	Sean Quigley, Director of Finance	Brendan Ryan, Director of Corporate Services	Moling Ryan, Director of Human Resources	Noel Rubotham, Director of Reform & Development

ORGANISATIONAL / MANAGEMENT STRUCTURE

The Senior Management Team comprises the Chief Executive Officer and seven Directors: Chief Registrar and Director of Operations for the Supreme & High Courts, Director of Operations for the Circuit & District Courts, Director of Estates & Buildings, Director of Finance, Director of Corporate Services, Director of Human Resources and Director of Reform & Development.

REGIONAL OFFICE STRUCTURE

There are regional offices in seven locations outside Dublin: Monaghan, Naas, Tullamore, Waterford, Cork, Limerick and Castlebar. The remit of the regional offices is based on the regions of the Circuit Court: Northern, Eastern, Midland, South Eastern, Cork, South Western and Western.



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Regional Areas

Northern Region:

Office location - Monaghan

Counties in region - Monaghan, Cavan, Leitrim, Donegal

Eastern Region:

Office location - Naas, Co. Kildare

Counties in region - Kildare, Meath, Wicklow, Louth

Midland Region:

Office location - Tullamore, Co. Offaly

Counties in region - Laois, Longford, Offaly, Sligo, Roscommon, Westmeath

South Eastern Region:

Office location - Waterford

Counties in region - Waterford, Wexford, Tipperary, Kilkenny, Carlow

Cork Region:

Office location - Cork

Counties in region - Cork

South Western Region:

Office location - Limerick

Counties in region - Clare, Kerry, Limerick

Western Region:

Office location - Castlebar, Co. Mayo

Counties in region - Galway, Mayo

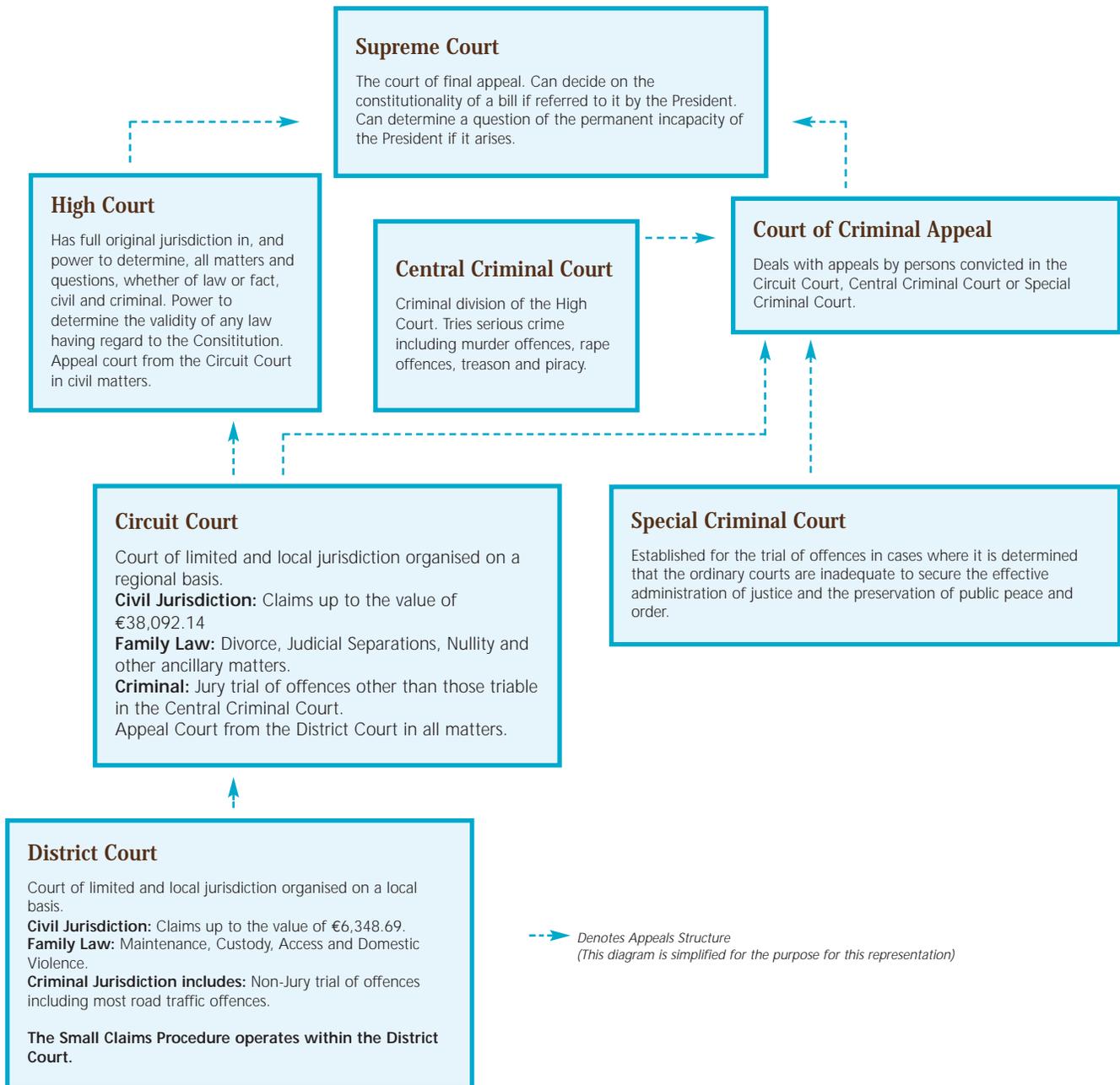




CHAPTER 1

Structures and Environment

Structure of the Courts



Structures and Environment

Environment

The Service continues to operate in a constantly changing environment and is affected by a wide range of factors, both internal and external. Internal factors such as considerable movement of staff and the need to adapt to new systems and structures, combined with external factors such as changes in legislation, social and economic issues and an increasingly stringent financial environment, provide the Service with a varied series of challenges.

At the same time, the Service is ever mindful of the increasing emphasis on the need for the public service to demonstrate measurable achievements in areas such as customer service, access, information, the efficient use of resources, better regulation, improved promotion practices and performance management.

SUPPORTING THE IMPROVEMENT OF THE PUBLIC SERVICE

The determination of the Service to continue to be a major contributor to the improvement of the public service in Ireland is evident from a perusal of some of the many initiatives progressed during 2003 and a perusal of

some of the many external committees on which staff represent the Service:

“Sustaining Progress”

Sustaining Progress is the Social Partnership Agreement covering the period from 2003 to 2004. It outlines an ambitious modernisation programme which aims to deliver on a wide range of change initiatives. Considerable progress was made during the year to implement these initiatives, many of which had already been initiated by the Service. They include:

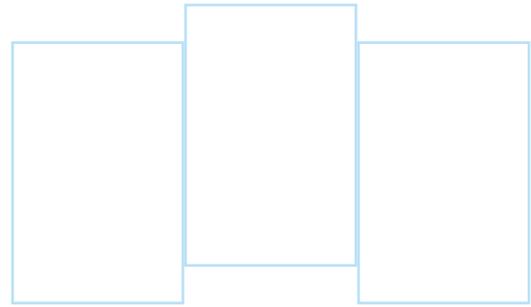
- An improved strategic planning process
- Improvements in human resource management
- The development of major financial management systems
- Quality customer services
- A strategic approach to the provision of information technology systems and eGovernment services
- Restatement of the commitment to openness, transparency and accountability, and
- Improved regulatory reform

The Agreement provides for a verification process for achievement in relation to these initiatives and links payment of benchmarking and general pay increases to verification of the progress made to implement them. The Service prepared an Action Plan in 2003 under the modernisation provisions of *Sustaining Progress* which contains specific performance commitments which are regularly reviewed internally. Additional references to the progress made by way of implementing the targets set out in the Action Plan can be found in Chapter 2.

The first progress Report of the Service on the implementation of the Action Plan was submitted to the Justice Sector Performance Verification Group at the end of October 2003. The role of the Group is to verify that the conditions are met for payment of the final two phases of the benchmarking increases and the general pay round increases under *Sustaining Progress*. The Report confirmed that the Service is maintaining good progress and continues to be on target with its commitments.

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Key achievements were reported to the Justice Sector Performance Verification Group in respect of the following matters:

- **Developments in relation to customer service**
- **New financial management and accounting systems**
- **Initiatives of the Working Group on the Jurisdiction of the Courts**
- **Developments in the areas of equality and diversity**
- **Implementation of performance management and development system and human resource management system**
- **Merit-based promotions**
- **Developments in respect of partnership**

Bail system

The Working Group established by the Department of Justice, Equality & Law Reform to review arrangements for the administration of bail was in the process of finalising its Report at year-end. The Service made a number of proposals to improve efficiency of the estreatment process and the warrant handling system. These proposals will reduce the number of processes involved and considerably streamline the system so that there is a greater enforcement of estreatment orders as well as a reduction in the work involved for court staff and An Garda Síochána in processing and tracking warrants.

Company Law Review Group

The Company Law Review Group is a statutory advisory expert body charged with advising the Minister for Enterprise, Trade & Employment on the review and development of company law in Ireland. The Review Group was accorded statutory status by Part 7 of the Company Law Enforcement Act, 2001. The Service is represented on the Group and participated in a number of matters during the year, in particular, the deliberations and drafting work in the area of liquidation. At year-end, the

Service's representative was coordinating the consolidation of the winding-up provisions of the Companies Acts as part of the Group's legislative reform and consolidation project.

eGovernment initiatives

The information communications technologies (ICT) revolution continues to transform the way society lives and works. ICT is transforming the way Government departments and agencies interact with the wider community both in the business and individual citizen sectors. The Service is committed to working with other Government departments and agencies to deliver a range of services aimed at improving access to information and service and streamlining standard administrative processes.

One such initiative is in the area of Small Claims. The Small Claims Procedure deals with claims in the District Court in relation to goods or services up to a current monetary value of €1,269.74. The Service is represented on a Steering Committee established to oversee the development of a pilot project aimed at developing a Small Claims Procedure on-line. Other agencies represented on the committee include the Department of Enterprise, Trade & Employment, the Department of



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“The capacity of the partnership process to contribute to on-going organisational change and development within the Courts Service was dependent on a number of complementary factors that have combined to create both a supportive environment and robust partnership process”

NATIONAL CENTRE FOR PARTNERSHIP AND PERFORMANCE

Justice, Equality & Law Reform, the Office of the Attorney General, the Director of Consumer Affairs, the European Consumer Centre and the Consumers' Association of Ireland (see page 36 for further details).

Training and development initiatives

In the training and development area, staff of the Service continue to participate in a number of outside bodies and fora, including the Central Training and Development Committee of CMOD (the Centre for Management, Organisation and Development in the Department of Finance), the Customer Service Network and the Chartered Institute for Personnel and Development. The Service made a significant contribution to the formulation of the draft policy on training and development in the Civil Service. This contribution has been recognised by the granting of places to the Service on a number of committees established under the policy. Further information about training initiatives is in Chapter 2.

Partnership

A key aspect of the development of the Service is the continued emphasis on a participatory

approach to managing change and modernisation. A Central Partnership Committee was established within a few months of the establishment of the Service. The Central Committee comprises representatives from each of the unions including the County Registrars' Association (six in total), staff representatives, the Chief Executive (who chairs the Committee), management representatives and representatives from the Regional Partnership Committees.

A distinct feature of the partnership process in the Service continues to be a steady broadening of the range of issues dealt with. As partnership processes have developed in the Service, they have dealt with functional, operational and strategic issues. In this way, partnership approaches are linked with on-going organisational development and modernisation.

The use of partnership has increased the level and quality of employee involvement and participation within the organisation. The formal partnership process provides an important mechanism for fostering “employee voice”. The Service, together with three other Civil Service organisations, was chosen by the National Centre for Partnership and Performance as case studies to reflect the manner

in which change was effectively implemented in several areas using a partnership approach. Other plaudits included an invitation extended to the Service to make a presentation at “*Second Generation Partnership*”, a conference held in Dublin Castle attended by An Taoiseach, aimed at civil servants involved in the partnership process and unions across the public sector.

The Service also participates in a Learning in Organisations project being co-ordinated by the National Centre for Partnership and Performance.

Crime statistics

The Service is represented on a group established by the Minister for Justice, Equality & Law Reform on the recommendation of the National Crime Council to study the current compilation methods of crime statistics and to develop a framework for their production.

European Judicial Network

The network consists of representatives of the judicial and administrative authorities of the Member States of the European Union. It meets several times a year to exchange information and experience and boost cooperation between the Member States as



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regards civil and commercial law. The main objective is to provide access to knowledge about the various national systems of civil and commercial law and the legislative instruments of the European Union and other international organisations including the United Nations, the Hague Conference and the Council of Europe for those facing litigation where there is a trans-national element i.e. where it involves more than one Member State. Staff of both operational Directorates of the Service comprise part of the Irish representation on the network.

Staff in all operational areas have assisted in the preparation of information sheets for the network's web site (http://europa.eu.int/comm/justice_home/ejn/index_en.htm)

Promoting Diversity and Gender Equality Policies

The Service is committed to gender and diversity equality policies, including those contained in the *Review of Equality Initiatives in the Justice and Equality Sector* carried out by the Equality Authority for the Justice and Equality Sector Steering Group in 2003. The steps to be taken by the Service will form part of a policy on equality to be produced during 2004.

CULTURE

Culture in an organisational sense comprises the identity, informal concepts, attitudes and values of a work force - "the way we do things around here". The Service remains committed to developing an open, transparent, participative culture based on a high level of staff involvement across a wide range of initiatives including business planning, performance management and cross-functional project teams.

An important tool in the drive to promote such a culture is the development of a strategic human resource management (HRM) function within the Service to create the culture to which the Service aspires - a culture where staff involvement is encouraged and innovation and creativity valued. See page 28 for further information about the development of a strategic HRM function and Chapter 3 for information about the staff of the Service.

LEGISLATION IMPACTING ON THE COURTS

Legislation of a primary or secondary nature will often make provision for applications to court. Where it is envisaged that legislation will provide for the

employment of a court procedure, the Service welcomes the opportunity to make observations as to the form of procedure proposed. Such consultation exercises allow the Service to comment on the procedural solution contemplated and facilitate liaison with the Rules Committees of the various court jurisdictions, who, with the concurrence of the Minister for Justice, Equality & Law Reform, prescribe the court procedural rules.

In 2003, the Service made a submission to the High Level Group on Regulation, whose deliberations will result in the publication of a White Paper "Regulating Better" in January 2004. The White Paper will contribute to improving national competitiveness and better government by ensuring that new regulations - Acts and Statutory Instruments - are more rigorously assessed in terms of their impacts, are more accessible to all and are better understood.



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During the year the Service made observations on a variety of matters including the legal framework for dealing with Child Abduction cases, the United Nations Ad-hoc Committee on the rights of the disabled, the Personal Injuries Assessment Board and the National Spatial Strategy. The Service also provided observations on several pieces of proposed legislation including the Courts and Court Officers (Amendment) Bill, 2003, the Civil Registration Bill, 2003 and the Civil Liability and Courts Bill, 2004.

Examples of legislative enactments during the year with the potential to impact on the work of the courts included:

Official Languages Act, 2003

The *Official Languages Act, 2003* places several obligations on the Service in the area of customer service, most notably the need to accommodate persons wishing to transact business through the medium of Irish. The Service is fully committed to meeting these obligations. During 2003, the Service conducted a review of the capacity of court offices to provide a service through Irish, with the intention that training will be provided to address any shortcomings. In addition, the Service improved the range of published material available in Irish

and increased the amount of material available in Irish on the website.

Personal Injuries Legislation

The *Personal Injuries Assessment Board Act, 2003* aims to provide an alternative to litigation for personal injuries claims with a view to reducing the legal costs and other fees charged and reduce the amount of time it takes to finalise compensation claims. The *Civil Liability and Courts Bill*, to be published in early 2004, will provide, among other matters, for procedural and other changes in actions to recover damages for personal injuries.

The Personal Injuries Assessment Board will deal with cases where liability is not at issue and the role of the Board will be to assess the level of damages appropriate to the claim.

FINANCIAL ENVIRONMENT

The provision of substantial additional funding since its establishment has enabled the Service to address a number of problems highlighted by the Working Group on a Courts Commission. However, changes in the economic environment have limited the scope for further increases in public expenditure,

thus increasing the need to introduce and constantly review expenditure in order to ensure the best value for money.

Initiatives undertaken by the Service in this area included an expenditure review programme for the period 2002 to 2004. The process is part of an initiative established by the Department of Finance known as "*The Expenditure Review Initiative*" which aims to move public sector management away from the traditional focus on inputs, and concentrate more on the delivery of outputs/outcomes and the achievement of intended results. During the year, and following discussions with the Department of Finance, a sectoral review in the area of courthouse maintenance and capital buildings commenced. Courthouse maintenance expenditure and capital building refurbishments are programmes that incur significant and increasing levels of expenditure. The review will address critical issues such as cost control, cost reduction and value for money and consider the management arrangements for planned and preventative maintenance and refurbishment in respect of court buildings. This review is due for completion in early 2004.



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REFORM INITIATIVES

The programme of reform initiated in 2002 with the establishment of a Directorate of Reform & Development tasked with co-ordinating initiatives of the Service for changes in legislation on courts administration, the modernisation and simplification of court rules and terminology and the improvement of practice and procedures in court offices continued in 2003.

Examples of the initiatives commenced and/or supported by the Directorate during the year included:

Court Rules

Draft rules for the conduct of commercial litigation in the High Court were prepared for the committee established by the President of the High Court under the chairmanship of a judge of the High Court and submitted to the Superior Court Rules Committee. (see page 118 for the Report of the Superior Court Rules Committee 2003). The draft rules were formally approved by the Rules Committee in December 2003 and were expected to be signed by the Minister for Justice, Equality & Law Reform in January 2004 in advance of the commencement of the new Commercial Court (see page 38)

Court Practice and Procedure

A review of the functions and procedures of the Examiner's Office of the High Court was commenced in liaison with the judge in charge of the Examiner's List and with the Examiner of the High Court.

An internal review of the law, practice and procedure relating to wardship of incapacitated adults and minors continued during 2003. (See page 31 for further details).

Committee on Court Practice and Procedure

Assistance provided to the Committee on Court Practice and Procedure included providing information in respect of the position in the various court jurisdictions in the course of the consideration by the Committee of the appropriateness of personal injuries litigation practices and procedures.

The Committee, in its 28th Report published in October 2003, recommended that a Rules Committee Support Unit be established within the Directorate of Reform & Development to provide a support and liaison function for the Rules Committees of the Superior, Circuit and District Courts.

THE WORKING GROUP ON THE JURISDICTION OF THE COURTS

The Service continued to provide administrative and research support to the Working Group on the Jurisdiction of the Courts during 2003. The Group presented its Report in July 2003 following the completion of deliberations on the first module within its terms of reference, the criminal jurisdiction of the courts. The Report represented the most extensive examination of the criminal jurisdiction of the courts since the foundation of the State and made a range of recommendations concerning the operation of the criminal courts in Ireland, including matters such as the summary, indictment and appellate jurisdictions, the criminal process and statistics.

CORPORATE GOVERNANCE

The Service continues to be represented on the Steering Group established by the Minister for Finance to coordinate and monitor the implementation of the recommendations of the Report of the Working Group on the Accountability of Secretaries General and Accounting Officers (The Mullarkey Report). The Accounting Officer for the Service is the Chief Executive. He is responsible for the funds voted to the Service by the Oireachtas.



CHAPTER 1

Structures and Environment

Report of the Working Group
on the Accountability of
Secretaries General and
Accounting Officers

July 2002

The Service produced an action plan during the year as part of its strategy in compliance with the recommendations contained in the *Mullarkey Report*. Progress made during 2003 in relation to the implementation of the actions outlined in the action plan included the following:

- An Audit Committee was established and held a number of meetings during the year;
- A review of internal audit requirements was completed;
- A new Financial Management System was implemented in June 2003. This is a crucial element of the Management Information Framework, the implementation of which is also a key recommendation in the *Mullarkey Report*;
- Work commenced on the development of a risk management framework. Risk management will be embedded into the business planning process covering all aspects of the functions of the Service;
- Work was undertaken during the year to evaluate the internal financial controls of the management of voted funds and financial operations in Circuit and District Court offices;
- A Statement on Internal Financial Controls was included in the Appropriation Accounts (Annual Financial Statistics) for 2003.

The funds voted to the Service amounted to €92m in 2003. This represents approximately 10% of the total value of all financial transactions. There are some €830m in funds held in trust by the courts, primarily in respect of Minors and Wards of Court and a further €70m, approximately, in respect of fines, fees, family law and bail transactions. In reviewing the issues identified by the Mullarkey Report, the Service will take account not just of the €92m in Voted Funds but also all other financial transactions processed by the Service and its offices in support of the operation of the courts.

Management Information Framework

Management Information Framework (MIF) is one of the main management reforms envisaged in *Delivering Better Government* and is an integral part of the *Strategic Management Initiative*. The view is that existing financial systems do not provide management with relevant, accurate and timely information on performance and trends and that new systems are required that will support the wider financial management process for planning resource allocation, management control and budgeting, day-to-day financial reporting and assessing performance.

The new Financial Management System (FMS) referred to on *page 41* implemented in June 2003 forms a major part of the framework. While the new FMS is an important building block with the potential to deliver many efficiency benefits, the MIF is about delivering enhanced financial and non-financial management information to support planning and management. By the year-end the Service was embarking on a consultation exercise with a view to introducing MIF systems and was on target to produce its first progress report in mid-2004.



CHAPTER 1

Structures and Environment



**KOSOVO COURT
RESTRUCTURING PROJECT**

The Service, at the request of the United Nations, nominated the Director of Reform & Development to participate as a member of a joint United States Government/Council of Europe Court Restructuring Project Team charged with preparing a comprehensive scheme for a new judicial system in Kosovo. At year-end the report of the Project Team was in the final editing stage.

Statistics to note from 2003:

- **39 murder cases received by the Central Criminal Court, a decrease from 55 in 2002**
- **52 rape cases received by the Central Criminal Court, a decrease from 82 in 2002**
- **2,970 divorce applications granted in the High and Circuit Court, an increase of 15% from 2002**
- **406 jury trials completed involving over 4,872 citizens serving as jurors**
- **102,325 licensing applications dealt with**
- **3,571 second level students visited the Four Courts**
- **32,000 people accessed the website every month**
- **approximately 4,000 media queries dealt with**





Implementing our Mandates

Chapter 2

2003

Managing the Courts

The foundation underpinning the modernisation programme of the Service to date has been a stable industrial environment where staff have demonstrated considerable flexibility and willingness to embrace a range of new developments.

They have implemented new procedures and participated in partnership committees dealing with many issues affecting the work environment while ensuring that the core work of the Service, supporting the operation of the courts, has continued uninterrupted. This cooperation has been complemented by improved working conditions, the provision of information technology systems and greater development opportunities in a number of areas including training, mobility and the introduction of a Performance Management and Development System (PMDS).

ADVANCING THE STRATEGIC MANAGEMENT PROCESS

A new Strategic Plan was published and distributed by the Service early in the year. The Plan uses the various areas within the

Staff have implemented new procedures and participated in partnership committees dealing with many issues affecting the work environment while ensuring that the core work of the Service, supporting the operation of the courts, has continued uninterrupted

statutory remit of the Service to chart an ambitious range of goals and objectives for the next three years. The various offices of the Service continue to implement the strategies set out in the Plan through annual business plans.

TRAINING INITIATIVES

The drive to ensure that the skills and competencies required for the effective operation of the Service are identified and made available through targeted training and education programmes continued

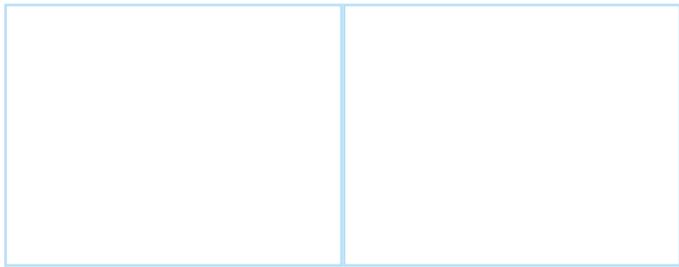
during 2003. Training events and initiatives organised during the year included workshops and seminars for County Registrars, the Senior Management Team, Principal Officers, Assistant Principal Officers, Higher Executive Officers/Court Clerks, Executive Officers/Junior Court Clerks, Staff Officers and Clerical Officers. Following on from these events, a number of Development Programmes commenced for all grades.

Information Technology Training

Progress continued with information technology training for both judges and staff. The European Computer Driving Licence (ECDL) is a comprehensive programme where participants engage in a series of computer courses in matters such as word processing, database creation and spreadsheet techniques. A pilot



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evening programme leading to the ECDL qualification continued in Dublin during the year. Evening programmes on ECDL are ongoing in Limerick, Cork, Wicklow, Galway and Castlebar. A pilot programme for judges will commence in January 2004.

A support programme for the Criminal Case Management System commenced for staff in the Dublin District Court office during the year. By year-end, an e-learning tool which will be used to deliver the programme was being developed for the system, a first for the Service. A *Train the Trainers* programme was delivered for the Criminal Case Management System Project Team in December. Training for regional trainers will commence in January 2004.

Performance Management and Development System training

Training for the third phase of the Performance Management and Development System (PMDS) was completed during 2003. The training was accompanied by the publication of guides for leaders and participants.

Specialist training

Specialist training programmes continued during the year and included project management, human resources, finance, Freedom of Information, publishing and legal seminars. A specialised accounting training course for District Court staff was devised and delivered in conjunction with the roll-out of the Courts Accounting computer system (see page 40).

Probate Office training

The Probate Office devised two two-day training seminars for staff in the 14 Regional Probate District Registries during the year. In addition to providing training, the seminars, delivered by staff of the Probate Office, afforded an opportunity to review the business processes in various offices and to introduce consistency in dealing with customers. A common query sheet was compiled for use in all offices and each participant was provided with a training manual. The Probate Office intends to provide County Registrars with refresher courses in probate procedure during 2004 and a similar course will be delivered to the staff of the Office of the General Solicitor for Minors and Wards of Court and the Office of Wards of Court.

COURT REGISTRARS

Training for High Court Registrars

During the year, the training of High Court Registrars was placed on a more structured basis. Mentoring was provided by a retired Registrar of the Supreme Court and on-the-job coaching and training by existing senior Registrars. A familiarisation programme was put in place for new Registrars assigned to work in the High Court. A seminar will be held in January 2004 at which senior Registrars will give presentations to their less experienced colleagues and a retired Judge of the Supreme Court will give the keynote address. Work continued on the production of training manuals and templates for the production of standard form court orders.

Training for Circuit Court Registrars

Work commenced on the production of manuals outlining civil procedures and providing detailed information for Circuit Court registrars during the year. At year-end, templates for the production of standard form Circuit Court Family Law Court orders were being finalised.



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Training for District Court Registrars

A draft Business Procedures/Training Manual for District Court Registrars, together with details of court orders and circulars, was prepared during the year. An analysis of the formal in-house training needs of staff was conducted and the appropriate training courses for court registrars in the Dublin Metropolitan District was undertaken, encompassing eighteen half-day sessions.

DEVELOPING A HUMAN RESOURCES STRATEGY

On page 19, reference is made to the development of a Strategic Human Resources Management function within the Service. This function will seek to create a culture within the organisation of high staff involvement; where innovation and creativity is valued; and where technical and skills training particularly for court-going staff is prioritised, either through training or direct recruitment. The Human Resources Management function will be to design a strategy to implement such a culture throughout the organisation.

The ultimate outcome of the strategic Human Resources Management function is to create a culture where staff feel fully involved and are equipped with the skills and knowledge necessary to do their jobs effectively. The key human resources processes of recruitment, training, and performance management have a major role to play in achieving this outcome.

Work commenced during the year on the development of a Human Resources Strategy in line with the commitment in the Strategic Plan of the Service and as specified in the *Sustaining Progress Action Plan*. This project will continue in 2004 utilising the partnership process to assist with the development of a strategy which will cover such matters as devolution of responsibility and accountability, equality, diversity, training, recruitment and retention, mobility, partnership and performance. In particular, the Strategy will seek to embed the Performance Management and Development System (PMDS) throughout the organisation in the spirit in which it is intended to operate.

A computerised Human Resources Management System for the Service commenced operation in October. Major benefits arising from the implementation of the system include more accurate and detailed information in relation to staff, the capacity to generate more and better reports on issues such as absenteeism which will facilitate better management of resources and an interface with the central system called CENSIS, operated by the Department of Finance to monitor a range of staffing issues.

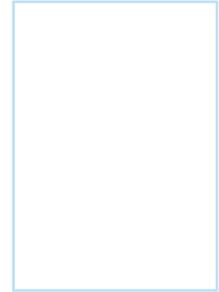
Benefits of new computerised Human Resources Management System:

- **Availability of more relevant and timely management information**
- **Ability in due course to interact with both the Payroll and CENSIS returns**
- **Capacity to record all training provided by the Service together with qualifications and relevant personal data**



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It is most important that the quality of service provided by every office is delivered in an efficient, effective and sensitive manner



A staff handbook, officially launched by the Chairperson of the Board in early 2003, was updated during the year to account for changes in regulations relating to staff issues and as a result of feedback from staff and managers.

At year-end, the preparation of a managers' handbook was well advanced. The handbook will deal with a range of issues including annual leave, sick leave, flexitime, work sharing, term time, career breaks, parental leave and bullying and harassment.

SUPPORTING THE PARTNERSHIP PROCESS

On page 18 the composition of the Central Partnership Committee is outlined. It comprises representatives from each of the unions, including the County Registrars' Association (six in total), staff representatives, the Chief Executive (who chairs the Committee), management representatives and representatives from the regional partnership committees. The representation of the Committee seeks to reflect a balance in respect of grade, gender and geographic location. Regional partnership committees were also established in each of the seven regions. A committee for Dublin was also formed towards the end of the year.

The Service has not sought to prescribe or restrict the partnership agenda and this has been a major factor in the success of the process to date. The range of issues brought within the ambit of the partnership framework has been broadened in consultation with other stakeholders, particularly the trade unions. The widening of the membership of the Central Partnership Committee in 2003 facilitates the discussion of regional issues as part of the process.

USING THE PARTNERSHIP APPROACH

Issues dealt by partnership committees in 2003 included:

- Customer Service
- Health & Safety
- Induction
- Exceptional Performance Awards
- Performance Management and Development System
- Teleworking
- Regional Committees
- Car Parking
- "Sustaining Progress" Action Plan
- HR Strategy

- Training and Development
- Internal Communications
- Bail Refunds

IMPROVING THE QUALITY OF SERVICE

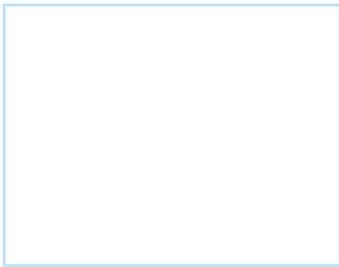
Implementing the Customer Service Action Plan

The provision of a quality customer service to the public has been a key component of the modernisation programme for the Irish Civil Service since the publication of *Delivering Better Government* in 1996. This was also emphasised in the *Programme for Prosperity and Fairness and Sustaining Progress* agreements.

The Service has actively participated in a range of Government initiatives and programmes aimed at improving the quality of the service provided to all users of the courts. The first-ever Customer Service Action Plan of the Service was published at the end of 2002 and presented to the Minister for Justice, Equality & Law Reform in early 2003. The Plan, developed using the partnership structure and following extensive consultation both internally and externally, was launched by the Chief Executive on a regional basis.



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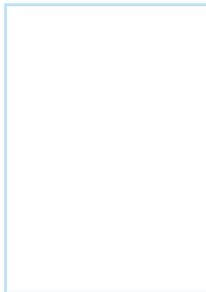
During the year, the implementation of the seventy-three distinct objectives in the Plan was a major focus. A partnership sub-committee on customer service was established with representatives from all grades in both Dublin and provincial offices and held its first meeting in September 2003. A quality customer service officer was appointed together with customer liaison officers nominated by court offices in Dublin and the provinces.

The design of a new programme of customer service training to support the implementation of the Customer Service Action Plan was completed in mid-2003. A series of pilot training sessions of the programme, which places particular focus on front line staff, was delivered. The one-day programme, which will commence in January 2004, will cover face-to-face communications, telephone techniques and dealing with difficult customers.

Other initiatives included the introduction of a customer complaints procedure. A leaflet/complaint form was published and distributed. The Mission Statement of the Service was printed in English and Irish and is on display in the offices of the Service.

A customer forum in Dublin was complemented by a number of other such fora established by regional managers around the country to enable the Service to liaise with the many users of the courts on a wide range of matters affecting them.

At year-end, work on the preparation of a Customer Charter was at an advanced stage. Other issues which will be considered during 2004 include telephone service, dress code and office opening hours.



Customer Service Action Plan

The Plan highlights the importance of respecting the privacy and dignity of the customers of the Service with special emphasis on:

- **Timeliness**
- **Courtesy**
- **Informing the customer**
- **Consulting with the customer**
- **Providing feedback**

One of the primary objectives of the Customer Service Action Plan is to reinforce the customer service aspect of the modernisation programme of the Service.

Legal Diary

The Service continues to make the Legal Diary available in both hard copy and on the website www.courts.ie The hard copy version is available from external printers on a daily basis upon payment of an annual subscription fee. The Diary is available on the website free of charge.



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Using technology to improve service

In September, a live television link was used in the High Court to hear an application to approve an offer of settlement in a case where the plaintiff in a personal injury action had been repatriated to the United States and taken into Wardship. The use of the live link allowed the court to consider and approve the settlement offer without delay and enabled the parties to make a considerable saving in costs.

The use of live television links continued in October and November when the High Court heard expert medical evidence from England and Scotland. By doing so, trials which would otherwise have been adjourned, or would have required to be specially fixed were disposed of, and again there was a considerable saving in costs.

The Central Criminal Court sitting in Limerick heard evidence by video link in December. This represented the first-ever use of video link evidence outside of Dublin and involved the giving of evidence by a child witness.

Reform

Initiatives during the year to improve and modernise court practices and procedures included an internal review of the law, practice and procedure relating to wardship of incapacitated adults and minors. The review was undertaken by the Registrar of Wards of Court, the General Solicitor for Minors and Wards of Court and the Director of Reform & Development.

In the course of the review, the Law Reform Commission published a consultation paper on the law of the elderly, which contains preliminary recommendations inter alia, for revision of the definition of general legal incapacity, the replacement of the Wards of Court system by a tribunal and an office of public guardian, and new remedies for the protection of legally incapacitated and vulnerable adults. The Service prepared and submitted a response to the consultation paper following consultation with the President of the High Court and intends to continue to liaise as appropriate with the Law Reform Commission in connection with the formulation of its final recommendations.

DEVELOPING FAMILY LAW COURT SERVICES

Family law hearings

The Service continues to ensure, in consultation with the judiciary, that all family law matters are dealt with, as far as practicable, separate from other court business and in a manner sensitive to the nature of the business. The High Court continues to hear family law cases separately to other civil cases in a dedicated family law list. In the Circuit Court, family law cases continue to be dealt with on days separate to the rest of the court business. In the case of the District Court, while family law cases have traditionally been dealt with at the beginning or end of the ordinary list, considerable progress has been made in separating family law cases from the rest of the work of the courts. In Dublin and Cork, District Court judges continue to be assigned on a full-time basis to family law courts and deal exclusively with such cases. In many District Courts, dedicated days have been allocated to family law (see page 32).



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Circuit Court Family Law Court

Section 47 of the Family Law Act, 1995 allows for the provision of social reports relating to the welfare of parties in family law proceedings by the Probation & Welfare Service or a health board. In line with the recommendations of the Family Law Court Development Committee, arrangements were put in place during the year for a pilot project in the Dublin Circuit Family Court for the provision of Section 47 Reports.

A new information technology system was installed in the Circuit Court Family Law office during the year to assist with the production of orders of the court and also capture meaningful statistical information. The Law Society of Ireland agreed to assist in the compilation of this information by requesting solicitors to complete an information form to accompany the issue of proceedings in the Circuit Court Family Law office.

DISTRICT COURT VENUES WITH SITTINGS DEDICATED TO FAMILY LAW

District Court Number	Venue	Number of Sittings
3	Ballina	Monthly
16	Bray	Monthly
15	Carlow	Monthly
3	Castlebar	Monthly*
21	Clonmel	Monthly*
20	Cobh	Monthly
19	Cork	Twice weekly
1	Donegal	Monthly
6	Drogheda	Monthly
	Dublin	Daily
6	Dundalk	Monthly
12	Ennis	Monthly
20	Fermoy	Monthly
7	Galway	Monthly
22	Kilkenny	Monthly
13	Kilmallock	Monthly
1	Letterkenny	Monthly
14	Limerick	Weekly
13	Listowel	Monthly
20	Mallow	Monthly
20	Midleton	Monthly
9	Mullingar	Monthly
16	Naas	Monthly*
10	Navan	Monthly
13	Newcastlewest	Monthly
15	Portlaoise	Monthly
2	Sligo	Monthly
10	Trim	Monthly
9	Tullamore	Monthly
22	Waterford	Monthly
3	Westport	Monthly*
23	Wexford	Monthly*
21	Youghal	Monthly

* in certain venues, while the day is not entirely dedicated to family matters because of volumes, the day is arranged so that family lists are heard separately.

IMPLEMENTING THE INFORMATION TECHNOLOGY STRATEGIC PLAN

The implementation of the key strategies outlined in the five-year information technology strategic plan titled "eCourts" published in 2001 continued during the year. Progress can be summarised across three specific categories as follows:

- Infrastructural-based
- Application-based
- Business-based

Key to the deployment of the strategic applications identified in the plan was the implementation of a modern communications network linking all offices of the Service nationwide into a single corporate network. The project to implement the network, "Project Gateway", was implemented in two phases and introduced a local and wide area network infrastructure based on the most modern technical platform available. This implementation has enabled the Service to provide staff and the judiciary nationwide with modern word processing and other products such as the ability to create databases and spreadsheets as well as providing access to e-mail and web browsing. These developments facilitate rapid communication and



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“The successful implementation of a major information technology programme where all staff are now using e-mail and modern office productivity tools and communicating with practitioners electronically was unheard of just four years ago”

P.J. FITZPATRICK, CHIEF EXECUTIVE

information dissemination across the organisation and allow the Service plan for the deployment of strategic applications in the future.

During the year, the Service completed the procurement of a comprehensive support service to ensure the availability, reliability and integrity of information technology systems. The matter of security practices and procedures will be audited and reviewed in 2004. An exercise to procure support for the Criminal Case Management System was ongoing at year-end.

The process of consultation to undertake a formal review of “eCourts” was completed during the year. The review will ensure the continued relevance of the technologies and strategies chosen to meet the requirements of the business of the Service. A group comprising several principal officers was established to conduct an internal review of information technology strategy generally and to make recommendations for future strategies. The Group will report to the Senior Management Team in mid-2004.

PROVIDING NEW INFORMATION SYSTEMS

A programme of development of strategic applications such as the Criminal Case Management System, financial applications and others continued in 2003.

Computers in the Courtroom

Computers were introduced into a number of additional courtrooms of the Dublin Metropolitan District Court including: Court 50 (Richmond Hospital), Court 55 (Children’s Court, Smithfield), Dun Laoghaire District Court and Cloverhill District Court. They were also provided in courtrooms in Limerick District Court. The introduction of the computers has resulted in greater efficiencies in recording the results of cases and in the production of after-court documentation.



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COMPUTERS IN THE COURTROOM - AN INITIATIVE MAKING A REAL DIFFERENCE

A computer was installed in every courtroom in which the High Court sits during the year in accordance with the *Sustaining Progress Action Plan* of the Service. The computers are all equipped with silent key boards to minimise disruption of court business and to ensure that the service provided by court registrars to the judiciary and practitioners is not in any way adversely affected.

Each High Court registrar can use the computer to log on to the High Court case tracking system and the Legal Diary on the website to up-date court lists for the benefit of the judge and for publication in the Diary. The fact that all court lists are available on screen to registrars has effected the single biggest change in the registrar's working life in living memory and has greatly reduced the time required for publication of Masters Court lists and lists to fix dates of which practitioners always require as much notice as possible.

Registrars now use the e-mail application to transmit up-dated lists to the Legal Diary Team for posting on the website and transmission to the printers for publication in the *Legal Diary - Printed* to which many practitioners subscribe. The e-mail application also allows registrars to remain in contact with their manager, with each other and with the public Central Office.

The computers also allow the registrars to draft and perfect court orders on screen in court. Up to 30% of all orders are produced and perfected in this way, and many more are drafted and sent by e-mail to support staff for printing. On-screen drafting facilitates the registrars sharing precedents with each other and allows them to benefit from the electronic document library of precedents to which they all have access.

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ROLL-OUT OF CRIMINAL CASE MANAGEMENT SYSTEM

The roll-out of the Criminal Case Management System to the remaining offices of the District Court around the country will take place during 2004.

ENHANCEMENT FOR PENALTY POINTS/ROLL-OUT

In advance of the full implementation of the penalty points system under the Road Traffic Act, 2002, offences relating to speeding, wearing of seat belts and driving without insurance have been deemed to be offences which attract penalty points. To facilitate the automated implementation of penalty points, the enhancement of the Criminal Case Management System commenced during the year. This included the development of an interface between the System and the Department of Environment & Local Government's Driver Licence system to facilitate the electronic transfer of details of convictions to which penalty points refer. The specifications for an electronic interface between the Criminal Case Management System and An Garda Síochána's Penalty Points system have been agreed and development work on these interfaces will commence in 2004.

Penalty Points

Offence	General description of offence	Operative date
Offence under Section 47 Road Traffic Act, 1961	Exceeding a speed limit	31st October 2002
Offence under Section 56 Road Traffic Act, 1961	Using a vehicle without insurance	1st June 2003
Offences by a driver under Article 6 Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 3) Regulations, 1991	1. Driver failing to wear a seatbelt	25th August 2003
	2. Driver permitting a person under 17 years to occupy front seat when not wearing safety belt or child restraint	25th August 2003
Offence by a driver under Article 7 (3) Road Traffic (Construction, Equipment and Use of Vehicles)(Amendment)(No. 3) Regulations, 1991	Driver permitting a person under 17 years to occupy rear seat when not wearing safety belt or child restraint	25th August 2003

In advance of the development of the necessary interfaces, a manual system was introduced during the year whereby District Court offices ensure that the Department of Environment & Local Government is informed of any conviction involving penalty point offences.

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The Service is committed to cooperating fully with the further development and implementation of eGovernment policy as outlined in “New Connections”, the Government’s Action Plan to realise the potential of the Information Society.

CRIMINAL CASE MANAGEMENT SYSTEM

Rolling-out to the entire country

The introduction of this system, which streamlines the input and production of information to benefit both staff and customers, is an important development in the on-going modernisation process of the Service. Since its introduction in Dublin and Limerick, the Criminal Case Management System has had a major impact on the work of the District Court which deals with 95% of all criminal cases. The system can track the full life cycle of a criminal case and a road traffic case in the District Court. Users can create and result cases, appeals, judicial reviews and set asides; record bail and legal aid details; receipt fines; print warrants, summonses, legal aid certificates and a whole array of other documents and reports.

Searching is possible on almost every aspect of a case created and all information is stored centrally allowing viewing of cases listed nationwide. Security features ensure that access to modify data is limited and a suite of statistical queries removes the need to manually collect statistics. Data can be collected centrally, providing the Service with the best technical solution to fulfil its present requirements while opening avenues to evolve the system if the business environment changes.

At year-end, the system was ready for roll-out to District Court offices around the country. Enhancements were being developed to allow for the electronic transmission of information to and from An Garda Síochána and the Department of the Environment & Local Government.

DEPLOYING ELECTRONIC DELIVERY OF SERVICES

Civil Case Management System

A number of interim solutions were implemented to meet specific business requirements pending the implementation of a corporate Civil Case Management System. All provincial Circuit Court offices, with the exception of Letterkenny and Cork, were provided with a system by the end of 2003. Performance of the system in Dublin improved considerably due to substantial re-design which now forms the basis of the new roll-out to provincial offices. A separate system was completed for use in Family Law of the Dublin Circuit Court.

Small Claims on-line project

The Steering Committee established to oversee the development of a pilot project to develop an on-line small claims procedure whereby consumer claims in respect of complaints which currently come within the scope of the procedure can lodge claims over the Internet continued its programme of work during the year. The Committee, chaired by the President of the District Court, completed the required analysis phase of the project. At year-end, work had commenced on the actual development of the system.

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The system will be implemented in the Dublin Metropolitan District Court in mid-2004 extending to the public on an on-line basis later in the year. The necessary amendments to the District Court Rules to allow for e-Small Claims were approved by the District Court Rules Committee and signed by the Minister for Justice, Equality & Law Reform in September.

Examining the potential of video conferencing technology

A Committee was established by the Minister for Justice, Equality & Law Reform early in 2003 to examine the potential of video conferencing technology with regard to the conduct of criminal and civil trials. The Committee, chaired by Mrs. Justice Susan Denham of the Supreme Court and Chairperson of the Courts Service Board, comprises representatives of the Service, the Department of Justice, Equality & Law Reform, the Prison Service, An Garda Síochána, the Attorney General's Office, the Bar Council and the Law Society. It is expected that the Committee will furnish an interim report to the Minister in early 2004.

It is expected that the remit of the project will be extended to examine the feasibility of introducing a corporate video

conferencing system which would be sufficiently scalable to incorporate future corporate requirements and the extension of the system to the civil courts.

Implementation of Digital Recording in selected courtrooms

A pilot project was established in 2003 for the introduction of digital audio recording, initially in the Circuit and Central Criminal Courts. Significant investigation of the potential for digital audio recording was undertaken, including visits to installations implemented in the United Kingdom. A number of options are available for implementing such recording on a pilot basis initially. These include a complete managed service basis whereby the selected service provider would be responsible for the installation of the system and the provision of transcripts and the Service would pay on a usage basis thus avoiding upfront capital costs and outsourcing the risk associated with the implementation of the system. A project board for the project will be established in early 2004.

Overview of information technology projects in 2003:

- **Criminal Case Management system:** system enhancements and application support;
- **Courts Accounting system:** software development;
- **Funds Accounting system:** software development;
- **Support and maintenance services:** helpdesk maintained, hardware and software maintained.

eConveyancing Project

The Service has extended cooperation to the Law Reform Commission's e-Conveyancing Project. This project is comprised of three elements, concerned with administrative, procedural and substantive legal aspects of conveyancing respectively, and is overseen by the Commission's Working Group on e-Conveyancing. The Service is concerned specifically with the administrative strand, which involves examination of the employment of information and communications technology in conveyancing transactions and the role of the public bodies concerned in providing services or information to facilitate such transactions. Information and communications technology is considered as a key enabler of change in this area, the ultimate aim being to facilitate paperless conveyancing transactions through an on-line portal.



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The Service is represented on the Administrative Sub-Group of the Working Group on e-Conveyancing. The Service maintains a range of registers of information relating to matters such as judgments and court proceedings, bankruptcy orders and grants of probate which are important inputs into the conveyancing process. It will be necessary to have those registers available on-line to meet the aim of paperless conveyancing transactions.

The Service has, in consultation with the Law Reform Commission, incorporated in its information and communications technology strategy plans the provision of access via the Internet to relevant court registers open to public inspection. Information on the various registers maintained, and the statutory provisions applicable to them, was collated during 2003 and a consultation exercise was conducted with the operational areas concerned, to establish the order of priority, by reference to utility, frequency of use and other relevant factors, according to which manual registers should be converted to electronic format.

Information Technology related expenditure	
Year	Amount €m
2000	6.337
2001	7.287
2002	8.467
2003	6.480

Commercial Court

At year-end, the first Commercial Court in Ireland, aimed at offering a specialised approach to the disposal of commercial litigation in line with jurisdictions in leading economies elsewhere, was scheduled to commence hearing cases in January 2004. The Court, which will in fact be the commercial list of the High Court, will enable commercial litigation to be tried by judges having a particular expertise and experience in commercial law and to provide a case management regime for appropriate cases.

Work carried out during 2003 by way of preparation for the commencement of the new court included the provision of a technology enabled courtroom which will facilitate digital recording of proceedings, the presentation of evidence electronically and, where required, the hearing of evidence remotely by video conferencing. The new court will contribute significantly to the commercial and legal infrastructure available to the business community and follows other major developments, including the International Financial Services District and the Digital Hub complex in Dublin

NEW ARRANGEMENTS FOR THE MANAGEMENT AND INVESTMENT OF COURT FUNDS

Since the establishment of the Service, the issues surrounding the management and investment of court funds have been afforded high priority. Very significant progress has been made in bringing about a major transformation in the approach to managing these funds. At year-end, there was some €830m in court funds. These include funds managed by the courts on behalf of persons who are Wards of Court and Minors and lodgments in court cases.

Technology

In July, the introduction of a new modern computerised funds accounting system marked an historic change in the way court funds are managed and accounted for. The Accountant's Office of the High Court transferred its manual accounting systems to the new system (AGRESSO) thus ending many years of administering the funds using a paper-based ledger system. The deployment of the technology involved was accompanied by a significant process re-design and re-structuring of the operations of the Accountant's Office. The new system will provide key



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improvements in the administration of court funds through enhanced service delivery, security and transparency and will also support new investment strategies. It will also facilitate improved accountability through the publication of audited annual financial statements in respect of the management of the funds. It is also planned that beneficiaries will receive an annual statement of their funds in court.

Fund Managers

Supporting the modernisation programme for the management of court funds, which is one of the most significant in the history of the courts in Ireland, was the appointment of investment advisors and fund managers to ensure that these funds are managed in accordance with best practice in a way that best meets the requirements of individual beneficiaries. Following an EU competitive tendering process, the Service appointed Bank of Ireland Asset Management and State Street Global Advisors as joint fund managers in early 2003. Four new unitised funds have been established to meet the specific requirements of court funds and these have been approved by the Irish Financial Services Regulatory Authority. Each of these funds contains varying amounts of assets

classes (cash, bonds and equities) designed to meet the requirements of beneficiaries. The first tranche of court funds, some €150million, representing funds of Wards of Court, was invested in the new strategies in early December 2003.

Governance Arrangements

The Investment Committee established as part of the governance arrangements to oversee the implementation of the new arrangements for the management and investment of court funds continued to meet during 2003. The Committee has judicial representation from the High, Circuit and District Courts. It also has representation from the Office of Wards of Court, Accountant's Office, County Registrars and the Chief Clerks in the District Courts. There is also an independent expert on the Committee. In addition to this, the financial statement of the Accountant of the Courts of Justice is audited by independent external auditors and submitted to both the Minister for Justice, Equality & Law Reform and the Minister for Finance in accordance with the Superior Court Rules.

Establishment of Central Funds Office

The Service continues to work towards the establishment of a Central Funds Office to assume responsibility for the centralised management of funds controlled by the various court jurisdictions. Proposals for legislation required to put the Central Funds Office on a proper footing were being addressed at year end.

Dormant Funds

Legislation dealing with approximately €7m in dormant accounts in the High Court is included in the Civil Liability and Courts Bill to be published in early 2004. Court funds, primarily those relating to persons who are Wards of Court or Minors, may be classified as dormant if there have been no transactions on them for a period of 15 years.



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IMPROVING COURTS ACCOUNTING ACTIVITIES

Courts Accounting System

The programme to develop and implement a computerised courts accounting system to enable the Service to account for and manage all monies and financial activities generated through the operation of the courts continued in 2003.

The benefits to court offices around the country as a result of the introduction and development of a computerised accounting system are substantial and wide ranging (see panels on this page). The system currently being used for the new funds accounting system (AGRESSO), referred to on page 38, is also being developed, as a separate project, to handle financial matters dealt with by the District Courts such as receipt and payment of family law maintenance, collection of fines, fees and bail. The roll-out pilot of the first phase of the new system involving family law maintenance was successfully completed with the system extended to four additional offices by the end of 2003, a total of six offices.

Benefits of computerised accounting system:

- More efficient processing of all accounting transactions and, in particular, high volume transactions such as family law receipts and payments;
- Computerising a previously manual, labour intensive system of accounting which had remained unchanged for decades;
- Improved, and more timely, management information on the volume, type and status of accounting transactions processed by court offices with the Service;
- Enhanced customer service with the introduction of greater choice for customers as to how they transact business with the courts. For example, a range of payment options for persons owing fines including credit card, via the Internet, etc., will be provided;
- Integration with the Criminal Case Management System.

The computerised accounting system will support eGovernment initiatives as follows:

- Payment of fines via the Internet;
- Payment of court fees via the Internet;
- Payment of family law maintenance electronically into and out of bank accounts. It is now also possible for a person owing maintenance to pay it into Court electronically using a standing order with his/her bank;
- Refund of bail electronically.

In addition to automating the processes associated with these financial areas and thus achieving better utilisation of resources and improved customer service, the new system will enable a number of eGovernment initiatives to be implemented. This will include a facility to pay fines over the Internet.

Phase two of the project will deal with accounting processes such as: fines, fees, bail and poor box. It will be necessary for these processes to interface with the new Criminal Case Management System to be rolled-out during 2004 (see page 36).

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Financial Management System

Improved financial management is a key objective over all Government departments and offices and is also a requirement of the Government's Strategic Management Initiative (SMI) and Management Information Framework (MIF) (see page 22). The objective of the Framework is that all departments and offices will have enhanced systems in place by the end of 2004 to give them better information which they will use to assess progress on performance and on the use of associated resources.

The Service introduced a new financial management system in June 2003. The new system is an integral part of the Government's Management Information Framework and will significantly improve access to timely and quality financial information, the absence of which was a serious limitation on the efforts of the Service to introduce modern financial management practices. The new system (Oracle) is a modern accounting system that records all financial transactions for the voted funds of the Service. It also provides for eGovernment initiatives namely eProcurement and on-line processing and approving of both invoices and travel and subsistence claims.

The system was implemented as a multi-agency initiative, led by the Department of Justice, Equality & Law Reform and also involving the Prison Service and An Garda Síochána.

The system was piloted within a number of sites during the year and it is intended to continue the roll-out to other offices during 2004.

Benefits of the new Financial Management System include:

- **The provision of more accurate, detailed and timely financial management information**
- **Supporting the devolvement of budgets to Regional Managers and Heads of Offices**
- **Combining both financial and non-financial, giving a more complete picture of court operations and supporting the carrying out of value for money reviews**
- **Enabling the establishment and monitoring of performance indicators.**
- **Processing travel and subsistence claims on line**
- **Improved level of financial reporting across all areas of expenditure**
- **Reducing time and effort involved in the compilation of the Appropriation Account of the Service (Annual Financial Statistics)**

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RE-ORGANISATION OF DISTRICT COURT DISTRICTS AND AREAS

The Board of the Service approved a recommendation from the District Court Committee that District Court areas be revised having regard to demographic changes that have occurred since the last revision in 1926. In summary, the re-organisation involves, where practicable, aligning Districts with county boundaries, aligning District Court offices with District Court Districts and eliminating the disparities between Districts on the west coast and Districts on the east coast. At year-end, arrangements were being made in consultation with the judges to have the re-organisation implemented.

Amendments to District Court districts and areas and variations of sitting days are effected by statutory instrument. During the year, a number of statutory instruments were signed by the Minister for Justice, Equality & Law Reform amalgamating a number of venues and amending sitting days. Details of these statutory instruments are on *page 43*.

PROVIDING A SERVICE IN DIFFERENT LANGUAGES

The Service is committed to adhering to the provisions of the Official Languages Act, 2003. A review of the capacity of staff in court offices to conduct business through Irish was completed during the year. Offices in Gaeltacht areas continue to provide a service through Irish and the Service provides interpreters for court proceedings in Irish. In addition, a number of publications of the Service are available in Irish and a substantial amount of information is available in Irish on the website.

For those court users whose first language is neither English or Irish, the Service continues to provide interpreters in a wide variety of languages. Information leaflets were published in Mandarin and Cantonese Chinese in 2003 and it is intended to extend the range of such publications in 2004. Further information is on *page 52*.



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TITLE	S.I. NUMBER	PURPOSE OF ORDER	DATE ORDER BECAME EFFECTIVE	DISTRICT NUMBER
District Court Districts & Areas (Amendment) & Variation of Days & Hours (Galway) Order, 2003	2/2003	Additional scheduled sitting on the third Thursday in each month at 12.00 noon (Children Court only)	15/1/03	7
District Court Districts & Areas (Amendment) (Callan & Kilkenny) Order, 2003	3/2003	Amalgamation of Callan with Kilkenny	1/2/03	22
District Court Districts & Areas (Amendment) & Variation of Days & Hours (Killmallock) Order, 2003	7/2003	Additional sitting of District Court at Killmallock on first Monday in each month	1/2/03	13
District Court Districts & Areas (Amendment) & Variation of Days & Hours (Drumcollogher & Newcastlewest) Order, 2003	8/2003	Amalgamation of Drumcollogher with Newcastlewest	1/2/03	13
District Court Districts & Areas (Amendment) & Variation of Days & Hours (Shanagolden, Rathkeale & Listowel) Order, 2003	13/2003	Amalgamation of Shanagolden with Rathkeale and additional sitting of District Court at Listowel on fourth Tuesday in each month.	1/2/03	13
District Court Districts & Areas (Amendment) & Variation of Days & Hours (Adare & Rathkeale) Order, 2003	60/2003	Amalgamation of Adare with Rathkeale	26/2/03	13
District Court Districts & Areas (Amendment) & Variation of Days & Hours (Collooney, Sligo, Ballymote & Riverstown) Order, 2003	374/ 2003	(a) Amalgamation of Collooney with Sligo except for DEDs of Carrownaskeagh, Coolaney & Lisconny, (b) additional sitting of District Court at Sligo on third Wednesday in each month (c) incorporation of DEDs of Carrownaskeagh & Coolaney into District Court Area of Ballymote, (d) incorporation of DED of Lisconny into District Court Area of Riverstown	1/9/03	2
District Court District Areas (Amendment) & Variation of Days & Hours (Elphin, Roosky & Strokestown) Order, 2003	375/ 2003	Amalgamation of Elphin & Roosky with Strokestown	1/9/03	4



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PARTICIPATING IN INTERNATIONAL FORA AND INITIATIVES

Staff of the Service participated in a number of events aimed at improving cooperation and increasing an awareness of developments elsewhere. Staff of the Office of Wards of Court joined colleagues from Scotland and England & Wales at a seminar in Belfast to discuss reform of the law on Wardship in Northern Ireland and at a seminar in Scotland attended by representatives of the Public Guardians Office in Scotland, the Public Guardianship Office for England & Wales and the Office of Care and Protection in Northern Ireland.

The Service supported the first European Day of Civil Justice in October. The event, organised jointly between the European Commission and the Council of Europe, aims to raise awareness of citizens' rights in the civil justice area. It is intended to make this an annual event with information campaigns and events organised to increase knowledge of civil justice and improve access to it.

An information leaflet prepared by the Service was distributed on the day at several court venues, together with leaflets and booklets dealing with the operation of the

civil law system in Ireland and in other European Union countries.

Meetings with colleagues in the Courts Services in England, Northern Ireland and Scotland continued during the year to discuss developments on a wide range of topics. Colleagues in various parts of the United States of America, Canada, Australia and other parts of the world continue to provide much valued sources of information for staff of the Service.

WELCOMING VISITORS FROM ABROAD

Opportunities to exchange ideas with colleagues from other countries were also facilitated via a series of visits hosted by the Service during the year. In March, the Master of the Rolls of England & Wales led a delegation from the Civil Justice Council on a visit to the Service which included a visit to the Chairperson of the Board. Other visitors during the year included a group from Scandinavia and a group from Canada led by a judge of the Court of Appeal in Ontario.



Provide support services for the judges

The judiciary constitutes the judicial organ of Government pursuant to the provisions of the Constitution. A primary role of the Service is to provide administrative support for the judiciary in the exercise of its powers and functions.

The Service continued to provide administrative support to the judiciary during 2003 through the offices of the Judicial Support Unit. It also provided administrative support to the Judicial Appointments Advisory Board, the Judicial Studies Institute and the Judicial Support Committee.

THE IRISH JUDICIARY

Jurisdiction and Legislative position	Number serving
Supreme Court 8 including the Chief Justice	8
High Court 30 including the President *	30
Circuit Court 31 including the President	30
District Court 53 including the President	52
Total	122 120

* 30 when the President of the Law Reform Commission is a High Court Judge, as is currently the case

The total number of serving judges in all four court jurisdictions - Supreme Court, High Court, Circuit Court and District Court - as of 31st December 2003 was 120.

ASSISTING THE JUDICIAL APPOINTMENTS ADVISORY BOARD

Advertisements for judicial vacancies were published in national newspapers and legal publications during the year. Events aimed at introducing newly appointed judges to the administrative functions of the Service were organised, with an emphasis on the support services available for members of the judiciary. Staff of the Judicial Support Unit coordinated the publication of the first Annual Report of the Judicial Appointments Advisory Board which was presented to the

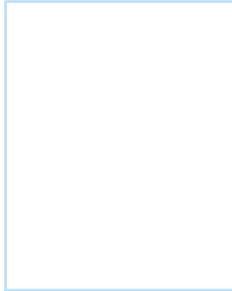
Minister for Justice, Equality & Law Reform in June 2003.

ASSISTING THE JUDICIAL STUDIES INSTITUTE

The Service continued to work with the judiciary during the year to identify, in a structured manner, the appropriate resources in terms of support, accommodation and funding for training required by the judiciary.



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ASSISTING THE JUDICIAL SUPPORT COMMITTEE

The Judicial Support Committee of the Board considered a range of issues during the year and is expected to report to the Board in mid-2004. Among the issues considered was the matter of secretarial support for High Court judges.

JUDICIAL SUPPORT UNIT

The Unit continued to provide comprehensive support to the judiciary during the year. In addition to providing support for judges in Ireland, the Unit facilitated visits of foreign delegations from numerous countries including the Croatian Supreme Court, the Albanian Supreme and District Courts and the Superior Court of Justice of Ontario. An extensive programme was arranged for judges from Hungary who visited under the Phare-Twinning Programme designed to provide information on EU law for accession countries.

At year-end, work was well advanced on the preparation of an information booklet for judges containing information on their conditions of service and other relevant information. The booklet is being prepared in cooperation with the Department of Justice,

Equality & Law Reform, the Department of Finance and the Presidents of each court.

ASSISTING THE JUDICIARY TO REDUCE WAITING TIMES

The Service continued to improve the working relationship and communication process between the judiciary and staff of the Service in a number of ways, including supporting various initiatives taken by the judiciary in matters such as waiting times in courts where such waiting times exist:

Supreme Court

The decision to dispense with lists to fix dates and assign responsibility for fixing dates for hearing to the Registrar of the Supreme Court when cases are ready for hearing continued to yield dividends in 2003. As of December 2003, the waiting time for an appeal to be listed for hearing was less than four months.

Reducing waiting times: Court of Criminal Appeal

During 2003, the Court of Criminal Appeal sat for an extra 44 days. Courts were also specially convened to hear three conviction appeals lasting 2, 4 and 7 days respectively.

Throughout 2003, there were continuous efforts made to maximise the number of appeals heard by using court time that became available as a result of adjournments or withdrawal of cases to accommodate cases awaiting hearing. Problem cases were also actively monitored and managed in an effort to get such cases ready for hearing and to ensure that any ancillary applications, such as additional evidence deemed necessary by the applicants' legal representatives, were identified and processed. Priority cases continued to be accommodated where the court was of opinion that an urgent hearing was necessary in order to avoid any injustice to the applicant.

For the first time in three years and as a direct result of the additional sittings, all conviction cases appearing in the list to fix dates in December 2003 and which were ready for hearing were given hearing dates between January and April 2004. Therefore, the average waiting time for appeals in 2002/2003 conviction cases where all necessary papers were lodged within time by the solicitors was reduced to approximately 12-14 months.

For further information about waiting times in the Court of Criminal Appeal, see page 75.



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Central Criminal Court

For the first time in the history of the State, the Central Criminal Court sat in Limerick in July 2003 in an effort to reduce waiting times. The hearings were designed to expedite the hearing of murder and rape cases in the Limerick region. The Central Criminal Court continued to sit in Limerick, resulting in significant savings to the State in relation to An Garda Síochána, Prison Service, witness expenses, travel, subsistence and security arrangements.

Arrangements included the provision of rooms for An Garda Síochána, witnesses, Victim Support and facilities for the media.

Average waiting times in the Central Criminal Court were reduced from 18 months to 12 months during the year. This followed the assignment of four High Court judges to permanent duties in the court and the introduction of a number of procedural changes which have improved the administrative process leading to a trial.

In addition, the President of the High Court, in consultation with the judges of the High Court, arranged five additional sittings of the Central Criminal Court in Dublin for the entire month of September. During the month, a total of 25 cases were listed for

trial. These included 7 murder trials, 17 rape trials and 1 sexual assault trial. Additional registrars were assigned from the High Court to the Central Criminal Court which is staffed by the Circuit Court office to assist with the additional courts. A training programme for High Court registrars took place in September to increase the number of registrars proficient in the operation of the Central Criminal Court.

Dublin Metropolitan District Court

Additional family law hearings were arranged in February, March and August with special sittings arranged in Dun Laoghaire and Swords as required. A test Penalty Points court was arranged in April with the President of the District Court presiding and attended by An Garda Síochána.

SUPPORTING INITIATIVES IN RELATION TO JUDICIAL CASE MANAGEMENT*Commercial Court*

On page 38. reference is made to the plans underway at year-end for the establishment of a specialist regime for commercial litigation in the High Court, in the form of a dedicated list or informal division designed to offer a specialised approach to commercial litigation in line with jurisdictions in leading economies around the world. Apart from various classes of commercial dispute within its ambit, the Commercial Court will be available for the determination of judicial reviews and appeals from regulatory decisions which, from their commercial or any other aspect, are deemed by the Commercial Court judge appropriate to be entered into the Commercial Court list.

Under the new regime, case management by a judge will be available for litigation where, having regard to the complexity of the case, the number of issues or parties, the volume of evidence, or other special reason, supervision of the conduct of the case prior to trial would be warranted. Preparation of proceedings for trial will be facilitated by a pre-trial conference, for which a pre-trial



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questionnaire will require to be completed. The procedural arrangements will enable the court to provide an opportunity to the parties at an early stage to avail of alternative dispute resolution mechanisms, such as mediation or arbitration.

Other lists

Special listing arrangements were made in the High Court during the year for categories of litigation requiring them. A separate list for Refugee Act cases was established. Judicial reviews in planning and environmental cases continue to be dealt with by a specially assigned judge, as are Competition Act cases. The need to provide for special listing arrangements for the disposal of particular types of litigation is kept under continual review by the President of the High Court.

SUPPORTING THE JUDICIARY IN ITS WORK

Improving library and research facilities

The Service continued to provide a comprehensive range of library and research facilities for judges and staff during the year. A major event was the re-location of the Judges' Library to new accommodation in Áras Uí Dhálaigh adjacent to the Four Courts. The additional space provided by the new library affords a number of advantages. The stock of approximately 20,000 volumes was completely re-organised into a more logical sequence. The new arrangement of materials is more user friendly and facilitates the provision of guidance and training by library staff to users, including new judicial researchers.

The library is now a more attractive place to visit with both comfortable seating and research stations. Computers are available for use by visitors to the library which facilitates both access to the electronic subscriptions of the library and work on research, enabling readers to save to their network accounts. Staff of the library are available on site, if required, to provide assistance with use of electronic services and the resources as a whole.

It is intended to proceed with the implementation of the Electronic Library Management System, UNICORN, during 2004 which will facilitate a hugely improved catalogue and loans system and will permit enhanced services.

Enhancing information technology services available to the judiciary

The analysis phase for the design of a new judges' Intranet was completed during the year. At year-end, a prototype of the new system was ready to be demonstrated to both the re-design sub-committee and the Judges' Intranet Committee. Features include discussion areas, news flashes, links to precedent judgments and relevant legislation, IT support - hints and tips, and an administration area for downloading a range of information.

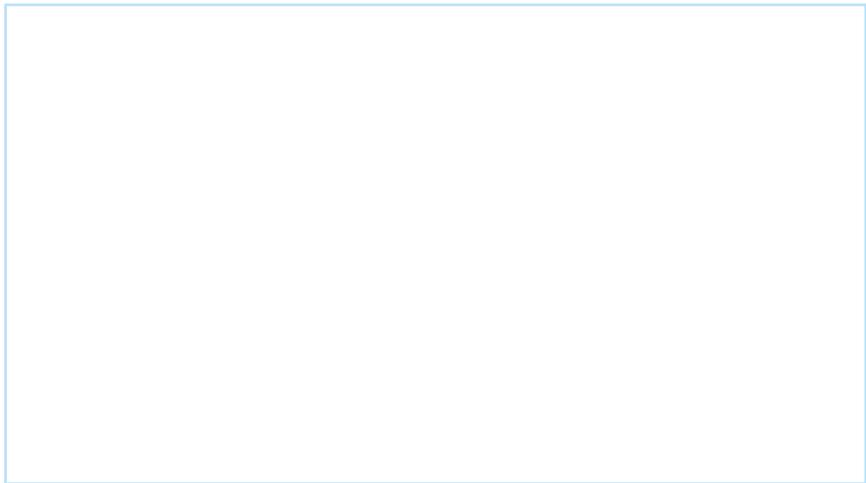
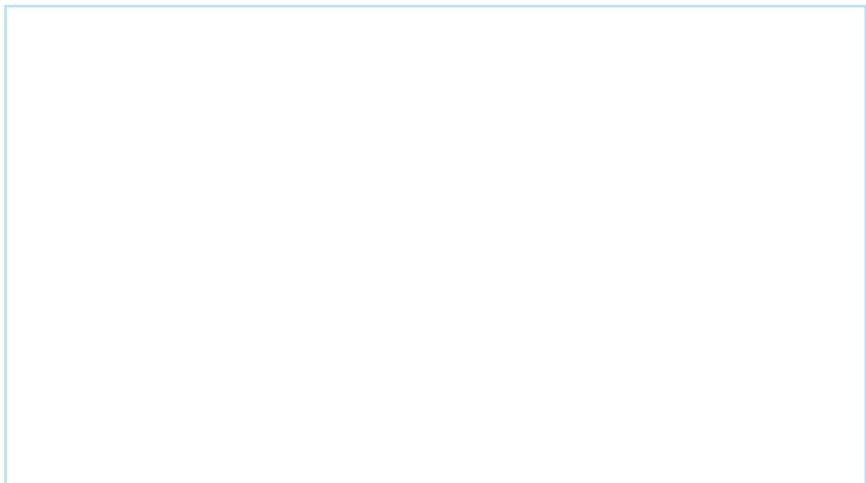
Development work on the Supreme Court Collaborative Working Project was also completed during the year. At year-end, the system was in the final testing phase with plans agreed for user acceptance testing and training to commence in early 2004.

The first phase of the Supreme Court Technology Project, the electronic display of documents

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within the courtroom, proceeded on schedule during the year. A demonstration of the working prototype was made to the sub-committee of the Supreme Court Technology Committee. This phase will provide for the lodgment of the Book of Appeal and Book of Authorities, from both parties to a case, electronically on CD-Rom. A master CD-Rom will subsequently be distributed to all parties involved and to the judges involved, who will be able to view and annotate documents both for sharing and for private use. At the hearing of the case, documents will be displayed within the courtroom on stand-alone laptop computers.

All network points in judges' chambers in Dublin and the greater Dublin area were linked through the courts network during the year.



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PILOT DRUG COURT

The pilot Drug Court, the first of its kind in Europe, was conceived in response to the high and increasing number of drug related offenders presenting in the Irish justice system in the mid-1990s. The Drug Court model for Ireland was influenced by best practice in other jurisdictions, particularly in Canada and the United States, and was developed as a multi-agency initiative, the intention being to adopt a holistic approach in dealing with the participants. The programme was instigated to provide a workable alternative to custodial sentences for certain categories of drug offenders, with the main goals being to reduce the criminal offending of the participants along with reducing their addiction or drug dependency.

Initially confined to Dublin's inner city, the pilot Drug Court was extended and expanded with the concurrent development of a Drug Court planning programme. This was to allow for research and development in advance of any wider roll-out of the Drug Court while continuing and expanding the current pilot programme to further test and refine the emerging model and to address difficulties as they are identified. In July, two participants were added to the list of graduates from the programme. By year-end, the Drug Court had been extended to the full Dublin 7 catchment area and parts of Dublin 3.



A well informed public leads to public confidence in courts and public respect and support for the justice system

Provide information on the courts system to the public

It is an important element of the drive to ensure fairness for the citizen and an acceptance and understanding of court decisions that the courts are open and accessible to the public.

For many, it is not possible to attend the public sittings of courts to familiarise themselves with the operation of the legal system yet it is likely that at some stage every citizen will have cause to be in a court - as a witness, a juror, making an application to the court, answering a charge or dealing with the probate of a will.

The Service recognises the importance of facilitating the understanding of the administration of justice, not just for those who have a direct interaction with the courts and the Service, but also for the general public. It is widely acknowledged that a public which is well informed on the working of courts is likely to have a greater respect for the institution that is the courts and its vital work in a free society.

ASSISTING THE PUBLIC TO UNDERSTAND THE OPERATION OF THE COURT SYSTEM

The programme designed to improve the range and quality of information available continued during 2003. Information booklets and leaflets continue to provide much requested information and also serve to highlight the range of services provided by court offices around the country.

Supreme Court

A book titled *"The Supreme Court of Ireland - a history"* published during the year provides much useful information on the highest court in Ireland. All aspects of the Supreme Court including its position in our legal system; interesting insights into the many locations enjoyed by the Irish courts prior to finding a home in the Four Courts; comprehensive information about current and

former Chief Justices; and details of many seminal cases heard by the Supreme Court are covered in the book.

High Court

A booklet dealing with the matter of *Wards of Court* published some years ago was substantially updated and widely circulated. In his foreword, the President of the High Court emphasised the benefits of the booklet for families and advisors of those in respect of whom Wardship proceedings are being considered.

At year-end, a booklet dealing with the work of the Office of the General Solicitor for Minors and Wards of Court was nearing completion.

The *new investment* policy for the management of court funds was explained in a booklet published during the year. The booklet sets out the background to the



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development of the policy and outlines the strategies proposed to reflect the differing needs of beneficiaries.

A leaflet for accessing the electronic version of the Legal Diary on the website was prepared and widely circulated. It was accompanied by a notice which was circulated by e-mail, published on the website and posted in the Four Courts informing users of changes in the production of the *Legal Diary on the website* (see page 56).

District Court

A major project was undertaken in the Dublin Metropolitan District Court to produce a range of information leaflets on a variety of topics. Several leaflets were published during the year with many others nearing completion at year-end. The published leaflets included:

- *Payment of court fees*

Designed in a simple format, this leaflet goes through the procedures involved in paying and obtaining refunds of court fees. It also refers to the payment of excise duty.

- *The Children's Court*

This leaflet offers an explanation of the procedure within the court in relation to offences, sentences

and alternative remedies. It provides practical information about the opening hours of the Children's Court office in Dublin.

- *Swords and Balbriggan District Courts*

A practical guide providing location, court and other information about these north Dublin courthouses.

Providing information in different languages

There are many users of the courts in Ireland today for whom English is not their first language. A project designed to make information available in a range of languages commenced during 2003.

The leaflet outlining the Small Claims procedure already available in English and Irish will be published in Mandarin and Cantonese Chinese in early 2004. Versions of the leaflet in other languages including French, Spanish and Russian will be available later in the year.

Providing information in different formats

In addition to the publication of material in hard copy format, the Service continued work during 2003 on the enhancement of the website (www.courts.ie) (see page 56). The major programme of work will ensure that the new site adheres to best practice accessibility guidelines. Material in audio format will be made available during 2004 with consideration also given to publishing material in CD-Rom and DVD formats.

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“Facilitating the administration of justice in a changing society”

Wall planners and calendars help to highlight major developments such as the refurbishment of court buildings around the country. The 2003 wall planner highlighted the extensive works carried out on Limerick and Dundalk courthouses and included a slogan written by a member of staff and selected following a competition in **Courts Service News**, the newsletter of the Service.

HERITAGE

The second leaflet in the heritage series of leaflets was published during the year focusing on Naas courthouse. The leaflet contains historical information, comprehensive architectural detail, accounts of famous trials and details of refurbishment and renovation works carried out in this major court building in Kildare.

BROCHURES

A brochure to acknowledge the contribution of Circuit and District Court judges appointed to serve in Galway since the foundation of the State was published on the occasion of the official opening of a permanent photographic exhibition in Galway courthouse in May 2003.

The official opening of the courthouse in Dundalk 2003 was acknowledged in a brochure combining historical information with details of the major refurbishment work carried out, acknowledging the project team including the architects and engineers and containing details of serving judges and court staff. A similar brochure was prepared for the opening of Limerick courthouse in May 2003.

CATALOGUE

A comprehensive Guide to all publications of the Service was updated in 2003. The catalogue was produced using in-house desktop publishing facilities and distributed extensively.

DISPLAYING MATERIAL

The provision of display units of a standard type and variety continued during the year. Apart from improving the accessibility of information for the public, the units assist to promote the logo and identity of the Service.

EDUCATING FOR THE FUTURE

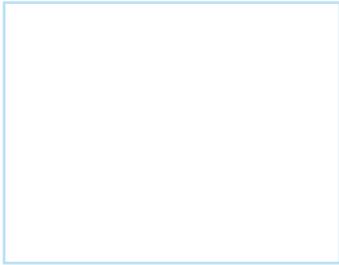
A visit to a court building on an organised tour continues to be a particularly beneficial way for people to familiarise themselves with the operation of the court system. While the majority of visits are from school groups, the Service facilitated visits from many professional groups during the year including journalists, nurses, teachers, community workers and local authority employees.

The popularity of the school tour programme in particular continued unabated during 2003 with numbers increasing each term. The number of schools participating in the programme increased by some 35% over the year with the number of pupils increasing by almost 25%.



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The Eastern Regional Office commenced a school visitor programme in Naas in 2003 modelled on the programme in operation in the Four Courts. The courthouse, a particularly historic one, has been a feature of the town for hundreds of years and has hosted many interesting trials and been used in the making of many television and film productions. Students are afforded an opportunity to learn more about the courts operating in the town and receive a behind-the-scenes briefing on how the Irish court system works.

The tour programme, combined with the Mock Trial Competition, offers students a broad-based introduction to the court system. In addition to the Four Courts, tours are now available in a number of courthouses including Limerick, Tralee, Cork and Naas.

The Service continues to support the National Mock Trial Competition for transition year students in second level schools. The Lord Mayor of Dublin attended at the Four Courts to welcome the entrants for the 2003 competition.

The Service commenced work in 2003 on a collaborative project with the Law Society of Ireland and the Bar Council of Ireland in conjunction with the Civic, Social and Political Education Support Team of the Second Level Support Service of the Department of Education and Science to provide a range of course material in various formats for the Civic, Social and Political Education Curriculum for second level schools.

A number of transition year students were facilitated with work experience projects using the formal policy in place in the Service.

The Service continued to maintain and further develop working relationships with the Law Schools of a number of universities including University College Cork and Trinity College Dublin.

PRESENTATIONS ON THE WORK OF THE COURTS

Staff of the Service continued to engage with the wider community to educate the public on the operation of the courts system during the year:

Wards of Court

The Registrar of Wards of Court gave a series of lectures on Wards of Court matters to bodies such as the Law Society of Ireland in Dublin and Cork in addition to assisting with the provision of material on enduring powers of attorney to the Society.

Assisting new barristers

An initiative aimed at providing newly qualified barristers with useful advice about both court and office procedures in the High Court was continued. Staff of the Service gave a presentation dealing with the operation of the public computer system which included advice on how to locate and track the progress of civil cases and information about the role and functions of the court registrar.

Organised visits to the Four Courts

Year	2003	2002
Number of schools/colleges	132	98
Number of tours	150	120
Number of students	3321	2654
	(plus 250 teachers)	(plus 200 teachers)



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SUPPORTING INITIATIVES BY OUTSIDE AGENCIES

The Service continues to consult regularly with a wide range of community groups, support organisations and other Government agencies to identify material available to explain the operation of the legal system. Where appropriate, and as a means of avoiding unnecessary duplication, the Service continues to promote the information produced by these outside agencies.

An example of this during 2003 was the promotion by the Service of publications by the Office of the Director of Public Prosecutions outlining the role of the Director and providing information for people attending court as a witness. Another booklet provided information for parents involved in the separation/divorce process. The booklet, published by the Family Law and Civil Legal Aid Committee of the Law Society of Ireland, is intended as a guide to help couples who have children and who are going through a separation or divorce process, to provide the best outcome for their children. The Service continues to actively promote OASIS (On-line Access to Services, Information and Support), an eGovernment website developed by Comhairle. The site, which can be accessed at

www.oasis.gov.ie, provides information on the social and civil rights of people in Ireland and contains comprehensive information on the operation of the legal system.

The Service supported a number of conferences during the year aimed at raising awareness of issues affecting the administration of justice in Ireland. Display stands were provided and staffed at a conference organised by the Irish Association for the Study of Delinquency in Ireland and at a conference organised as part of The National Adult Literacy Agency's awareness week, the theme of which was "Literacy as a barrier to the legal/justice system".

IMPROVING STATISTICS

The absence of statistical information in an understandable format was one of the information gaps highlighted by the Working Group on a Courts Commission prior to the establishment of the Service. Public policy formation cannot be effective without detailed and relevant statistics. The determined effort being made to improve the range and quality of statistical material available is evidenced by the wealth of information published in Annual Reports since the establishment of the Service. Much of this material

has been made available for the first time.

By harnessing the resources of several of the offices of the Service, including the Information Technology Division, the Information Office and court offices around the country, the Service has identified user requirements across all court jurisdictions in the areas of civil, criminal and family law with the intention of incorporating them into the development of information technology systems.

A tendering exercise will be undertaken in 2004 to procure a single reporting tool to provide statistical and management information from the various information technology systems operating in court offices.

Measures continued to be taken by the Service during the year to implement quality assurance procedures to assist in ensuring the accuracy of data. These measures include arranging for modifications or enhancements to applications aimed at improving data quality. In this regard, it is intended to establish Statistics Fora in the Supreme & High Courts and the Circuit & District Courts early in 2004 to carry out major examinations of the procedures operating for the collection of statistics. The remit of the Fora will be to identify the

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“Readability is a definite asset of this site. The careful, well laid out and spaced structure allows visitors to easily digest the site’s content.”

PUBLIC SECTOR WEBSITE AWARDS 2003

adequacy of the statistical categories and information currently collected by court offices with a view to producing a revised statistical reporting template for each office. The appraisal exercise will ensure that appropriate measurement criteria are used to (a) capture all business conducted by the office and (b) accurately reflect case volumes, productivity and timeliness in case disposal.

PUBLISHING STATISTICAL INFORMATION

The Service continues to release statistical data on a range of matters relating to the work of the courts. In 2003, a Bulletin containing historical data in respect of domestic violence applications in the Dublin Metropolitan District Court including barring order applications for the years 1976-2001 and protection order applications for the years 1991-2001 was published, together with figures for 2002. This was in line with a recommendation of the Monitoring Committee of the Family Law Recording Project, approved by the Board of the Service, that information on the operation of the family law courts and, in particular, historical statistical data to illustrate trends in family law over the years, should be published.

DEVELOPING A HIGH QUALITY MEDIA SERVICE

Public interest in the working of the courts and legal affairs in general continues to increase. For most people, information on the operation of the courts system is obtained via reports in the print media and on radio and television. In 2003, the Service continued to assist the media to report on cases coming before the courts. During the year, the Media Relations Service dealt with a wide range of queries on a varied range of topics including the outcomes of cases and dates of upcoming cases.

The provision of information on developments in the Service continues to form an important part of the work of the Media Relations Service. Press Releases during the year informed the media of upcoming events such as the opening of refurbished courthouses, updates on building projects and details of the completion of major information technology projects.

The Media Relations Service continued its relationship with the colleges which teach journalism and provided seminars and tutorials about reporting on the courts.

DEVELOPING THE WEBSITE

The range of information available on the website increased during the year while the improvement in quality was assisted by the willingness of court office staff to review current information and provide additional material on a variety of topics. An example of this drive was in the Dublin Metropolitan District Court where staff reviewed all web pages relating to the court and provided additional information relating to a number of areas including the Drug Treatment Court.

The Service replaced delivery of the Legal Diary by e-mail during the year with a downloadable form of the Diary which is posted in MSWord format and in PDF to the website every evening. This allows users print off pages they require for use in court and also to check the following day's court listing the evening before. The success of the exercise can be gauged by the continued increase in the number of visits to the site since the Legal Diary became available on-line. (*See page 57*).

A major programme to re-launch the website was nearing completion at year-end. The new-look site will have many additional sections such as one dedicated to schools and one focusing on matters of heritage and historic interest. It will also contain

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Website statistics

Month	Number of visits
December 2001	15,000
December 2002	26,000
December 2003	32,000

judgments of the courts, in the first instance judgments of the Supreme Court and the Court of Criminal Appeal. Additional sections will include information in Irish, a glossary of frequently used legal terms, improved information about the administrative work of the Service and information about court offices around the country. An important feature of the new-look site will be greatly enhanced navigability and adherence to guidelines on accessibility for people with disabilities.

FACILITATING THE OPERATION OF THE FREEDOM OF INFORMATION ACT, 1997

The Service remains committed to ensuring the effective operation of systems and arrangements for dealing with all matters coming within the ambit of the Freedom of Information Act.

During the year, a Freedom of Information Guide was published outlining the structures and functions of the Service. The Guide provides information on the classes of records held and explains the procedure for making a request under the Act. Some of the records held by the Service are routinely available to the public and will continue to be available without the need to make a formal request under the Act.

Requests received under the Freedom of Information Act, 1997

	2003	2002
Access granted/ part granted	10	11
Refused/records restricted under section 46(1) (b)	5	10
Handled outside the Act/withdrawn	39	59
Transferred	1	0
Total number of requests	55	80*

* included 2 internal review applications



Provide, manage and maintain court buildings

Since the establishment of the Service, over €120 million has been invested in the refurbishment and construction of courthouses throughout the country.

This investment ensures that court business can be conducted in surroundings that reflect the dignity of the courts and the seriousness of the matters being dealt with.

Improved building infrastructure together with modern information technology systems are designed to create an environment conducive to the effective running of the courts. The aim of the Service is to provide top class facilities for all users of courts, including judges, staff, legal practitioners, jurors, victims, witnesses, accused persons, media and members of the public.

The active involvement of the Building Committee is central to improving court buildings. During the year, the Committee continued to review the Capital Development Programme of the Service for the period 2002-2008, titled "*Building for the Future*" and made recommendations to the Board on

a range of issues including policy, standard design briefs, priorities and security.

Many factors inform the Capital Development Programme. One of the most important is the impact of demographic changes, including present and future population centres envisaged by the National Spatial Strategy. During the year, the Building Committee began identifying how the Service can take account of these demographic considerations. The Building Committee will complete this initial work in 2004.

PROGRESSING THE CAPITAL DEVELOPMENT PROGRAMME

Building and refurbishment programme

The Capital Development Programme contains an ambitious plan for the maintenance and refurbishment of court buildings.

The programme placed a priority on developing county town venues where most court sittings take place and where the majority of court offices are located. The programme also enables the Service to avail of opportunities to provide stand-alone court facilities in conjunction with other agencies. The benefits of such cooperative projects include better value for money and more expeditious provision of facilities.

By the end of 2003, courthouses in only eight county towns remained to be refurbished. Of these, planning had been completed in respect of Nenagh, Tullamore and Longford with refurbishment in these venues to commence in 2004. Proposals were also being sought in respect of the courthouse in Wexford. This will leave only Kilkenny, Wicklow, Roscommon and Mullingar courthouses to be refurbished.



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Projects completed in 2003

The courthouse at Dundalk was fully refurbished and extended to provide modern accommodation and was officially re-opened in March 2003. The refurbished Limerick courthouse was re-opened in May 2003 with new facilities provided for the District Court in Navan. The new courthouse in Tubbercurry, provided as part of a joint project with Sligo County Council and as part of a bigger "one-stop-shop" development, opened in September 2003. Work was completed on the new Commercial Court in Bow Street, Dublin, with sittings scheduled to commence in January 2004.

Projects underway at the end of 2003

Work commenced on the refurbishment of the Circuit Court Courthouse in Washington Street, Cork in April 2003 the largest investment in a court building in the history of the State. The building work is scheduled for completion in September 2004, with furniture and equipment to be installed by the end of the year and the building ready for occupation in January 2005. In Castlebar, work on the refurbishment of the courthouse is due for completion in February

2004, with furniture and equipment to be installed and the building ready for occupation in May 2004. Refurbishment is proceeding well in Ennis and on target for completion in March 2004, with sittings due to resume in the new courthouse in May 2004.

Planning completed in 2003

Work will commence in 2004 on new courthouses and refurbishment projects in Ballyshannon, Nenagh, Longford, Fermoy, Lismore, Tullamore and Bray. A project in Belmullet will form part of a joint project with Mayo County Council. The planning permission process is expected to be completed in early 2004 following which tenders will be sought for the project in mid-2004, with work expected to commence in Autumn 2004. In addition, developers will be invited in 2004 to provide proposals for the design, construction and provision of new courthouses in Wexford and Drogheda.

Many court buildings have both architectural and historical significance. The preservation and restoration of these buildings represents an important contribution on the part of the Service to the architectural heritage of Ireland

DUBLIN REGION

Facilities for judges were improved during the year with the refurbishment and decoration of a number of chambers at the Four Courts and Green Street.

Major improvements in disabled access to the Custody Courts in Chancery Street, the Circuit Criminal Courts in Chancery Place and the East Wing of the Four Courts buildings were completed in 2003. Facilities for court users were improved in a number of areas including:

- the provision of a new courtroom in Dolphin House for hearing certain cases previously heard in the Children Court;
- a new private consultation room where customers availing of the Small Claims procedure in the District Court office in Áras Uí Dhálaigh can conduct business with a member of staff in a private and confidential setting.

By year-end, plans were underway to upgrade the entrance lobby to Áras Uí Dhálaigh with a view to providing a more customer friendly



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atmosphere where information can be readily available and on display in appropriate units to court users. This improvement will form part of a substantial programme of works which has been drawn up for completion in the Dublin region in 2004. These works will take place at venues including the Four Courts, Chancery Place, Chancery Street, Public Records Office, the Children Court in Smithfield, the Richmond, Green Street, Dolphin House, Phoenix House, Dun Laoghaire, Tallaght, Cloverhill, Swords courthouse and court office, Balbriggan and Bow Street.

REVIEWING THE CAPITAL DEVELOPMENT PROGRAMME

A review of the Capital Development Programme was undertaken by a group comprising several Principal Officers of the Service during 2003. The Report of the group which will be available in early 2004 will consider the Programme in light of the economic and financial environment operating within and outside the Service and taking account of such matters as demographic changes and trends. The Report will assist the Senior Management Team and the Building Committee.

PUBLIC PRIVATE PARTNERSHIPS

The Service prepared a business case during 2003 for a dedicated Criminal Court Complex for central Dublin which will be a state-of-the-art criminal justice facility and will provide courtrooms and ancillary facilities for criminal courts in a single location. The proposal will involve the transfer of the existing Central Criminal Courts, the Dublin Circuit Criminal Courts, the Special Criminal Court and the District Custody Courts to the new modern facility. This will resolve the shortcomings currently being experienced with the existing facilities including security and circulation problems and lack of accommodation and facilities for court users. The delivery of this project will also result in significant benefits for the Prison Service and An Garda Síochána.

The Service is proposing the procurement of this facility by way of a Public Private Partnership (PPP) in line with Government policy.

VESTING OF COURT BUILDINGS

Court accommodation currently in the ownership of local authorities or of the Office of Public Works may be transferred to the Service by order of the Minister for Justice, Equality & Law Reform. The Service has identified some eighty buildings to be vested.

Four buildings (Youghal, Ballyhaunis, Castlecomer and the Children Court and the old Traffic Courts in Smithfield, Dublin) were vested by the Minister in November. Five vesting orders will be submitted for vesting in early 2004. It is anticipated that the remainder of the eighty buildings will be vested during 2004.

“For the careful repair of Sligo Courthouse including retention of the existing court spaces, the exposure of its patina and the sensitive insertion of attractive and necessary modern interventions - establishing a paradigm for Government refurbishment and a model for other court buildings countrywide”

CITATION ACCOMPANYING AWARD FOR SLIGO COURTHOUSE

AWARDS FOR REFURBISHMENT PROJECTS

Additional award for Sligo Courthouse

Sligo courthouse was awarded the prestigious “Best Government refurbishment of an historic building” by An Taisce during 2003. Already a winner in 2002 in the restoration category of the Irish Joinery Awards, this latest award acknowledged the efforts made by the Service to preserve the unique style, qualities and architectural features of this imposing building. The project was both difficult and challenging for the design team who were charged with bringing the old structure of the building up to modern standards in areas such as wiring, computer and phone outlets while at the same time ensuring that the new features complemented the old fabric.

Acknowledging work on Limerick Courthouse

The architects responsible for the refurbishment of Limerick Courthouse obtained an award in the Conservation and Restoration Category of the Plan-Expo Building of the Year Awards 2003.

Cork Courthouse - Biggest renovation of a court building since the rebuilding of the Four Courts

It is expected that the refurbishment of the interior of the courthouse at Washington Street will be completed by September 2004 with furniture and equipment to be installed by the end of the year and the building ready for occupation in January 2005.

Facilities in the refurbished courthouse will include:

- Seven courtrooms;
- Facilities for judges;
- Consultation rooms;
- Waiting areas;
- Family law facilities;
- Disabled access;
- Media facilities;
- Legal practitioners’ rooms;
- Victim Support room;
- Jury rooms;
- Conference rooms;
- An underground tunnel to facilitate the safe and private movement of prisoners.

The building will also be supported by an extensive information technology infrastructure including video conferencing facilities and digital audio recording facilities.

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“The 1810 listed Courthouse had been mutilated over time such that the original roof and historical features had been removed. The removal of inappropriate building additions and the decision to incorporate extra accommodation requirements in a reinstated roof were architectural measures that provided the means to help conserve this waterside classical building. The riverside walk and public domain have been enhanced by the architectural skill demonstrated in the conservation project”

CITATION ACCOMPANYING AWARD FOR LIMERICK COURTHOUSE



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Maintaining court buildings

Responsibility for the maintenance of court buildings transferred to the Regional Managers of the Service during the year. Maintenance contracts were put in place for mechanical/ electrical equipment in newly refurbished courthouses and appropriate cleaning and caretaking arrangements put in place for each building. Arrangements were made with the Office of Public Works to provide maintenance in respect of those buildings which are vested in the Service and solely occupied by the courts. The Regional Managers also put arrangements in place with the appropriate local authorities in respect of those buildings which are jointly occupied by the Service and the local authorities.

A five year maintenance programme for each court building encompassing such matters as main contracts for mechanical/electrical equipment and preventative maintenance works such as painting, cleaning gutters and checking roofs will be developed in 2004. The programme will be delivered in cooperation with the Office of Public Works.

In addition to minor repairs, maintenance including painting/decorating, new carpets, rewiring and other works was

carried out at many venues during 2003 including Bray, Carndonough, Glenties, Trim, Wicklow, Clonmel, New Ross, Kilkee, Limerick District Court, Newcastlewest, Cork (Circuit and District), Midleton, Galway, Ballina, Swinford, Westport, Ballinrobe, Mullingar, Roscommon, Edenderry, Castlepollard and Portlaoise.

Reviewing security arrangements in court buildings

During the year, the Service continued to review security arrangements in court buildings mindful of the need to ensure a balance between the effective administration of justice to be administered in public and with the security and safety of all parties. By year-end, the Building Committee was completing a proposal dealing with security issues.

Health and safety

In Dublin, a thorough fire safety survey of the Gandon building at the Four Courts was commissioned as part of the on-going effort to make buildings in the Dublin region safer for all court users. By year-end, plans were being made to implement the recommendations made in the resultant Report. In addition,

New and refurbished court buildings since the establishment of the Service

COUNTY TOWNS

Carlow, Dundalk, Limerick, Navan, Portlaoise, Sligo and Trim

TO BE COMPLETED IN 2004

Castlebar, Ennis and Cork

OTHER

Arva, Athy, Baltinglass, Borrisokane, Buncrana, Carrickmacross, Castlereagh Remand Centre, Chancery Place Building, (Four Courts), Cloverhill, Commercial Court, Derrynea, (East Wing, Four Courts), Kilrush, Listowel, Loughrea, Mallow, Portarlinton, Rathdowney, Roscrea, Smithfield Family Law, Templemore, Tubbercurry and Westport

alterations were made to Swords courthouse to comply with fire safety regulations. In the context of making courthouses and offices in the Dublin region safer to work in, security access was extended and upgraded in a number of areas. As part of the on-going review of security, further improvements will be put in place in buildings in the Dublin region during 2004.



Provide facilities for users of the Courts

The range of people using court facilities is considerable. The Service acknowledges that all courthouses should contain suitable facilities to enable every court user to access and use court buildings and to conduct their business effectively.

In the modern world, expectations of the quality of facilities have rightly increased. The Service continues to work to provide facilities that respond to the business being conducted in court buildings all around the country.

COURT BUILDINGS AND TECHNOLOGY

The Service continues to avail of modern information technology capabilities to improve facilities for users of court buildings. Electronic display panels in the Four Courts keep members of the legal profession and the public aware of the details regarding courtroom venue, times and presiding judge in respect of cases being dealt with. The electronic display panel is also used as a Notice Board for relevant court information. The Legal Diary will be available via touch screen computers in the Four Courts in 2004.

TECHNOLOGY IN THE COURTROOM

As previously mentioned the Service continues to support initiatives to introduce technology into the courtroom. This involves incorporating technological infrastructural requirements into the plans for major refurbishment projects. Initiatives during the year included a pilot project for the introduction of digital audio recording in a small number of Central and Circuit Criminal Courts in Dublin; the provision of a technology infrastructure and equipment in advance of the establishment of the new Commercial Court; consideration of the feasibility of providing video conferencing facilities; and the provision of computers in several courtrooms in Dublin to facilitate the inputting of details of court cases. In addition, the courthouses in Castlebar, Ennis and Cork, where major refurbishment projects are due for completion in

2004, will be supported by an extensive information technology network. The courthouse in Cork will be provided with the necessary equipment to facilitate digital and audio recording and video conferencing. The courthouses in Castlebar and Ennis will be cabled to accommodate these technological advances.

FACILITIES FOR FAMILY LAW

The Service is conscious of the need to provide dedicated facilities in all refurbished buildings for litigants involved in family law cases. The provision of such facilities continues to be a central aim of the Capital Development Programme. Refurbishment works due for completion in 2004 at Castlebar, Ennis and Cork include the provision of family law facilities. Other larger projects scheduled to commence in 2004 will also provide for such facilities.



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THE COMMERCIAL COURT

**INTRODUCING THE
COURTROOM OF THE
FUTURE**

The Commercial Court which will commence hearing cases in January 2004 will be located at Bow Street, Dublin in a technology-enabled courtroom which will facilitate digital recording of proceedings, the presentation of evidence electronically and, where required, the hearing of evidence remotely by video conferencing. The courtroom will be fitted with VDUs and laptop points. Consultation rooms will be provided for practitioners with a large screen to enable members of the public follow proceedings in the courtroom.



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PLANNING FOR THE FUTURE

A standard design brief for court facilities prepared by the Office of Public Works was considered by the Building Committee during 2003. The brief draws on the experience of the Service since its establishment in refurbishing and constructing courthouses. It will allow for variations to suit particular local circumstances while at the same time providing a very useful guide for the planning of future projects. The Service will consult with a wide range of court users with a view to finalising the brief in 2004.

FACILITIES FOR VICTIMS AND WITNESSES

A room for the use of victims and witnesses was made available in the Four Courts during the year. The new facility managed by Victim Support provides a quiet, calm environment for those involved in the court process, often for the first time.

Venues where family law facilities are available:

- Trim
- Mallow
- Buncrana
- Galway
- Naas
- Sligo
- Dundalk
- Limerick
- Loughrea
- Ballinasloe
- Athlone
- Cork District
- Clonmel
- Bray
- Dublin

Additional venues where family law facilities will be available in 2004:

- Castlebar
- Ennis
- Cork

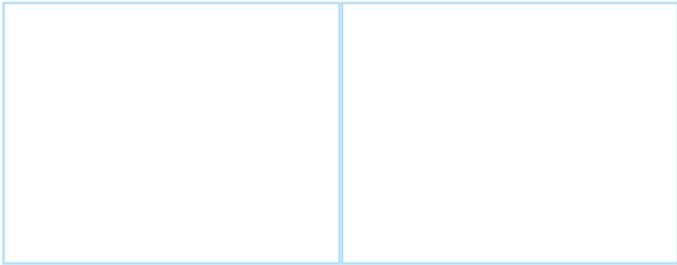
PROVIDING FACILITIES FOR DISABLED COURT USERS

Since its establishment, the Service has introduced a range of measures to ensure that the needs of disabled court users continue to be met. Every person who attends the courts presents with a different set of circumstances, a varying degree of understanding and a personalised set of needs. The commitment from Government contained in the *Programme for Prosperity and Fairness (PPF)* in relation to improving the accessibility of public services has been embraced by the Service and is evident from a number of measurable and sustainable improvements.

During 2003, the European Year of People with Disability, the Service reviewed the measures being taken in a number of areas including access to buildings, processes and information. A series of disability awareness training programmes was undertaken by staff from every level of the Service, from the Chief Executive to frontline staff who deal with the public.

The age and traditional design of courthouses in Ireland continues to pose challenges in planning as the Service progresses its extensive Capital Development Programme. To assist in the identification of areas where improvements are

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necessary, the Service undertook a nationwide survey which was underway at year-end to identify the extent of disabled access to court buildings. Universal access is provided as part of all new and refurbishment projects. By year-end, plans were being prepared to provide disabled access to Monaghan and Tralee courthouses.

The Service acknowledges that access does not stop at the level of physical access to and within buildings. Access to information, the understanding of court processes and inclusion in court proceedings need to be provided for in an atmosphere of equality. Lack of literacy skills can cause alienation from society and lead to problems interacting in it. In a court environment, such difficulties can cause problems for persons called to serve on juries or to give evidence and those involved as litigants. In 2003, the Service was pleased to support a week-long programme of events organised by the National Adult Literacy Agency aimed at raising literacy awareness of the justice system.

PROVIDING FACILITIES FOR JURORS

Improvements in the arrangements made for jurors during the year included an initiative in the Dublin Circuit Court. A system, commonly called "a call over", operates in all Circuit Court offices to ensure that persons summoned to attend for jury service have attended on the specified date. For the convenience of jurors, arrangements were made to have the call over for those jurors summoned for the Circuit Criminal Court in Dublin in a reception area instead of in a courtroom.

PROVIDING FACILITIES FOR MEDIA REPRESENTATIVES IN COURTS

The Service remains committed to providing accommodation for the media in courtrooms in Dublin and around the country tailored to suit local needs. Major refurbishment projects include provision for desks and telephone facilities for the media and in some cases dedicated areas in courtrooms.

Measures taken to improve access to the Courts include:

- **Members of the public and those with cases before the courts can adapt hearing aids to make use of induction loops which form part of our public address systems in refurbished courts;**
- **All refurbished courthouses have signage and directions at doorways and entrances and exits**
- **Signage and contact details for court offices are in Braille;**
- **The new website is being tested for accessibility;**
- **Wheelchair ramps are provided in many courthouses;**
- **A platform lift and accessible toilets have been installed in the Bridewell courts in Dublin;**
- **Access ramps have been provided in the East Wing of Four Courts and Chancery St. courts;**
- **Many courthouses allow wheelchair users to give evidence at the front of the court beside the witness box.**



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LOOKING BACK AT 2003

Projects completed

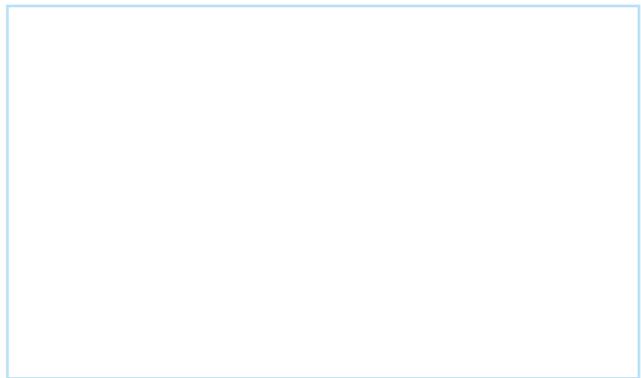
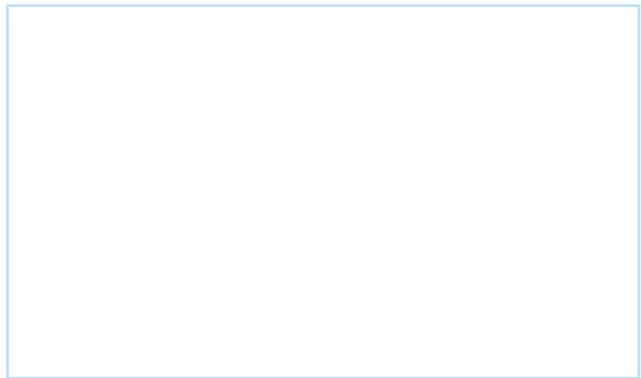
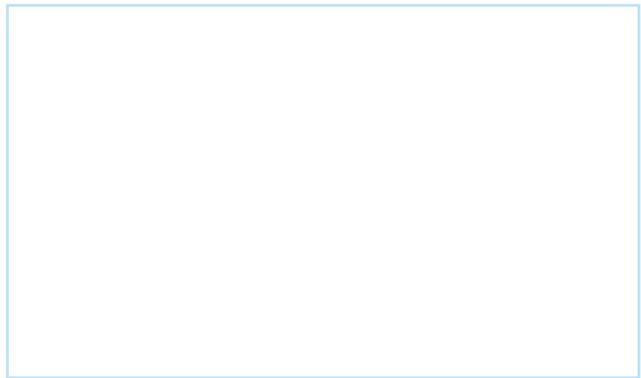
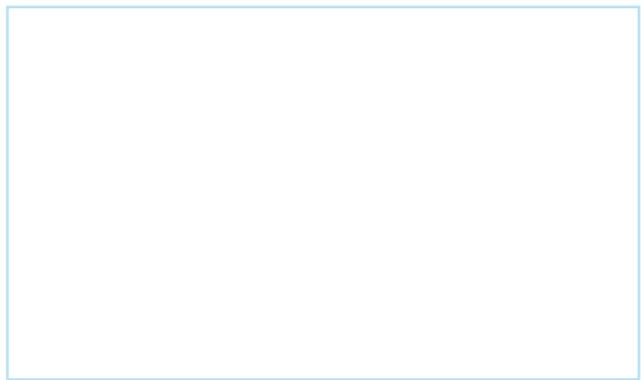
Venue	Cost
Dundalk	€10.5 million
Tubbercurry (Courts Service contribution)	€300,000
Navan	€600,000
Limerick	€9 million
Commercial Court	€650,000

Work well advanced

- Ennis
- Castlebar
- Cork

Construction to commence in 2004

- Ballyshannon
- Nenagh
- Longford
- Fermoy
- Lismore
- Tullamore
- Bray
- Belmullet



Our Staff

Chapter 3

2003

Our Staff

The Government’s programme for the development of the public service envisages that many changes are necessary not only in the way we do things but in the way we think about what we do.

Earlier in this Report reference is made to the drive underway in the Service to create a culture where staff feel fully involved and are equipped with the skills and knowledge necessary to do their jobs effectively. The developments and progress made by the Service since its establishment have been facilitated to a very great extent by the positive attitude of our staff to change and change initiatives. Staff have demonstrated a willingness to embrace change and modernisation unparalleled in the public service and comparable with anything in the private sector.

This attitude has manifested itself in many different ways. Staff participation through processes such as partnership assists in the development of an organisation where good people with good ideas are encouraged and staff can feel that responsibility is shared across all levels. The culture and values that have underpinned the courts over the years -

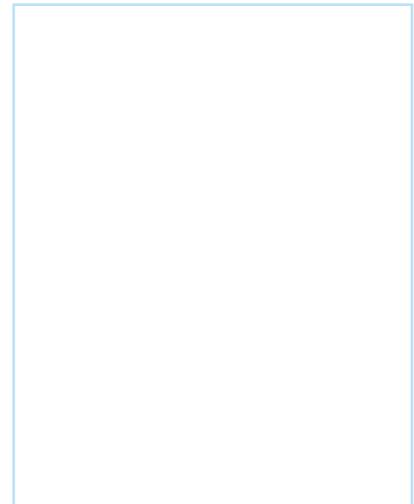
commitment, integrity, a strong work ethic - continue to play a major part in the development of the Service of the future. The Service places great emphasis on the drive to create an organisation where people are allowed to try new things, a place where creativity and drive are encouraged.

EDUCATIONAL ACHIEVEMENTS

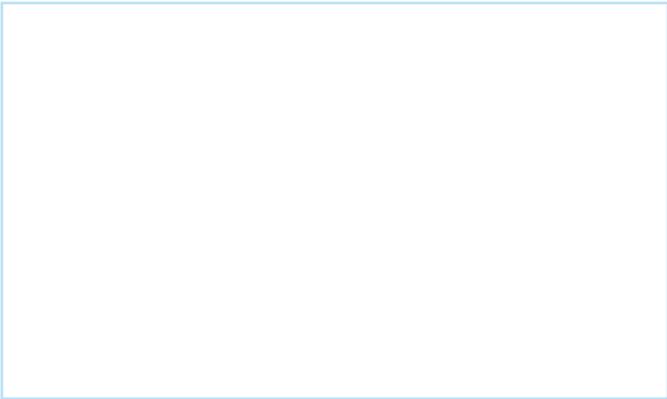
Staff all around the country continue to engage in a range of courses outside of their working hours, resulting in the development of a range of skills which they bring to the workplace for the greater benefit of the organisation. One of the most popular courses continues to be the European Computer Driving Licence (ECDL) where participants engage in a series of computer courses in matters such as word processing, database creation and spreadsheet techniques. Some

have progressed to Microsoft Office Specialist (MOS), the official certification issued by Microsoft for their Office suite of applications.

Third level qualifications in areas such as Management and Law and leading to a call to the Bar of Ireland were also acquired by staff during the year.



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Our Staff



COURTS SERVICE SPEECHCRAFT GROUP

During the year, staff participated in their own time in an initiative aimed at improving and developing their communication skills. "Speechcraft" meetings coordinated by a senior member of staff were held during lunch time and structured in such a way as to cater for people at all levels with the emphasis on developing listening, thinking and speaking skills. Participants also learn how to organise a meeting and to chair it effectively. The programme used by the Courts Service Speechcraft Group is based on educational programmes created by Toastmasters International which is a worldwide organisation dedicated to developing people as excellent communicators and leaders.

EMPLOYEE SATISFACTION SURVEY

During the year, the Service commissioned a job satisfaction survey to gauge the level of job satisfaction among our staff. Such surveys are currently used by many private and public sector organisations as part of change management programmes, with the results used to guide future actions and planning.

The instrument of analysis used in the job satisfaction survey consists of nine dimensions of job satisfaction as well as an overall satisfaction rating. In addition to the standard set of thirty six questions, the Service requested an additional twenty-four customised questions to address specific issues, such as the Performance Management and Development System, business planning and training and development. The resulting report contained details on the level of satisfaction against public service/private sector benchmarks. The response rate to the survey was very encouraging with seventy-six per cent of staff responding.

MERIT-BASED PROMOTION

The Service, as part of its commitment to *Sustaining Progress*, continues to pursue measures to ensure greater use of competitive, merit-based promotions. All promotions within the Service are by competitive interview. Since 2003, a system of reviewing competitions held with a view to continual improvements and the use of best practice has been implemented.

EMPLOYEE ASSISTANCE OFFICER

The Service continues to engage the services of an *Employee Assistance Officer* to assist in the identification and resolution of employee concerns which are having an adverse effect on performance. These concerns can range from either work or personal related matters and can be addressed by the Employee Assistance Officer through the provision of counselling support or other forms of support such as advice or information.

DISABILITY LIAISON OFFICER

The Service appointed a *Disability Liaison Officer (DLO)* during the year to act as a point of contact within and between departments and offices of the Service. The DLO also provides information and advice regarding disability matters and assistance and support to staff with disabilities as well as their colleagues and supervisors. The responsibilities of the DLO include making contact with a new member of staff who has notified the Service that they have a disability, and ensuring that any equipment they may need or any special arrangements they may require are in place before they take up duty. This can range from the need to get a desk of a



CHAPTER 3
Our Staff



particular height for a person using a wheelchair, to notifying a manager that their new staff member will require regular time off to attend hospital or treatment centre for physiotherapy or counselling. Another key role of the DLO is monitoring the career progression of staff with disabilities with a view to ensuring that they are getting an equal opportunity to apply for promotion and that the selection and interviewing methods employed by the Service are progressive in this regard.

Disability awareness training was provided to the Senior Management Team during the year and also to staff in the Supreme, High and Circuit Court offices and in the Directorates.

STAFF SUPPORT - FAMILY FRIENDLY SCHEMES

During the year, a significant number of staff availed of a number of family friendly schemes including work sharing and term time.

EXCEPTIONAL PERFORMANCE AWARDS

The Central Partnership Committee agreed in early 2003 that exceptional awards should be made twice per year. The first phase of nominations was dealt with in September and the second phase in November.

RETIRED STAFF

Success in an organisation is based on many years of dedicated and committed service and does not happen overnight. For an organisation such as the Service, it is important to acknowledge the contributions made by staff in the years prior to the establishment of the Service, many of whom are still serving and others who have since retired. Serving staff were afforded the opportunity to renew acquaintances with former colleagues at social functions in May and November.

OTHER ACTIVITIES

In a variety of ways, the talents of our staff were revealed at a number of events during the year. These included functions meticulously organised by the Social Club which included a summer barbeque, a Christmas party and a snooker competition; excellent performances at numerous events by the Choir; exploits in such diverse areas as sport, music and creative writing and participation in a wide variety of charitable events and challenges.

Staff participated on a voluntary basis in the Special Olympics in June and organised several excursions to the Blood Bank. A special effort was made in December to fill shoe boxes with gifts for needy children throughout Eastern Europe in time for Christmas. A race night organised by staff raised some €14,000 towards the establishment of a hospice for children, a project being undertaken in part by a former member of staff. Temple Street Children's Hospital in Dublin benefited to the tune of €200,000 thanks in part to the efforts of a staff member who participated in a 2,500 mile sponsored motor cycle challenge on America's most famous highway, Route 66.



Court Statistics

Chapter 4

2003



COURTS SERVICE
An Garda Síochána

CHAPTER 4

Court Statistics

The Service remains committed to improving the range and quality of statistical material available on the work of the courts and court offices. A Statistics Review Group, chaired by the Chief Executive, continued to meet during 2003 to drive a programme of reform whose primary objective is to identify ways of maximising the benefits to be gained from information technology systems. At year-end, the main focus was on the procurement of a comprehensive reporting tool to extract detailed reports from the various systems operating throughout the Service. It is intended to invite expressions of interest for the provision of such a reporting tool in early 2004.

This chapter provides details on the work of the courts and court offices for the period from January 1st 2003 to December 31st 2003. Short descriptions of the jurisdiction of the courts and the nature of the work carried out in a number of administrative offices are also provided. In some instances, statistical material for the year 2002 is provided for comparison purposes.

Details of the procedure for obtaining a date for hearing together with information about the length of time taken for cases to come to a hearing are also provided. The glossary of terms on *page 134* is intended to explain many of the terms used in the course of court proceedings.

LAW TERMS 2003

Hilary:	January 13th to April 11th
Easter:	April 28th to June 5th
Trinity:	June 18th to July 31st
Michaelmas:	October 6th to December 19th

SUPREME COURT

The Supreme Court is the court of final appeal with power to hear appeals from all decisions of the High Court and appeals from the Court of Criminal Appeal if that court or the Attorney General certifies that the decision involves a legal point of exceptional public interest. It has other powers under the Constitution including power to give a ruling on a question of law submitted to it by the Circuit Court.

	Appeals dealt with	Appeals lodged
2003	440	304
2002	415	324

OUTCOME OF APPEALS DEALT WITH

	2003	2002
Appeals dismissed, High Court order affirmed	148	127
Appeal allowed, High Court order discharged	64	44
Allow appeal, vary High Court order	12	4
Appeal struck out by consent	31	48
Liberty to re-enter granted	0	0
Remit to High Court	0	2
Questions answered	4	0
Appeals withdrawn by consent	43	99
Refer to Europe under Article 243 EU Treaty	1	-
No jurisdiction	1	-
Other	0	0
TOTAL	304	324

JUDGMENTS

	2003	2002
Reserved judgments outstanding at 01/01	26	12
Total reserved judgments	78	103
Total judgments delivered	93	89
Reserved judgments outstanding at 31/12	11	26

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Court Statistics

FIXING DATES FOR HEARING

Dates are assigned by the Registrar when the case has been certified as ready. The Chief Justice case manages the list to ascertain if the requirements of the Courts practice directions have been complied with. This ensures that all appeals are ready for hearing and court time is not wasted.

WAITING TIMES

As of December 31st 2003, there was delay of approximately four months from the assignment of a date to the hearing date.

COURT OF CRIMINAL APPEAL

The Court of Criminal Appeal hears appeals by persons convicted in the Circuit Criminal Court, the Central Criminal Court and the Special Criminal Court where the appellant obtains a certificate from the trial judge that the case is a fit one for an appeal, or, where such certificate is refused, where the Court of Criminal Appeal itself, on appeal from such refusal, grants leave to appeal. The Court also hears appeals by the Director of Public Prosecutions (DPP) under section 2 of the Criminal Justice Act, 1993 and applications under section 2 of the Criminal Procedure Act, 1993.

APPEALS TO COURT OF CRIMINAL APPEAL BY REFERENCE TO TRIAL COURT

Court	Cases on hands 01/01	New appeals lodged	Cases heard	Cases on hands 31/12
Circuit Criminal Court	283	165	257	191
Central Criminal Court	76	50	56	70
Special Criminal Court	17	9	11	15
Courts-Martial Appeal Court	1	4	2	3
Appeals by DPP	23	27	19	31
Criminal Procedure Act Appeals	3	2	2	3
Total	403	257	347	313

APPEALS TO COURT OF CRIMINAL APPEAL BY REFERENCE TO TYPE OF APPEAL

	Cases on hands 01/01	New appeals lodged	Cases heard	Cases on hands 31/12
Conviction and sentence	76	42	50	65
Conviction only	83	49	51	78
Sentence only	244	166	246	168
Total	403	257	347	313

FIXING DATES FOR HEARING

Dates for hearing of appeals are allocated at a list to fix dates held once a term. The court also operates a case-management list which provides a useful forum for applications for priority, interlocutory applications and for the management of the preparation of the necessary documentation in lengthy appeals (estimated to take more than a day).

Conviction appeals that are estimated to exceed a day in duration are processed in the case-management list and once certified as ready, a court is usually specially convened by the Chief Justice, in consultation with the President of the High Court, for the hearing of such cases during the following legal term. Sentence cases, including DPP appeals on the grounds of leniency, are heard within approximately 8 months of lodgement. The only exception to this is in the rare situation where there is a delay for some reason in the completion of the transcript.

WAITING TIMES

Hearing of sentence appeals: 8 months
 Conviction cases: 12-14 months

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Court Statistics

HIGH COURT

CASES INITIATED IN THE CENTRAL OFFICE OF THE HIGH COURT

PLENARY SUMMONS	2003	2002
Admiralty	27	8
Assault	172	311
Breach of contract	592	505
Conversion	5	7
Chancery declaration	805	1,745
Defamation	49	27
False imprisonment	6	17
Forfeiture	2	5
Injunction	399	368
Libel	130	148
Malicious prosecution	1	
Negligence	1,519	1,601
Nuisance	12	6
Personal injury	11,245	10,641
Fatal action	105	
Probate action	19	47
Rescission	16	13
Slander	11	20
Specific performance	192	197
Trespass	17	11
Wardship	1	1
Miscellaneous	919	811
Total	16,244	16,489

	2003	2002
Revenue Summons	979	914
Summary Summons	1,543	1,298

SPECIAL SUMMONS	2003	2002
Arbitration Act	22	23
Charities Acts	0	2
Extradition	34	5
Housing Acts, 1996	0	0
Garda compensation	59	190
Mortgage suit	70	70
Partition Acts	2	1
Possession	265	159
Return of documents	5	16
Succession	65	58
Social Welfare Act	0	9
Trade Marks Act, 1996	2	3
Trustees Act	8	17
Vendor & purchaser	10	7
Miscellaneous	24	72
Total	566	632

OVERVIEW OF SUMMONSES ISSUED

Summons type	2003	2002
Revenue	979	914
Plenary	16,244	16,489
Special	566	632
Summary	1,543	1,298
Total	19,332	19,333

CHAPTER 4

Court Statistics

COMPANIES MATTERS

	2003	2002
Examinership	11	-
Winding Up Petition	83	94
Restore to Register Petition	254	315
Section 72 Cos Act, 1963*	7	4
Section 73 Cos Act, 1963	5	1
Section 106 Cos Act, 1963	8	19
Section 122 Cos Act, 1963	4	7
Section 135 Cos Act, 1963	1	2
Section 150 (excludes applications initiated in the Examiners Office**)	165	4
Section 160 Cos Act, 1990	1	6
Section 201 Cos Act, 1963	2	6
Section 202 Cos Act, 1963	-	1
Section 205 Petition	21	25
Section 245 Cos Act, 1963	3	2
Section 251 Cos Act, 1963	5	2
Section 280 Cos Act, 1963	8	10
Section 310 Cos Act, 1963	-	1
Section 316 Cos Act, 1963	-	1
Section 371 Cos Act, 1963	16	-
Section 178 Cos Act, 1990	1	-
Section 204 Cos Act, 1963	2	-
Section 257 Cos Act, 1963	1	-
Section 290 Cos Act, 1963	1	-
Section 58 Cos Act, 1990	4	-
Assurance Companies Act, 1909	4	-
Miscellaneous companies matters	4	-
Total	611	500

* "Cos Act" denotes Companies Act

** Details of Section 150 applications initiated in the Examiners Office are on page 92.

MISCELLANEOUS COMMON LAW APPLICATIONS

	2003	2002
Fire Services Act	1	1
Freedom of Information Act	2	10
Section 160	35	51
Transfer of sentenced persons	12	4
Water Pollution Acts	0	0
Miscellaneous	33	40
Total	83	106

OTHER PROCEEDINGS

	2003	2002
Appeals from the Hepatitis C Compensation Tribunal	93	131
Foreign judgments	47	53
Foreign tribunal evidence	9	4
Intended action applications	96	92
Extension of time under Immigration Act	5	12

CHAPTER 4

Court Statistics

PRE-HEARING ACTIVITY

	2003	2002
Affidavits	28,115	30,787
Appearance	15,461	19,982
Discontinuance	1,377	1,206
Master's motions	5,742	5,674
Notice to Attorney General	1	5
Notice of intention to proceed	1,992	2,273
Notice of change of solicitor	2,517	2,935
Court motions	11,505	11,537
Notice to produce	2,125	2,190
Notice to trustees	31	35
Setting down for trial	8,088	8,280
Third party notice	270	165
Withdraw a case from the list by letters	345	468
Others	11,284	5,381
Total	88,853	96,299

FIXING DATES FOR HEARING - GENERAL

When cases are ready for hearing, they are set down for trial and given a list number. A list to fix dates is held each legal term in respect of most lists. Cases are not transferred to the list to fix dates until they are certified by counsel as ready for trial. Most cases which are certified as ready for trial are given dates for hearing in the following legal term. On selected dates throughout the year, cases which have been set down for trial but which have not been certified by counsel as ready for trial are called over in court to ascertain the current position.

Many cases are settled by the parties and do not proceed to full hearing. These cases are removed from the list of cases set down for trial or certified as ready for hearing by consent of the parties. Section 10 (3) of the Courts (Supplemental Provisions) Act, 1961, as amended, states that it is the function of the President of the High Court to arrange the distribution and allocation of the business of the High Court. Lists are prepared by senior court registrars called list registrars, with cases being listed in chronological order. The date on which cases are entered in the lists depends on the category of case.

With the exception of the Circuit Appeals List, responsibility for the allocation of dates is delegated by the President of the High Court to the individual judges having management of the various lists. In cases of urgency where an early hearing is requested and no available dates remain, the parties may apply to the President who will endeavour to assign judges to hear the case depending on the availability of extra judges and the urgency of the cases.

FIXING DATES FOR HEARING: NON-JURY AND CHANCERY

Non-jury and chancery list cases are not transferred to the list to fix dates until certified as ready for hearing. Certified cases are then listed chronologically (in accordance with the date of filing of the certificate of readiness) in the next list to fix dates. Certain cases at the top of the list may be given priority by the list judge where a date may previously have been assigned but the case failed to get a hearing due to the unavailability of a judge. Lists to fix dates are held at the end of each term and most cases ready to proceed are assigned one the following term.

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Court Statistics

WAITING TIMES: CHANCERY

At the list to fix dates in December 2003, all cases which had been set down and certified by counsel as ready for trial in each of the chancery lists to fix dates were allocated dates from January 2004 to March 2004. Cases which were assigned dates were directed to be listed in the list to fix dates in the Hilary Term in 2004.

CHANCERY INTERIM ORDERS GRANTED
(INCLUDES INTERIM FAMILY LAW ORDERS)

Orders in Examinerships	47
Miscellaneous Companies Act applications	307
Examiners orders	327
Interim injunction	172
Interlocutory injunction	107
Miscellaneous interim chancery orders	438
Total	1,398

CHANCERY FINAL ORDERS GRANTED

Chancery: settled	164
Chancery hearing: final orders	134
Restoration of company to Register	264
Reduction of share capital	17
Wind up company	23
Order for possession of property	83
Well charging order	33
Total	718

WAITING TIMES: NON-JURY

At the list to fix dates in December 2003, dates were allocated to 25 out of the 175 cases which had been certified as ready at the time. The dates allocated were from January 2004 to March 2004. The remainder of cases in the list were adjourned to the top of the list to fix dates in the Hilary Term in 2004.

NON-JURY (EXCLUDING FAMILY LAW AND JUDICIAL REVIEW)

Period	Cases on hands 01/01 - 31/12	Cases set down 01/01 - 31/12	Cases disposed of 01/01 - 31/12	Cases on hands 31/12
2003	117	311	248	180
2002	211	275	369	117

JUDICIAL REVIEW (EXCLUDING ASYLUM LIST)
CASES INITIATED

Case type	2003	2002
Certiorari	520	433
Certiorari, Mandamus & Declaration	0	3
Mandamus	182	173
Prohibition	98	73
Miscellaneous (including extension of time)	185	73
Total	985	755

FIXING DATES FOR HEARING

Motions for judicial review are not transferred to the list to fix dates until the list judge is satisfied that all pre-hearing directions have been complied with. The list to fix dates is held at the end of each term to fix dates for the following term.

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Court Statistics

WAITING TIMES

At the list to fix dates in December 2003, dates were allocated to 88 of the 199 cases in the list, representing approximately 45% of the cases in the list. The dates allocated were from January 2004 to March 2004. The remainder of cases in the list were adjourned to the top of the list to fix dates in Hilary Term 2004.

JUDICIAL REVIEW INTERIM ORDERS GRANTED

Leave to apply granted	372
Leave to apply refused	221
Interim planning	18
Other interim orders	438
Total	1,049
Asylum	339

JUDICIAL REVIEW FINAL ORDERS GRANTED

Declaration	11
Injunction	6
Mandamus	5
Planning	23
Prohibition	12
Refusal	93
Strike out	51
Certiorari	106
Total	307

JUDICIAL REVIEW (ASYLUM)

Period	No. of cases listed	Cases disposed of				
		Struck out	Adjourned generally	Adjourned	Judgment reserved	Orders
2003	723	0	0	502	21	200
2002	542	13	9	208	50	262

FIXING DATES FOR HEARING

Cases are assigned dates by the list judge.

WAITING TIMES

Motions are listed for hearing on a date approximately within 6 weeks of coming into the list.

FAMILY LAW CASES INITIATED

Case type	2003	2002
Adoption	12	30
Child abduction	34	26
Divorce	42	33
Family Law Act 1995	2	1
Guardianship of infants	5	7
Judicial separation	53	59
Maintenance of spouses & children	0	1
Nullity	1	2
Total	149	159

FIXING DATES FOR HEARING

Cases ready for hearing are included in a weekly list to fix dates.

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WAITING TIMES

3 months where the Master of the High Court deems the case ready for hearing. Parties can obtain an earlier date by applying to be included in a separate list to avail of dates where a case listed for hearing settles or adjourns.

FAMILY LAW ORDERS GRANTED

Adoption order	10
Circuit appeal: final order	27
Child Abduction: final order	14
Miscellaneous: final family orders	45
Divorce	41
Judicial Separation	26
Nullity	4
Interim miscellaneous	218
Total	385

JURY LIST

	Cases on hands 01/01	New Cases set down	Cases disposed of	Cases on hands 31/12
2003	62	54	71	45
2002	70	54	62	62

NUMBER OF DAYS AT HEARING

1 day	2
3 days	0
4 days	1
5 days	2

FIXING DATES FOR HEARING

Actions set down for trial are automatically entered in the next list to fix dates according to the setting down date. As there is generally a high number of settlements and applications for adjournments in this list, virtually all cases seeking a date obtain one in the following term.

WAITING TIMES

At the list to fix dates in October 2003, dates were allocated for all cases which had been called on as ready for hearing. The dates allocated were for 4th to 14th November 2003.

BAIL

	2003	2002
Applications made	2,183	2,690
Applications granted on own surety	471	561
Applications granted on third party surety	525	567
Applications refused	284	345
Applications refused under Bail Act, 1997	26	16
Applications withdrawn	194	346
Applications struck out	388	498
Orders varied	104	185

FIXING DATES FOR HEARING

Dates are selected by the applicants by way of notice of motion issued out of the Central Office.

WAITING TIMES

A motion list is heard by the court each Monday during term. Applications received are listed for the following Monday.

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Court Statistics

MASTERS COURT

	2003	2002
Special Summons	2,652	2,635
Motions for judgment- on notice	2,376 9,090	2,289 8,538
Ex parte applications	837	610
Examination of company directors/judgment debtors	72	34
Total	15,027	14,106

FIXING DATES FOR HEARING

Notices of motion and special summonses are allocated return dates for the Masters Court at the time of issue.

WAITING TIMES

Return dates allocated for notices of motion and special summonses are approximately 1-2 weeks after the date of issue.

MASTERS ORDERS GRANTED

	2003
Join co-defendant	140
Discovery	1,613
Adopt from Circuit Court	960
Dismiss plaintiff's claim for want of prosecution	267
Enforce foreign judgment	48
Liberty to enter final judgment	281
Payment out of Minor's funds	138
Remit to Circuit Court	98
Strike out Motion	1,008
Renew Summons	48
Miscellaneous	1,116
Total	5,817

APPEALS FROM THE CIRCUIT COURT

APPEALS LODGED (INCLUDING APPLICATIONS FOR
EXTENSION OF TIME TO APPEAL)

2003	476
2002	453

FIXING DATES FOR HEARING

Circuit appeals are heard on Monday of each week. Dates are not assigned until books of appeal are lodged in the Central Office. The next available hearing date is then assigned by the list registrar. Application is made to the President to assign an extra judge to hear appeals which are expected to last a number of days.

WAITING TIMES

4 weeks from the date of lodgment of books of appeal

CASES TRANSFERRED FROM THE CIRCUIT COURT.

In 2003, there were 1,899 cases transferred to the High Court from the Circuit Court.

PERSONAL AND FATAL INJURIES: DUBLIN

	2003	2002
Cases on hand at 01/01	6,125	6,814
New cases received	11,936	4,134
Cases disposed of	13,695	4,823
Cases outstanding as of 31/12 -	4,366	6,125

PROVINCIAL VENUES

Dundalk	2003	2002
Cases on hand at 01/01	517	537
New cases received	547	462
Cases disposed of	564	482
Cases outstanding as of 31/12	500	517

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Court Statistics

Galway	2003	2002
Cases on hand at 01/01	750	566
New cases received	702	658
Cases disposed of	941	474
Cases outstanding as of 31/12	511	750

Cork	2003	2002
Cases on hand at 01/01	1,111	1,134
New cases received	711	690
Cases disposed of	1,069	713
Cases outstanding as of 31/12	753	1,111

Limerick	2003	2002
Cases on hand at 01/01	1,033	848
New cases received	817	760
Cases disposed of	1,088	575
Cases outstanding as of 31/12	762	1,033

Sligo	2003	2002
Cases on hand at 01/01	230	287
New cases received	370	269
Cases disposed of	437	326
Cases outstanding as of 31/12	163	230

Waterford	2003	2002
Cases on hand at 01/01	397	388
New cases received	351	332
Cases disposed of	506	323
Cases outstanding as of 31/12	242	397

Kilkenny	2003	2002
Cases on hand at 01/01	134	170
New cases received	166	121
Cases disposed of	232	157
Cases outstanding as of 31/12 -	68	134

TOTAL PERSONAL AND FATAL INJURIES CASES

	2003	2002
On hands 01/01	10,297	10,744
New cases received	15,600	7,426
Cases disposed of	18,532	7,873
On hands 31/12	7,365	10,297

There were a total of 454 personal injury cases in the High Court in 2003 where judgment was given for a liquidated sum, either on consent or following hearing or disclosed terms of consent. Awards were made in 433 cases, while 3 cases dealt only with the issue of liability and 15 cases were dismissed. In the remaining 3 cases, 2 were struck out and judgment was reserved in the other case.

Range of awards	Number of cases
€0 to €37,999	143
€38,000 to €99,999	204
€100,000 to €199,999	37
€200,000 to €999,999	37
€1m +	12

The lowest amount awarded in the High Court cases was €5,000 while the highest amount was €4.5million.

PERSONAL INJURIES SITTINGS OUTSIDE DUBLIN: GENERAL

Cork	9 weeks each year (4 sessions)
Limerick	8 weeks each year (4 sessions)
Galway	8 weeks each year (4 sessions)
Dundalk	6 weeks each year (2 sessions)
Waterford	4 weeks each year (2 sessions)
Sligo	4 weeks each year (2 sessions)
Kilkenny	2 weeks each year (1 session)

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Court Statistics

PERSONAL AND FATAL INJURIES ACTIONS

OUTSIDE DUBLIN

Hilary	
CORK	Monday 13th January (3 weeks)
GALWAY	Monday 3rd February (2 weeks)
LIMERICK	Monday 17th February (2 weeks)
WATERFORD	Monday 3rd March (2 weeks)
CORK	Monday 24th March (2 weeks)

Easter	
LIMERICK	Monday 28th April (2 weeks)
SLIGO	Monday 28th April (2 weeks)
GALWAY	Monday 12th May (2 weeks)
DUNDALK	Monday 12th May (3 weeks)

Trinity	
ENNIS (At LIMERICK)	Monday 23rd June (2 weeks)
GALWAY	Monday 7th July (2 weeks)
WATERFORD	Monday 7th July (2 weeks)
CORK	Monday 21st July (2 weeks)

Michaelmas	
CORK	Monday 6th October (2 weeks)
LIMERICK	Monday 20th October (2 weeks)
GALWAY	Monday 20th October (2 weeks)
SLIGO	Monday 3rd November (2 weeks)
KILKENNY	Monday 17th November (2 weeks)
DUNDALK	Monday 1st December (3 weeks)

FIXING A DATE FOR HEARING

Dublin List

Once a case is set down, the parties may immediately apply for a hearing date 3 weeks from the date of application.

VENUES OUTSIDE DUBLIN

The High Court sits at Cork, Galway, Limerick, Waterford, Sligo/Letterkenny, Kilkenny and Dundalk to hear personal and fatal injury actions. Cases are listed in chronological order once set down. Applications to fix the list of cases for hearing are heard by the list judge 3 weeks in advance of the sittings. Cases that are not ready for hearing are adjourned.

WAITING TIMES

Dublin List

There are no delays in this list and the speed with which a case obtains a hearing date is a matter for the parties. Long cases such as medical negligence actions which can last a number of weeks may require that a date be specially fixed by the judge. The date assigned will depend on availability but generally a date will be assigned within 3 weeks of the application being made.

VENUES OUTSIDE DUBLIN

The only significant delay is in the Cork list where cases can take 2 years to be reached. In the Dundalk, Kilkenny, Galway, Waterford and Sligo/Letterkenny lists, cases that are ready to proceed will usually be heard within 3-6 months of setting down. In Limerick cases are usually heard within 12 months of setting down.

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Court Statistics

COMMON LAW INTERIM ORDERS GRANTED

Criminal Assets Bureau matters	50
Stay Circuit Court order	9
Contempt of court	27
Amend pleadings	128
Order directing disclosure of reports	110
Discovery	128
Extension of time appearance /defence	1,405
Assessment of damages	348
Directing replies to particulars	732
Remit to Circuit Court	121
Renew summons	300
Security for costs	14
Order for service outside jurisdiction	36
Solicitor coming off record	176
Substituted service	154
Liberty to issue & serve third party notice	321
Strike out	1,687
Miscellaneous	2,062
Total	7,808

COMMON LAW FINAL ORDERS GRANTED

Circuit Court appeal	201
Garda compensation	159
Hepatitis C Compensation Tribunal appeals	46
Non Jury final orders	102
Transfer of sentenced persons	4
Miscellaneous	72
Total	584

HIGH COURT - NUMBER OF WRITTEN JUDGMENTS DELIVERED

2003	322
2002	334

OTHER CENTRAL OFFICE ACTIVITIES

	2003	2002
Judgments registered		
High Court:	335	188
Circuit Court:	980	690
District Court:	2,205	1,611
Total:	3,520	2,489
Deeds poll registered	409	279
Subpoenas issued	5,867	5,869
Applications for service in Ireland under the Hague Convention	117	70
Judgment mortgage affidavits filed	308	177
Lis pendens registered	146	123
Powers of attorney enrolled	26	30
Judgments in default of appearance marked	736	484
Judgments marked in pursuance of an order	187	170
Execution orders issued	1,021	723

WAITING TIMES

	2003	2002
Processing of applications for judgment and where execution orders	2-3 weeks where no query raised or from discharge of query if raised	1 week no query raised or from discharge of query if raised
Enrolment of miscellaneous deeds e.g. Deed Poll	1 week	1 week
Requests for copy documents	3 days	3 days
Certification of documents by Registrar of Central Office (e.g. judgment \ mortgage affidavits)	1 week	1 week

CHAPTER 4

Court Statistics

CENTRAL CRIMINAL COURT

The High Court exercising its criminal jurisdiction is known as the Central Criminal Court. It consists of a judge or judges of the High Court nominated from time to time by the President of the High Court. The court sits at such times and in such places as the President may decide. The court has traditionally sat exclusively in Dublin.

Although the Central Criminal Court has full jurisdiction in all types of offences, in practice it only deals with offences where it has exclusive jurisdiction. The court deals mainly with murder, rape and serious sexual assault cases, but also has the jurisdiction in respect of piracy and treason. From 2002, it also has jurisdiction under the Competition Act.

In 2003, the number of new cases received was 91 and the number dealt with was 159. There was a total of 111 convictions. There were also 25 acquittals. In 12 cases, nolle prosequi was entered by the prosecution. 55 cases were dealt with on a plea of guilty and there were 87 jury trials. Of the jury trials, 2 accused changed their plea to guilty.

MURDER CASES

39 murder cases were received in 2003 and 58 cases were dealt with. There was a total of 49 convictions including guilty pleas. There were 32 murder convictions and 17 convictions on manslaughter and other charges. There were 43 full murder trials resulting in 25 murder convictions with a further 10 persons convicted of manslaughter or other offences. In one case, there was no agreement by the jury. There were 6 acquittals and 1 nolle prosequi.

MURDER CASES: 1996 TO 2003

	received	disposed of	other
1996	25	23	0
1997	28	19	0
1998	29	20	0
1999	33	29	0
2000	42	33	1
2001	31	32	1
2002	55	48	4
2003	39	58	1
Total	282	262	7

RESULTS OF MURDER CASES DISPOSED OF

	2003	2002
Persons convicted of murder	28	15
Persons convicted of other offences other than murder	17	20
Persons convicted of attempted murder or other related offence	1	0
Persons found not guilty by reason of insanity	3	3
Persons acquitted	6	0
Accused deceased	0	1
Other including nolle prosequi	3	2
Total	58	41

SENTENCES IMPOSED IN MURDER/ MANSLAUGHTER CASES

	2003	2002
Life imprisonment	30	15
>10yrs	6	4
>5yrs<10yrs	5	8
>2yrs <5yrs	5	5
Other	2	3
not guilty by reason of insanity	3	3

PLEAS/JURY TRIALS

	2003	2002
Pleas	14	11
Jury trials	43	28

MURDER CASES OUTSTANDING AT 31/12

	2003	2002
	46	65

RAPE AND SEXUAL ASSAULT CASES

52 rape and sexual assault cases were received in 2003 and 100 cases were dealt with. 61 persons were convicted of rape or other sexual offences. There were 19 acquittals. In 3 cases, the jury failed to agree. There were 10 nolle prosequi.

CHAPTER 4

Court Statistics

RAPE CASES: 1996 TO 2003

	received	disposed of
1996	48	48
1997	72	51
1998	130	86
1999	130	98
2000	113	94
2001	92	98
2002	82	93
2003	52	100
Total	719	668

OUTCOMES OF RAPE CASES DISPOSED OF

	2003	2002
Persons convicted of rape	12	13
Persons convicted of rape and other offences	31	24
Persons convicted of other sexual offences	18	21
Persons acquitted	19	13
Other including nolle prosequi	20	10
Total	100	81

SENTENCES IMPOSED IN RAPE AND SEXUAL ASSAULT CASES

	2003	2002
Life	2	1
>10yrs	7	5
>5yrs <10yrs	28	24
<5yrs	16	27
other	8	1

PLEAS/ JURY TRIALS

	2003	2002
Pleas	40	42
Jury trials	44	30

RAPE CASES OUTSTANDING AT 31/12

	2003	2002
	103	151

FIXING DATES FOR HEARING

Cases are returned to the next or present sitting of the Central Criminal Court and placed in a list to fix dates. Periodically throughout the court terms the list is called over and cases are allocated dates, usually several months in advance.

WAITING TIMES

At the end of 2002, the waiting time for a trial was 18 months. 5 Central Criminal Courts were held in September 2003 when the court would normally be in recess. 25 cases were listed for trial and 24 were dealt with. This had a significant impact on the waiting times. At the end of 2003, the waiting time for a hearing was 12 months.

CHAPTER 4

Court Statistics

SPECIAL CRIMINAL COURT

The Special Criminal Court hears criminal cases directed to be tried in the Special Criminal Court by certificate of the Director of Public Prosecutions. Since 1998, the Court has dealt with 101 cases involving some 164 people.

CASES DEALT WITH 1998 - 2003

Year	Number of cases	Number of persons
1998	21	37
1999	14	18
2000	26	36
2001	18	32
2002	13	22
2003	9	19
Total	101	164

In 2003, 9 trials involving 19 accused persons were held in the Special Criminal Court. 6 persons entered guilty pleas and 7 were convicted having pleaded not guilty.

	2003	2002
Number of cases on hands as of 01/01	30	16
Number of new cases	27	27
Number of cases disposed of	9	13
Number of cases outstanding at 31/12	48	30

	Total number of trials	Total number of people	Number convicted on plea of not guilty	Number convicted on pleas of guilty	Number struck out/nolle prosequi/acquitted	Other
2003	9	19	7	6	6	0
2002	13	22	10	9	3	0

FIXING DATES FOR HEARING

Where cases are directed to be heard before the Special Criminal Court, the accused is charged before the Court and remanded pending the preparation of a book of evidence. Cases are not assigned dates for hearing until the book of evidence has been served.

WAITING TIMES

In December 2003, the waiting time for a hearing in the Special Criminal Court was approximately 11 months.

CHAPTER 4

Court Statistics

OFFICE OF THE GENERAL SOLICITOR FOR MINORS AND WARDS OF COURT

The General Solicitor for Minors and Wards of Courts is employed by the President of the High Court to act as committee to the estate in certain wardship matters, as guardian of the funds in certain minor matters and as "friend of the court" in certain other cases concerning the rights of persons with a mental incapacity.

	2003	2002
Wardship cases	421	408
Sub cases	87	107

FUNDS HELD

At December 31st 2003, the balance in the Committee Account (on behalf of Wards and Minors) amounted to €826,319.19.

OFFICE OF WARDS OF COURT

The Office of Wards of Court is responsible for the supervision of the affairs of persons taken into the wardship of the High Court. The purpose of wardship is to afford protection to the person and property of individuals who, whether by reason of mental capacity or infancy, are deemed by the court to be incapable of managing their affairs for themselves.

	2003	2002
Number of wardship cases	2,765	2,669
Applications awaiting hearing	1,125	1,193
Total	3,880	3,862
Inquiry orders	209	150
Declaration orders	204	114
Declaration orders (minors)	14	5
Dismissal orders	136	103
Discharge orders (minors)	0	11
Orders (other)	1,005	633
Enduring powers of attorney registered	99	85

WAITING TIMES

	2003
From acceptance of application papers to listing before court	2 weeks from receipt of completed documentation
For preparation of dismissal or discharge order from date of filing application	10 weeks
For authorisation of payments	1 week from date of request where there are no queries or from resolution of queries
For registration of an enduring power of attorney	1 week where no query is raised or from discharge of query, if raised.

CHAPTER 4

Court Statistics

PROBATE OFFICE

The main functions of the Probate Office of the High Court are the admission of wills to proof, the issuing of grants of probate and administration, the preservation of probate records for inspection, the provision of certified copies of probate documents and the processing of court applications to the judge assigned to deal with probate matters.

There are 14 local probate offices called District Probate Registries located in Circuit Court offices around the country.

PRINCIPAL REGISTRY

	2003	2002
Probates (and administrations with wills annexed)	5,382	6,029
Intestacies	2,046	1,987
Personal applicants (included in above)	1,140	1,047
Caveats	517	493
Appearances	44	39
Court applications	165	167
Other forms of proceedings: citations	26	14
Warnings	61	59

PROBATES AND ADMINISTRATIONS GRANTED

	2003	2002
On hearing of causes	6	1
On motion before the judge	52	61
In the Registry without decree or Order of the judge	7,370	7,954
Revocation of probate or administration	23	28

FEES GENERATED BY OFFICE 2003

Total amount of fees received	€1,547,891.00
Fees on personal applications	*€330,417

* included in total figure

WAITING TIMES

PRINCIPAL REGISTRY

Application by solicitor for grant	6 weeks
Application by personal applicant for grant	8 weeks

DISTRICT PROBATE REGISTRIES

	2003	2002
Castlebar	4 weeks	3 weeks
Cavan	2 weeks	2 weeks
Clonmel	1-2 weeks	10 days
Cork	3 weeks	5 weeks
Dundalk	4 weeks	4-5 weeks
Galway	10-12 weeks	2-3 weeks
Kilkenny	2-3 weeks	3-4 weeks
Letterkenny	8 weeks	2 weeks
Limerick	8-10 weeks	3 weeks
Mullingar	1 week	1-2 weeks
Sligo	1- 1½ weeks	1-2 weeks
Tralee	2-3 weeks	1 week
Waterford	4-6 weeks	2 weeks
Wexford	2 weeks	2 weeks

CHAPTER 4

Court Statistics

LOCAL REGISTRIES

CASTLEBAR

	2003	2002
Probates (and administrations with wills annexed)	340	406
Intestacies	151	182

CAVAN

	2003	2002
Probates (and administrations with wills annexed)	103	138
Intestacies	73	67

CLONMEL

	2003	2002
Probates (and administrations with wills annexed)	418	462
Intestacies	126	156

CORK

	2003	2002
Probates (and administrations with wills annexed)	1,072	1,023
Intestacies	357	321

DUNDALK

	2003	2002 incomplete
Probates (and administrations with wills annexed)	247	113
Intestacies	110	21

GALWAY

	2003	2002
Probates (and administrations with wills annexed)	586	640
Intestacies	245	243

KILKENNY

	2003	2002
Probates (and administrations with wills annexed)	347	318
Intestacies	134	109

LETTERKENNY

	2003	2002
Probates (and administrations with wills annexed)	144	134
Intestacies	106	73

LIMERICK

	2003	2002
Probates (and administrations with wills annexed)	647	665
Intestacies	248	333

MULLINGAR

	2003	2002
Probates (and administrations with wills annexed)	260	278
Intestacies	108	90

SLIGO

	2003	2002
Probates (and administrations with wills annexed)	228	211
Intestacies	104	92

CHAPTER 4

Court Statistics

TRALEE

	2003	2002
Probates (and administrations with wills annexed)	386	389
Intestacies	169	208

WATERFORD

	2003	2002
Probates (and administrations with wills annexed)	280	194
Intestacies	70	66

WEXFORD

	2003	2002
Probates (and administrations with wills annexed)	226	240
Intestacies	112	105

EXAMINER'S OFFICE

The Examiner's Office assists the High Court in chancery and company law matters following the making of an order by the court by dealing with accounts and inquiries, settling lists of creditors, arranging sales of properties, countersigning payments and investments and processing applications for the court.

Nature of proceedings	Cases pending 01/01	New cases lodged	Cases disposed of	Cases pending 31/12
Company liquidations	616	30	108	538
Mortgage suits	1,013	8	5	1,016
Administration suits/ next of kin/other	362	0	0	362
Total	1,991	38	113	1,916

APPLICATIONS UNDER SECTION 150 COMPANIES ACT, 1990

No. of Directors investigated	No. of Directors restricted	No. of Directors not restricted	No. of outstanding issues
104	55	45	4

The Examiner also has a role in bankruptcy which includes the processing of applications and acting as Registrar to the Bankruptcy Court.

	2003	2002
Summonses filed	8	7
Summonses granted	6	7
Petitions for adjudication filed	14	14
Adjudications	5	4
Arrangement petitions filed	0	0
Orders in aid applied for	0	1
Orders in aid made	0	1

CHAPTER 4

Court Statistics

OFFICE OF THE OFFICIAL
ASSIGNEE IN BANKRUPTCY

The Official Assignee in Bankruptcy is primarily concerned with the affairs of persons who have been adjudicated bankrupt by order of the High Court. It is the function of the Official Assignee to realise the assets of a bankrupt and, having discharged costs, fees and expenses incurred in the bankruptcy, together with preferential payments, to pay a dividend to the ordinary creditors admitted in the bankruptcy.

	2003	2002
Cases ongoing at 01/01	494	492
New adjudications	5	4
Cases discharged	5	2
Cases ongoing at 31/12	494	494

OFFICE OF THE TAXING MASTER

The function of the Taxing Master is to provide an independent and impartial assessment of legal costs incurred by a person or company involved in litigation. Costs may be taxed following a court order, an arbitration hearing, acceptance of a lodgment in court, order of a tribunal, award of the Oireachtas, registration of a judgment as a mortgage or on demand by a client.

	2003	2002
Bills certified	519	446
Items certified	55,736	44,944
Costs claimed	€33,014,989	€20,805,517.72
Costs allowed	€25,759,931	€16,014,523.54
Fees (duty)	€1,204,340.60	€687,135.02
Duty on summonses	€22,578.00	€17,805.00

WAITING TIMES

Summons to tax costs to date for hearing: 6-8 weeks

OFFICE OF THE ACCOUNTANT OF
THE COURTS OF JUSTICE

The Accountant of the Courts of Justice is responsible for the receipt, custody, investment and payment out of monies required to be lodged in court either by direction of the High Court or the Supreme Court, by statute or by Rules of Court. The Accountant also has custody of insurance bonds required to be entered into by all licensed auctioneers. An audited Statement of Account in respect of the Accountant's Office for the year ended 30th September 2003, prepared in accordance with Order 77, Rule 96 of the Rules of the Superior Courts is included as part of the Financial Statements on *page 123*.

CHAPTER 4

Court Statistics

THE CIRCUIT COURT

The Circuit Court is a court of limited and local jurisdiction. The business of the court can be divided into four categories: criminal, civil, family and licensing.

A list of all Circuit Court offices and their volume of business is in Appendix 1.

TOTAL CIRCUIT COURT BUSINESS

	Criminal	Civil	Family	Licensing
2003	13,256	39,125	5,466	521
2002	13,035	37,991	4,928	479

The general limits of the Circuit Court's civil jurisdiction are:

- actions in contract and tort where the claim does not exceed €38,092.14
- probate matters and suits for the administration of estates, where the rateable valuation does not exceed €253.95
- equity cases, where rateable valuation does not exceed €253.95 or damages do not exceed €38,092.14
- ejectment actions or applications for new tenancies (fixing of rent etc.) where the rateable valuation of the property does not exceed €253.95
- actions founded on hire purchase and credit sale agreements, where the hire purchase price of the goods or, as the case may be, the amount of the claim does not exceed €38,092.14

CRIMINAL

In criminal matters, the Circuit Criminal Court has jurisdiction to deal with all indictable offences with the exceptions of murder, rape, aggravated sexual assault, treason, piracy and related offences. Most serious crimes, with the above exceptions, are tried in the Circuit Criminal Court. Cases may be tried by the judge in the circuit where the offence was committed or where the accused resides. However, in Circuit Criminal Courts outside Dublin, the trial judge may, on

application by the prosecution or the defence and if satisfied that it would be unjust not to do so, transfer a trial to the Dublin Circuit Criminal Court. Criminal cases dealt with by the Circuit Criminal Courts commence in the District Court and are sent forward to the Circuit Criminal Court for trial or sentencing.

CRIMINAL TRIALS

Excluding appeals, 2,475 cases were sent forward for trial from the District Court to the Circuit Criminal Courts. In the same period, 2,325 criminal cases were dealt with at Circuit level, not including appeals. Of the persons who came before the Circuit Criminal Courts, 1,634 were dealt with on a guilty plea.

JURY TRIALS

There was a total of 568 jury trials dealt with in 2003. 161 persons were convicted and sentenced and in a further 29 cases the matter was adjourned for sentencing. There were 129 acquittals. 206 offenders who changed their plea to guilty were sentenced in the Circuit Criminal Courts.

Excluding persons who changed their pleas from not guilty to guilty, 319 jury trials were completed in the Circuit Criminal Courts last year. There were 87 trials in the Central Criminal Court. It is estimated that 4,872 jurors served on criminal juries last year.

OUTCOME OF JURY TRIALS

	accused convicted	accused acquitted
2003	161	129
2002	184	119

ANALYSIS OF CRIMINAL BUSINESS

	Jury trials	Guilty pleas	Nolle prosequi	Change to guilty
2003	319	1,634	123	249
2002	338	1,887	159	92



CHAPTER 4



Court Statistics

JURY SELECTION

TRIALS AND JURORS SELECTED

Number of jury trials dealt with by Circuit Courts*	319
Estimated number of jurors	3,828
Number of jury trials dealt with by Central Criminal Court	87
Estimated number of jurors	1,044
Overall estimated number of jurors who served on juries	4,872

* Does not include cases where plea of not guilty changed to guilty plea.

DISTRICT COURT APPEALS

The Circuit Court deals with criminal appeals from the District Court by way of rehearing. The District Court dealt with 385,375 criminal cases in 2003. In the same period, the Circuit Court received 11,624 criminal appeals from the District Court and dealt with 10,931 such appeals.

APPEALS FROM THE DISTRICT COURT

2003	Received	Dealt with
Criminal	11,624	10,931
Family law	412	441
Civil	588	586
2002		
Criminal	10,561	10,559
Family law	439	357
Civil	666	736

CIVIL BUSINESS DEALT WITH

	Notices of Trial	Motions	Civil appeals	Liquor licences
2003	12,206	26,333	586	521
2002	14,151	23,104	736	479

CIVIL BUSINESS

The civil jurisdiction of the Circuit Court is a limited one unless all the parties to an action consent to unlimited jurisdiction.

Generally the civil work of the Circuit Court can be divided into:

- (a) Civil Trials
- (b) Motions
- (c) Judgments marked in the office
- (d) Licensing applications

CIVIL TRIALS

12,206 civil trials were dealt with. Of these 5,556 were settled, 419 were disposed of by the County Registrar and 5,772 cases were ruled on by the court. 459 were adjourned generally with liberty to re-enter.

NOTICE OF TRIALS

	2003	2002
Number settled	5,556	7,538
Cases dealt with by county registrar	419	245
Cases dealt with by court	5,772	6,044
Cases adjourned with liberty to re-enter	459	324



CHAPTER 4

Court Statistics

NOTICES OF MOTION

Notices of motion and trial are lodged in the Circuit Court Office for listing. Motions are mostly preliminary applications relating to a case e.g., applications for discovery, to add another person to an action, amendment of pleadings etc. Since the Courts Officers Act, 1995 the majority of motions are dealt with by the County Registrars and generally, the Circuit Judge only deals with ejection motions, transfers to the High Court and infant settlements.

The Courts and Court Officers Act, 2002 extended the jurisdiction of County Registrars to deal with motions with effect from 1 October, 2002. Additional powers include orders for transfer of proceedings where the parties consent, orders entering judgement for unliquidated amounts in certain circumstances and orders for recovery or possession where no appearance is entered or no defence delivered

In 2003, 26,333 motions were disposed of. Of these, 2,577 were settled by the parties, 16,122 were dealt with by the County Registrars and 5,502 were heard in court. A further 2,132 were adjourned generally with liberty to re-enter.

MOTIONS

	2003	2002
Number settled	2,577	1,456
Cases dealt with by county registrars	16,122	13,771
Cases dealt with by court	5,502	7,559
Cases adjourned with liberty to re-enter	2,132	318

JUDGMENTS MARKED IN THE OFFICE

Many cases involving claims for liquidated sums where no defence / appearance are entered by the defendant are dealt with in the Circuit Court offices without the need for a court hearing. There were over 7,370 cases were dealt with in this way in 2003.

CIVIL BILLS ISSUED

Circuit court office	2003	2002
CARLOW	475	453
CARRICK-ON-SHANNON	177	192
CASTLEBAR	936	942
CAVAN	390	409
CLONMEL	1,307	1,506
CORK	5,092	5,151
DUBLIN	14,334	15,032
DUNDALK	1,407	1,439
ENNIS	789	855
GALWAY	1,821	1,992
KILKENNY	581	735
LETTERKENNY	1,128	1,270
LIMERICK	2,187	2,303
LONGFORD	332	343
MONAGHAN	368	368
MULLINGAR	627	689
NAAS	1,604	1,438
PORTLAOISE	444	428
ROSCOMMON	357	410
SLIGO	462	508
TRALEE	1,074	991
TRIM	1,579	1,283
TULLAMORE	443	469
WATERFORD	1,026	1,151
WEXFORD	924	900
WICKLOW	1,317	1,127
TOTAL	41,181	42,384

CHAPTER 4

Court Statistics

PERSONAL INJURY CASES IN WHICH AWARDS WERE MADE BY THE COURT OR SETTLEMENTS RULED

Circuit court office	No. of Awards
CARLOW	12
CARRICK-ON-SHANNON	10
CASTLEBAR	69
CAVAN	15
CLONMEL	122
CORK	319
DUBLIN	434
DUNDALK	133
ENNIS	51
GALWAY	92
KILKENNY	15
LETTERKENNY	27
LIMERICK	56
LONGFORD	10
MONAGHAN	28
MULLINGAR	10
NAAS	35
PORTLAOISE	10
ROSCOMMON	5
SLIGO	12
TRALEE	92
TRIM	40
TULLAMORE	18
WATERFORD	24
WEXFORD	28
WICKLOW	55
TOTAL	1,722

DUBLIN CIRCUIT COURT

In Dublin Circuit Court, awards were made or settlements ruled by the Court in 434 personal injury cases in 2003. The lowest amount awarded was €535.00 the highest €73,358.

Amounts awarded incl. settlements ruled	Number of cases
€0 to €9,999	227
€10,000 to €19,999	164
€20,000 to €29,999	33
€30,000 +	10
Total	434

PROVINCIAL CIRCUIT COURTS

In the Provincial Circuit Courts, awards were made or settlements ruled by the court in 1,288 personal injury cases. The lowest amount awarded was €500, the highest €71,330.94.

Amounts awarded incl. settlements ruled	Number of cases
€0 to €9,999	501
€10,000 to €19,999	527
€20,000 to €29,999	225
€30,000 +	35
Total	1,288

CHAPTER 4

Court Statistics

ALL CIRCUIT COURTS

Awards were made or settlements ruled in a total number of 1,722 personal injury cases in the Circuit Court. The lowest amount awarded was €500.00, the highest €73,358. The total amount awarded in all cases was €21,158,004

Amounts awarded incl. settlements ruled	Number of cases
€0 to €9,999	728
€10,000 to €19,999	691
€20,000 to €29,999	258
€30,000 +	45
Total	1,722

FAMILY LAW (SEE ALSO APPENDIX II)

The Circuit Court has concurrent jurisdiction with the High Court to hear applications for divorce, judicial separation and nullity. In hearing such cases, the Circuit Court has jurisdiction to make ancillary orders such as custody and access, maintenance and barring orders. Applications for protection and barring orders may also be made directly to the Circuit Court, although the vast majority of such cases are taken in the District Court.

DIVORCE APPLICATIONS

3,733 divorce applications were received in the Circuit Court in 2003. 2,929 divorces were granted and 5 were refused. There were 1,130 male applicants and 1,799 female applicants in cases where a divorce was granted.

JUDICIAL SEPARATION

1,802 applications for judicial separation were received in the Circuit Court in 2003. 1,206 judicial separations were granted. There were 328 male applicants and 878 female applicants in cases where a separation was granted.

NULLITY

47 nullity applications came before the Circuit Courts of which 33 were granted, 10 were refused and 4 were withdrawn or struck out.

SECTION 33 APPLICATIONS

Applications under Section 33 of the Family Law Act, 1995 to dispense with the necessity to give three month notice of intention to marry and/or allow people under the age of eighteen years to marry are also dealt with by the Circuit Court. In 2003, a total of 867 applications were dealt with by the Circuit Courts of which 837 were granted.

CHANGING TRENDS: ORDERS GRANTED

	Divorce	Judicial separation	Nullity
1997*	93	1,431	3
1998*	1,408	920	23
1999*	2,315	967	34
2000	2,710	998	47
2001	2,817	1,018	59
2002	2,571	940	40
2003	2,929	1,206	33

* year ending on 31/7

APPLICATIONS RECEIVED

	2003	2002
Divorce	3,733	3,912
Judicial separation	1,802	1,871
Nullity	92	52
Section 33	892	936
Family law appeals	412	439

CHAPTER 4

Court Statistics

APPLICATIONS DEALT WITH IN 2003

	Granted	Refused	Withdrawn, struck out/ Adiourned generally
Divorce	2,929	5	40
Judicial separation	1,206	4	82
Nullity	33	10	4
Section 33	837	30	0

APPLICATIONS DEALT WITH IN 2002

	Granted	Refused	Withdrawn, struck out/
Divorce	2,571	2	27
Judicial separation	940	1	46
Nullity	40	5	3
Section 33	910	26	0

MALE/ FEMALE APPLICANTS (ESTIMATED)

2003	Judicial Separation	Divorce
Male applicants	328	1,130
Female applicants	878	1,799

MALE/ FEMALE APPLICANTS (ESTIMATED)

2002	Judicial Separation	Divorce
Male applicants	211	958
Female applicants	729	1,613

LICENSING

Applications for the creation of new licences such as pubs, hotels, special restaurant certificates, club certificates and the extension of existing licenses under the intoxicating liquor laws are dealt with by the Circuit Court.

A total of 521 licences were granted last year, of which 395 were pub licences and 56 were hotel licences. There were 47 special restaurant certificates and 23 club certificates granted.

LIQUOR LICENCES GRANTED

	Pub	Hotel	Special restaurant certificate	Club	Total
2003	395	56	47	23	521
2002	369	55	38	17	479

FIXING DATES FOR HEARING

DUBLIN CIRCUIT

Civil

Cases which are ready to proceed are allocated the next available date by the court office.

Criminal

Cases are returned to the present or next sitting of the Dublin Circuit Criminal Court. At the beginning of each week, a call over list is presided over by a judge and the trials and pleas identified. The judge assigns the trials to different courts and deals with the pleas. Cases not ready to proceed are adjourned.

PROVINCIAL CIRCUITS

Civil

All new cases are returned for hearing to the next sitting of the Circuit Court. Prior to the commencement of each term, the County Registrar either calls over a list of cases or contacts the parties to establish which cases are going ahead. Cases ready for hearing are placed in the list for the court and cases not ready for hearing are adjourned to the next session.

Criminal

All new criminal cases are returned to the next sitting of the Circuit Court. On the first day of the sitting the judge establishes which cases are ready to go ahead and allocates dates for hearing. Cases not ready for hearing are adjourned to the next session.

WAITING TIMES

Waiting times for all cases in the Circuit Court are listed in Appendix III.

CHAPTER 4

Court Statistics

DISTRICT COURT

The District Court is a court of limited and local jurisdiction. The business of the court can be divided into four categories: criminal, civil, family and licensing.

CASES DEALT WITH

	2003	2002
Criminal business	385,375	418,735
Family law business	23,678	23,316
Civil business	87,556	76,629
Licensing business	101,919	96,378
Total	598,528	615,058

CHANGING TRENDS: APPLICATIONS DEALT WITH

	Criminal	Family law	Civil	Licensing
1996*	459,118	17,256	109,947	80,243
1997*	462,669	21,045	87,970	82,738
1998*	514,346	20,932	87,133	86,494
1999*	497,660	21,231	81,615	92,334
2000	446,705	23,329	79,240	93,867
2001	450,105	25,123	79,533	93,145
2002	418,735	23,316	76,629	96,378
2003	385,375	23,678	87,556	101,919

* Year ending on 31/7

APPLICATIONS UNDER SECTION 107 AND SECTION 108 OF THE ENVIRONMENTAL PROTECTION ACT, 1992

SECTION 107

	2003	2002
No. of applications received	1	0
No. of successful applications	1	0

SECTION 108

	2003	2002
No. of applications received	40	57
No. of successful applications	37	33

CIVIL BUSINESS

The civil jurisdiction of the District Court is as follows

- in contract, claims which do not exceed €6,348.69
- in actions relating to hire-purchase and credit sales agreements, claims where the hire-purchase price of the goods or the amount of the agreement do not exceed €6,348.69
- in relation to tort, (except slander, libel, seduction, slander of title malicious prosecution and false imprisonment), claims which do not exceed €6,348.69
- in ejectment proceedings for non-payment of rent or overholding in any class of tenancy, claims where the annual rent does not exceed €6,348.69
- in actions for wrongful detention of goods, claims where the value of the goods does not exceed €6,348.69.

87,556 civil cases were dealt with in 2003 in the District Courts. In 2002, the total number of civil cases was 76,629. The increase in civil cases in 2003 was due mainly to an increase in summary judgment cases (undefended debt or liquidated money demand claims) which rose from 33,476 in 2002 to 42,478 in 2003 and also due to an increase in the amount of enforcement orders made, which rose from 24,682 in 2002 to 27,439 in 2003.

CHAPTER 4

Court Statistics

CIVIL APPLICATIONS DEALT WITH

	2003	2002
Ejectment proceedings	297	179
Summary judgment	42,478	33,476
Small claims	3,097	3,020
Ordinary civil process	6,904	7,600
Summonses of a civil nature	6,611	6,880
Examination orders	9,352	8,422
Instalment orders	11,974	10,430
Committal orders	6,108	5,788
Foreign judgement	5	42
Other	730	792
Total	86,826	75,837

FIXING DATES FOR HEARING

DUBLIN DISTRICT COURT

*Civil**Ordinary cases*

Applicant is given a return date to allow time for such matters as service of the civil process

Family law cases

Emergency applications are dealt with immediately. In relation to all other applications, the court assigns the next available date

PROVINCIAL DISTRICTS

Ordinary cases

Applicants select the date and cases are listed before the court on the date selected

Family law cases

Emergency applications are dealt with immediately. In relation to all other applications, the solicitors/applicant select the date and cases are listed before the court list on the date selected.

WAITING TIMES

Waiting times for all cases in the District Court are in Appendix IV.

SMALL CLAIMS PROCEDURE

The Small Claims procedure is designed to deal with consumer claims for up to €1,269.74 speedily, inexpensively and without the need to engage a solicitor. A small claim can be brought by an individual who has purchased goods or services for private use from someone selling them in the course of a business.

TYPE OF APPLICATIONS RECEIVED

	2003	2002
Holidays	388	400
Professional services	52	60
Dry Cleaners	161	134
Building	97	164
Damage to Private Property	160	119
Key Money	588	376
Electrical Goods	208	166
Audio/Computer	147	160
Clothing	119	156
Shoes	63	67
Furniture	157	257
Carpets/Flooring	79	91
Doors/Roofs	115	102
Cars	216	205
Other	686	798
Total	3,236	3,255

CHAPTER 4

Court Statistics

CLAIMS DEALT WITH

	2003	2002
Cases not covered by procedure	30	37
Cases not proceeded with	355	355
Decrees by default	380	386
Settled by Registrar	1,511	1,375
Referred to court	821	867
Total	3,097	3,020

CASES ADJUDICATED BY COURT

	2003	2002
Decrees granted	510	463
Cases dismissed	125	115
Cases struck out/withdrawn	186	289
Total	821	867

CRIMINAL

The total number of criminal cases dealt with in 2002 was 418,735. In 2003, it was 385,375. In Dublin District Courts, the number of criminal cases dealt with in 2002 was 172,463. In 2003, it was 147,691.

FIXING DATES FOR HEARING

DUBLIN DISTRICT COURT

*Criminal**Computerised Summonses*

Computerised summonses are allocated to a specific court by the court office on the next available date

Manual Summonses

Manual summonses are allocated to a specific court by the court office on the next available date

Charge sheets

New charge sheets are brought directly to the appropriate court by An Garda Síochána where they are immediately included in the court list

PROVINCIAL DISTRICTS

Computerised Summonses (Cork and Limerick only)

Computerised summonses are allocated to a specific court by the court office on the next available date

Manual Summonses (all provincial offices)

S.I. No. 5, 1961 sets out the dates, times and venues of court sittings in provincial court areas. An Garda Síochána or the prosecution select the court venue and date. Summonses which have been served are included in the court list for the return date on the summons.

Charge sheets

New charge sheets are brought directly to the appropriate court by An Garda Síochána where they are immediately included in the court list.

CASES DEALT WITH

	2003	2002
Summary cases	327,677	363,756
Indictable cases dealt with summarily	47,267	43,100

SUMMARY CASES

	2003	2002
Road traffic cases	236,315	265,449
Other summary offences	91,362	98,307

CHAPTER 4

Court Statistics

OUTCOMES

SUMMARY OFFENCES

	2003	2002
Imprisonment/Detention*	10,432	10,936
Fines**	100,475	110,192
Community service	1,840	2,693
***Other	214,930	239,935
TOTAL	327,677	363,756

INDICTABLE CASES DEALT WITH SUMMARILY

	2003	2002
Imprisonment/Detention*	7,448	6,865
Fines**	5,812	4,109
Community Service	1,043	1,221
***Other	32,964	30,905
TOTAL	47,267	43,100

* Maximum sentence that can be imposed by the District Court in respect of any offence is 12 months. The cumulative duration in respect of consecutive sentences cannot exceed two years.

** The maximum fine the District Court can impose depends on the offence. In general, the maximum fine which the District Court can impose in respect of any one offence is €1,904.61

*** Other: probation, peace bond, strike out, adjourn generally, taken into consideration and dismiss

BAIL

BAIL RETURNS 2003

Office	Number of bails received	Amount of bail €
Athlone	29	14,076.49
Ballina	24	18,950.00
Ballinasloe	29	8,026.00
Bray	18	5,500.00
Carlow	134	52,971.13
Carrick on Shannon	23	9,789.00
Castlebar	32	24,870.00
Cavan	25	29,185.00
Clonakilty	50	18,166.50
Clonmel	63	112,805.20
Cork	828	304,439.30
Derrynea	22	10,765.00
Donegal	127	56,890.60
Drogheda	103	34,413.84
Dundalk	142	65,507.38
Ennis	204	119,057.28
Fermoy	180	136,138.60
Galway	163	102,451.19
Gorey	66	44,693.72
Kilkenny	79	38,734.00
Killarney	35	15,070.00
Letterkenny	278	74,640.37
Limerick	335	137,626.67
Listowel	34	11,370.00
Longford	52	28,825.00
Loughrea	16	4,496.00
Mallow	105	85,491.84

CHAPTER 4

Court Statistics

Office	Number of bails received	Amount of bail €
Monaghan	374	266,706.92
Mullingar	57	43,299.83
Naas	32	3,780.00
Nenagh	18	6,605.00
Portlaoise	77	29,688.75
Roscommon	79	66,231.01
Sligo	78	32,238.52
Thurles	94	34,666.84
Tralee	59	195,762.23
Trim	53	274,596.00
Tuam	66	45,796.52
Tullamore	30	16,300.00
Waterford	157	64,970.00
Wexford	14	3,780.00
Youghal	130	75,135.78
Fines Office Dublin Metropolitan District	2,890	1,701,986.60
Swords	51	18,650.00
Dun Laoghaire	128	56,630.00
TOTAL	7,583	4,501,773.51

The statistics on pages 104 to 111 have been extracted from the Criminal Case Management System. At the end of 2003, the system had been implemented in the Dublin Metropolitan District Court and Limerick District Court:

*CASES OF A SEXUAL NATURE DEALT WITH IN DUBLIN

Court determination	Summary offences	Offenders	Indictable offences dealt with Summarily	Offenders
Community service order	2	2	0	0
Detention	0	0	0	0
Detention suspended	0	0	0	0
Dismiss	8	8	78	75
Fines	5	5	18	15
Imprisonment	3	2	2	2
Imprisonment - suspended	2	1	2	3
Peace bond	1	1	1	1
Poor box	2	2	54	54
Probation	2	2	20	11
Struck out	9	9	41	39
Taken into consideration	4	4	38	21
Withdrawn	0	0	0	0
Total	38	36	254	221

Sexual offences returned for trial 74

Persons returned for trial on sexual charges 34

* Figures include Dun Laoghaire, Swords, Richmond, Chancery St, Children Court (from 01/09/2003) and exclude Kilmainham and Tallaght

CHAPTER 4

Court Statistics

CASES OF A SEXUAL NATURE DEALT WITH IN LIMERICK

Court determination	Summary offences	Offenders	Indictable offences dealt with Summarily	Offenders
Community service order	0	0	0	0
Detention	0	0	0	0
Detention - suspended	0	0	0	0
Dismiss	0	0	0	0
Fines	0	0	0	0
Imprisonment	0	0	1	1
Imprisonment - suspended	0	0	1	1
Peace bond	0	0	0	0
Poor box	0	0	0	0
Probation	0	0	1	1
Struck out	3	3	4	3
Taken into consideration	1	1	5	1
Withdrawn	0	0	0	0
Total	4	4	12	7
Sexual offences returned for trial	9			
Persons returned for trial on sexual charges	6			

CHAPTER 4

Court Statistics

***SPECIFIC ROAD TRAFFIC OFFENCES DEALT WITH IN DUBLIN**

	Dangerous driving		Drink driving		Parking offences		Unauthorised takings of motor vehicles	
	Summary Offences	Offenders	Summary Offences	Offenders	Summary Offences	Offenders	Indictable Offences Dealt With Summarily	Offenders
COURT DETERMINATION								
Community service order	0	0	4	4	0	0	17	17
Detention	25	18	4	4	0	76	63	0
Detention suspended	1	1	0	0	0	0	8	8
Dismiss	36	28	225	225	96	95	46	46
Fines	126	123	844	838	2022	1992	16	15
Imprisonment	27	23	23	20	0	0	84	55
Imprisonment suspended	3	3	5	5	0	0	18	15
Peace bond	1	1	2	2	0	0	3	3
Poor box	1	1	0	0	1	1	0	0
Probation	4	4	7	5	0	0	20	20
Struck out	255	166	318	315	3873	3838	137	127
Taken into consideration	56	43	93	91	25	18	79	69
Withdrawn	21	11	14	14	20	20	12	11
Reduced charge	25	25	0	0	0	0	0	0
Total	581	447	1539	1523	6037	5964	516	449

* Figures include Dun Laoghaire, Swords, Richmond, Chancery St, Children's Court (from 01/09/2003) and exclude Kilmainham and Tallaght

CHAPTER 4

Court Statistics

SPECIFIC TRAFFIC OFFENCES DEALT WITH IN LIMERICK

	Dangerous driving		Drink driving		Parking offences		Unauthorised takings of motor vehicles	
	Summary Offences	Offenders	Summary Offences	Offenders	Summary Offences	Offenders	Indictable Offences Dealt With Summarily	Offenders
COURT DETERMINATION								
Community service order	0	0	0	0	0	0	3	3
Detention	3	3	0	0	0	0	4	3
Detention suspended	1	1	1	1	0	0	4	4
Dismiss	11	11	17	17	26	21	1	1
Fines	23	23	240	238	1,130	1,056	0	0
Imprisonment	26	18	13	13	0	0	17	16
Imprisonment suspended	1	1	3	3	0	0	2	2
Peace Bond	0	0	0	0	0	0	0	0
Poor Box	0	0	0	0	0	0	0	0
Probation	7	4	0	0	0	0	3	3
Struck out	46	34	24	22	3,444	3,158	14	14
Taken into consideration	38	28	39	37	10	9	27	23
Withdrawn	14	13	18	17	13	13	1	1
Reduced charge	29	29	0	0	0	0	0	0
Total	199	165	355	348	4,623	4,257	76	70

CHAPTER 4

Court Statistics

***ASSAULT/PUBLIC ORDER OFFENCES DEALT WITH IN DUBLIN**

Court determination	Summary offences	Offenders	Indictable offences dealt with Summarily	Offenders
Community service order	123	100	0	0
Detention	128	95	0	0
Detention - suspended	14	14	0	0
Dismiss	2,624	2,113	5	5
Fines	996	868	2	2
Imprisonment	483	333	1	1
Imprisonment - suspended	139	128	0	0
Peace bond	214	173	0	0
Poor box	540	533	0	0
Probation	217	133	0	0
Struck out	2,531	1,980	0	0
Taken into consideration	1,670	1,085	2	2
Withdrawn	167	132	2	2
Total	9,846	7,687	12	12

ASSAULT/PUBLIC ORDER OFFENCES DEALT WITH IN LIMERICK

Court determination	Summary offences	Offenders	Indictable offences dealt with Summarily	Offenders
Community service order	24	16	0	0
Detention	13	8	0	0
Detention - suspended	3	3	0	0
Dismiss	97	71	1	1
Fines	205	180	2	2
Imprisonment	132	91	0	0
Imprisonment - suspended	69	62	0	0
Peace bond	13	12	0	0
Poor box	0	0	0	0
Probation	49	43	1	1
Struck out	731	519	13	13
Taken into consideration	414	234	3	3
Withdrawn	92	67	5	5
Total	1,842	1,306	25	25

* Figures include Dun Laoghaire, Swords, Richmond, Chancery St, Children's Court (from 01/09/2003) and exclude Kilmainham and Tallaght

CHAPTER 4

Court Statistics

***DRUGS OFFENCES DEALT WITH IN DUBLIN**

Court determination	Summary offences	Offenders	Indictable offences dealt with Summarily	Offenders
Community service order	1	1	15	15
Detention	6	5	27	22
Detention-suspended	2	2	8	5
Dismiss	36	32	203	173
Fines	15	15	194	181
Imprisonment	20	18	84	75
Imprisonment-suspended	5	5	33	31
Peace bond	5	3	31	20
Poor box	1	1	12	12
Probation	21	14	60	40
Struck out	55	34	390	287
Taken into consideration	36	29	224	121
Withdrawn	3	3	37	25
Total	206	162	1,318	1,007
Drug offences returned for trial	532			
Persons returned for trial on drug offences	210			

DRUGS OFFENCES DEALT WITH IN LIMERICK

Court determination	Summary offences	Offenders	Indictable offences dealt with Summarily	Offenders
Community service order	0	0	0	0
Detention	0	0	0	0
Detention-suspended	0	0	18	14
Dismiss	0	0	6	3
Fines	2	2	47	36
Imprisonment	0	0	18	12
Imprisonment-suspended	0	0	15	14
Peace bond	0	0	0	0
Poor box	0	0	0	0
Probation	0	0	11	8
Struck out	2	2	57	51
Taken into consideration	3	3	47	30
Withdrawn	0	0	11	9
Total	7	7	230	177
Drug offences returned for trial	15			
Persons returned for trial on drug offences	6			

* Figures include Dun Laoghaire, Swords, Richmond, Chancery St, Children's Court (from 01/09/2003) and exclude Kilmainham and Tallaght

CHAPTER 4

Court Statistics

*** ALL ROAD TRAFFIC OFFENCES DEALT WITH IN DUBLIN**

Court determination	Summary offences	Offenders	Indictable offences dealt with Summarily	Offenders
Adjourn generally	19	4	0	0
Community service order	71	46	29	28
Detention	168	109	109	84
Detention-suspended	16	14	11	10
Dismiss	4,968	2,597	86	84
Fines	22,672	16,231	24	23
Imprisonment	623	484	89	73
Imprisonment-suspended	122	109	22	19
Peace bond	19	17	8	8
Poor box	100	99	0	0
Probation	210	63	33	30
Struck out	37,574	16,903	211	194
Taken into consideration	10,888	3,219	110	90
Withdrawn	337	146	17	16
Reduced charge	54	54	1	1
Total	77,841	40,095	750	660
Road traffic offences returned for trial	157			
Persons returned for trial on road traffic offences	116			

ALL ROAD TRAFFIC OFFENCES DEALT WITH IN LIMERICK

Court determination	Summary offences	Offenders	Indictable offences dealt with Summarily	Offenders
Community Service Order	3	3	4	4
Detention	5	4	7	6
Detention-suspended	4	4	4	4
Dismiss	310	182	2	2
Fines	4,067	3,251	1	1
Imprisonment	134	91	24	23
Imprisonment-suspended	22	20	5	5
Peace Bond	0	0	0	0
Poor Box	0	0	0	0
Probation	40	10	6	4
Struck Out	7,066	5,082	50	46
Taken into consideration	2,313	541	37	30
Withdrawn	443	212	2	2
Reduced charge	62	59	0	0
Total	14,469	9,459	142	127
Road traffic offences returned for trial	30			
Persons returned for trial on road traffic offences	10			

* Figures include Dun Laoghaire, Swords, Richmond, Chancery St, Children's Court (from 01/09/2003) and exclude Kilmainham and Tallaght

CHAPTER 4

Court Statistics

***LARCENY CASES DEALT WITH IN DUBLIN**

Court determination	Indictable offences dealt with summarily	Offenders
Community service order	146	77
Detention	165	102
Detention- suspended	18	14
Dismiss	1,545	1,273
Fines	440	401
Imprisonment	531	1,046
Imprisonment - suspended	178	152
Peace bond	105	71
Poor box	314	313
Probation	391	189
Struck out	2,767	1,937
Taken into consideration	940	430
Withdrawn	126	94
Total	7,666	6,099
Larceny offences returned for trial	257	
Persons returned for trial on larceny offences	108	

LARCENY CASES DEALT WITH IN LIMERICK

Court determination	Indictable offences dealt with summarily	Offenders
Community service order	11	10
Detention	37	14
Detention- suspended	4	4
Dismiss	134	109
Fines	23	18
Imprisonment	107	74
Imprisonment - suspended	45	45
Peace bond	0	0
Poor box	0	0
Probation	69	27
Struck out	156	127
Taken into consideration	215	90
Withdrawn	4	4
Total	805	522
Larceny offences returned for trial	14	
Persons returned for trial on larceny offences	4	

* Figures include Dun Laoghaire, Swords, Richmond, Chancery St, Children's Court (from 01/09/2003) and exclude Kilmainham and Tallaght

CHAPTER 4

Court Statistics

JUVENILE CRIME

Until 30 April 2002, accused persons under the age of 17 years were dealt with by the children courts. The Children Act, 2001, parts of which were commenced on 1 May 2002, raised this age to 18 years. The District Court is known as the Children Court when dealing with accused persons under the age of 18. In most provincial locations, the Children Court is held in conjunction with the normal sittings of the District Court. However, Children Court cases are heard at designated times, usually either before or after the other business of the District Court and are heard in the presence of the parties involved and the media only. In Dublin, these cases are dealt with in the Children's Court building in Smithfield. There are dedicated children court sittings in Waterford, Limerick and Cork and Galway. The Children Court can deal with all charges against children, except those that by reason of their gravity or other special circumstances the District Judge does not consider fit to deal with.

APPLICATIONS FOR COMMITTAL TO SPECIAL SCHOOLS

Determination	2003	2002
Juveniles committed to Industrial Schools	18	30
Juveniles committed to Reformatory schools	25	17
Applications for committal struck out/refused	32	6
Total	75	53

FAMILY LAW

In 2002, 23,316 family law cases were dealt with. In 2003, the figure was 23,678. While the number of domestic violence cases decreased, there were increases in maintenance and guardianship applications.

In 2003, 9,881 domestic violence applications were disposed of (a decrease 14% on 2002). The number of maintenance applications in 2003 was 4,683 (a 30% increase on 2002). The total number of guardianship cases in 2003 was 5,623, (an increase of 13% on 2002).

2003 - DOMESTIC VIOLENCE ACT, 1996

	Applications	Granted	Refused	Withdrawn Struck Out
Barring orders	3,586	1,575	161	1,850
Safety orders	2,557	1,108	113	1,336
*Protection orders	3,109	2,814	79	205
Interim barring orders	629	531	30	68

* 11 Interim barring orders granted in lieu of protection orders.

2002 - DOMESTIC VIOLENCE ACT, 1996

	Applications	Granted	Refused	Withdrawn Struck Out
Barring orders	4,067	1,740	155	2,172
Safety orders	2,814	1,187	94	1,533
*Protection orders	3,677	3,248	94	335
Interim barring orders	852	706	51	95

* 25 Interim barring orders granted in lieu of protection orders.

CHAPTER 4

Court Statistics

PROTECTION ORDER APPLICATIONS DEALT WITH
(BY STATUS OF APPLICANT) 2003

	Granted	Interim barring in Lieu	Refused	Withdrawn/ struck out
Spouse	1,618	11	49	119
Common law	872		19	56
Parent	290		4	22
Other	32		7	8
Health Board	2		0	0
Total	2,814	11	79	205

BARRING ORDER APPLICATIONS DEALT WITH
(BY STATUS OF APPLICANT) 2003

	Granted	Refused	Withdrawn/ Struck Out
Spouse	936	96	1,089
Common law	425	28	542
Parent	209	37	214
Other	2	0	3
Health Board	3	0	2
Total	1,575	161	1,850

SAFETY ORDER APPLICATIONS DEALT WITH
(BY STATUS OF APPLICANT) 2003

	Granted	Refused	Withdrawn/ Struck Out
Spouse	670	50	812
Common law	314	30	357
Parent	105	30	130
Other	19	3	37
Health Board	0	0	0
Total	1,108	113	1,336

PROTECTION ORDER APPLICATIONS DEALT WITH
(BY STATUS OF APPLICANT) 2002

	Granted	Interim barring in lieu	Refused	Withdrawn/ struck out
Spouse	1,883		60	194
Common law	936		25	95
Parent	368		6	39
Other	50		3	1
Health Board	11		0	6
Total	3,248	25	94	335

BARRING ORDER APPLICATIONS DEALT WITH
(BY STATUS OF APPLICANT) 2002

	Granted	Refused	Withdrawn/ Struck Out
Spouse	1,014	105	1,360
Common law	487	28	538
Parent	222	22	270
Other	17	0	4
Health Board	0	0	0
Total	1,740	155	2,172

SAFETY ORDER APPLICATIONS DEALT WITH
(BY STATUS OF APPLICANT) 2002

	Granted	Refused	Withdrawn/ Struck Out
Spouse	652	41	938
Common law	363	34	369
Parent	139	17	193
Other	20	0	31
Health Board	13	2	2
Total	1,187	94	1,533

CHAPTER 4

Court Statistics

INTERIM BARRING ORDER APPLICATIONS DEALT WITH (BY STATUS OF APPLICANT) 2003

	Granted	Refused	Withdrawn/ Struck Out
Spouse	312	20	31
Common law	125	7	28
Parent	94	3	9
Other	0	0	0
Health Board	0	0	0
Total	531	30	68

INTERIM BARRING ORDER APPLICATIONS DEALT WITH (BY STATUS OF APPLICANT) 2002

	Granted	Refused	Withdrawn/ Struck Out
Spouse	405	36	61
Common law	180	11	29
Parent	118	4	5
Other	3	0	0
Health Board	0	0	0
Total	706	51	95

GUARDIANSHIP OF CHILDREN

APPLICATIONS FOR CUSTODY AND ACCESS 2003

	Applications dealt with	Granted	Refused	Withdrawn Struck Out
Custody & access	820	516	55	249
Custody only	690	408	35	247
Access only	2,837	2,110	72	655
Non-marital fathers Section 6(a)	1,276	960	39	277
Total	5,623	3,994	201	1,428

APPLICATIONS FOR CUSTODY AND ACCESS 2002

	Applications dealt with	Granted	Refused	Withdrawn Struck Out
Custody & access	727	491	23	213
Custody only	625	400	35	190
Access only	2,572	1,971	76	525
Non-marital fathers Section 6(a)	1,059	812	38	209
Total	4,983	3,674	172	1,137

CHANGING TRENDS

	1996	1997	1998	1999	2000	2001	2002	2003
Barring order applications	5,120	5,217	4,792	4,668	4,908	4,470	4,067	3,586
Barring orders granted	2,059	2,145	2,004	2,219	2,319	2,067	1,740	1,575
Protection order applications	3,716	4,352	4,409	3,619	4,381	4,263	3,677	3,109
*Protection orders granted	3,521	3,781	3,474	3,390	3,467	3,711	3,248	2,814
Safety order applications	272	1,792	1,779	2,039	2,336	2,903	2,814	2,557
Safety orders granted	188	739	837	970	988	1,232	1,187	1,108
Interim barring order applications	174	589	733	1,120	506	1,159	852	629
*Interim barring orders granted	170	543	677	1,002	415	1,007	706	531

* Some interim barring orders were granted on foot of applications for protection orders. Likewise some protection orders were granted on foot of interim barring orders.

CHAPTER 4

Court Statistics

MAINTENANCE 2003

	Applications dealt with	Granted	Refused	Withdrawn Struck Out
Married & unmarried	4,635	3,172	149	1,314
Maintenance Act 1994 applications	5	4	0	1
Maintenance Foreign Jurisdictions Act, 1974	43	39	1	3
Total	4,683	3,215	150	1,318

MAINTENANCE 2002

	Applications dealt with	Granted	Refused	Withdrawn Struck Out
Married & unmarried	3,541	2,455	99	987
Maintenance Act 1994 applications	12	11	0	1
Maintenance Foreign Jurisdictions Act, 1974	31	19	2	10
Total	3,584	2,485	101	998

SUPERVISION AND CARE ORDERS

A supervision order authorises a health board to visit a child periodically to satisfy itself as to the welfare of the child. It also enables the health board to give advice regarding that welfare.

A care order places a child in the care of a health board until he or she reaches the age of eighteen or a shorter period as determined by the court.

SUPERVISION AND CARE ORDERS 2003

	Applications dealt with	Orders granted
Supervision orders	426	413
Care orders	1,277	1,201

LICENSING

In 2003, 101,919 licensing cases were disposed of in the District Courts. In 2002, the total was 96,378. The bulk of licensing cases - special exemption applications - increased by over 4,000 in 2003. There were increases in most types of licensing business in the District Courts in 2003.

LICENSING APPLICATIONS DEALT WITH

	2003	2002
Renewal of publican licences	1,458	1,340
Temporary transfer of licence	1,151	1,124
Annual dance licence	1,758	1,127
Temporary dance licence	322	366
Restaurant certificate	1,300	896
Special exemption orders	86,178	81,933
Lottery licence	1,363	1,218
Other	8,389	8,374
Total	101,919	96,378

CHAPTER 4

Court Statistics

COURT FEES

Fees must be paid by persons using the courts for many of the operations relating to civil matters carried out by each of the court offices. For example, if a person wishes to lodge documents, a fee is often payable. Court fees are prescribed by the Minister for Justice, Equality & Law Reform with the agreement of the Minister for Finance. Since the beginning of 2003, such fees are retained by the Service and included in the Appropriation-in-Aid of the Service which contributes to the operating costs provided by the Oireachtas.

The Service also collects a range of fees on behalf of the Land Registry and the Revenue Commissioners. The Land Registry fees are in relation to the access to Land Registry documents held locally in court offices. The fees collected on behalf of the Revenue Commissioners are excise duties due on certain applications to court and to the provision of copies of some of these documents. This is mainly in relation to licensing cases e.g. an application for a special licence.

FEES COLLECTED AND TRANSFERRED

	2003 (€000s)	2002 (€000s)
Revenue Commissioners	9,892	9,342
Retained by the Service	20,254	23,673
Land Registry	68	127
Total	30,214	33,142

Details of court fees are available on the Service's website (www.courts.ie)

FINES

One of the penalties open to the courts when hearing cases is the imposition of a fine. When a fine is imposed, the Service collects the fine from the offender. In many cases, these fines are collected by the Service on behalf of the other Government agencies or public bodies e.g. fisheries fines are transferred to the Department of Communications, Marine & Natural Resources. Prior to 2003, an element of fines collected was retained by the Service as part of its Appropriation-in-Aid.

FINES COLLECTED AND TRANSFERRED

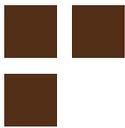
	2003 (€000s)	2002 (€000s)
Exchequer (Motor Fines)	8,741	8,140
Revenue Commissioners	1,693	1,530
Department of Communications, Marine & Natural Resources	517	227
Exchequer	5,028	5,126
Total	15,979	15,023



Report of the
Rules Committees

2003





This section contains reports from the Rules Committees of the various court jurisdictions for 2003.

Superior Court Rules Committee

The Superior Court's Rules Committee was established by Section 67 of the Courts of Justice Act, 1936 and reconstituted by Section 15 of the Courts of Justice Act, 1953. Under Section 68 of the 1936 Act, the power to make, annul or alter rules of court is exercisable by the Committee with the concurrence of the Minister for Justice, Equality & Law Reform.

MEMBERS OF THE COMMITTEE AT DECEMBER 31ST 2003:

- The Chief Justice, the Hon. Mr. Ronan Keane (Chairman)
- The President of the High Court, the Hon. Mr Justice Joseph Finnegan (Vice-Chairman)
- The Hon. Mr. Justice Adrian Hardiman, Judge of the Supreme Court
- The Hon. Mr. Justice Brian McCracken, Judge of the Supreme Court
- The Hon. Mr. Justice Richard Johnson, Judge of the High Court
- The Hon. Mr. Justice Liam McKechnie, Judge of the High Court
- The Master of the High Court, Mr. Edmond W. Honohan S.C.
- Mr. Michael Cush S.C., nominated by the Council of the Bar of Ireland, who replaced Mr. Paul Sreenan S.C., in October 2003
- Mr. Anthony Hunt B.L., nominated by the Council of the Bar of Ireland
- Mr. Patrick Groarke, Solicitor, nominated by the Law Society of Ireland
- Mr. Patrick O'Connor, Solicitor, nominated by the Law Society of Ireland
- Mr. Matthew Feeley, Office of the Attorney General - appointed to act in place of the Attorney General under Section 36(4) of the Courts and Court Officers Act, 2002

- Mr Noel Rubotham, Courts Service, to whom membership has been delegated by the Chief Executive Officer under Section 30(2) of the Courts Service Act, 1998

Ms. Maeve Kane, Registrar of the Supreme Court, replaced Mr John Dalton as the Secretary to the Committee on his retirement in June 2003.

The Committee met on eight occasions during 2003.

The following Rules were made by the Committee during 2003 and had been signed by the Minister for Justice, Equality & Law Reform at year-end:-

S.I. No. 616 of 2003 - RSC (Fees Payable to Commissioners for Oaths), 2003

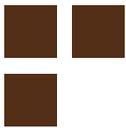
These Rules provide for an increase in fees payable to Commissioners for Oaths from €4 to €10 on taking an affidavit, from €1.30 on marking exhibits, irrespective of number, to €2 for each exhibit up to a maximum of €30 and from €3.81 to €10 on attesting the execution of a bond.

S.I. No. 646 of 2003 - RSC (Courts Martial Appeal Court Rules), 2003

This Rule amended an incorrect reference to S.I. 206 of 1983 in Rule 1 of R.S.C. (No. 2) (Courts Martial Appeal Court Rules) (Amendment), 2000.

The following further Rules were made by the Committee during 2003 and were awaiting signature by the Minister for Justice Equality & Law Reform at year-end:-





RSC (AVIATION REGULATION ACT 2001)

These Rules prescribe the procedure to be followed in applications under Section 39 of the Aviation Regulations Act, 2001.

RSC (PROOF OF LIQUIDATOR'S APPOINTMENT IN CREDITORS' VOLUNTARY WINDING-UP)

These Rules provide that the appointment of a Liquidator in a creditors' voluntary winding-up may for the purposes of Article 19 of Council Regulations (EC) No. 1346/2000 be evidenced by a certificate by the Master of the High Court

RSC (ORDER 77 (AMENDMENT) RULES)

These Rules substitute a new Order 77 primarily to facilitate the holding of records and maintenance of accounts in electronic form and to enable the payment or transfer of funds to be transacted by electronic means.

RSC (ORDER 27 (AMENDMENT) RULES)

These Rules amend Order 27 with regard to default in delivery of a Statement of Claim or Defence and also make provision for setting aside an order dismissing an action for want of prosecution or a judgment by default where the court is satisfied that special circumstances (to be recited in the order) existed which explain and justify the failure.

RSC (SHORTHAND REPORTING)

These Rules amend Order 123 by providing that any practice whereby civil proceedings are reported at the public expense shall cease to operate from the date of commencement of the Rules. Proceedings begun before such commencement will not be affected.

RSC (COMMERCIAL PROCEEDINGS)

These Rules regulate the procedure for the entry and conduct of cases in the Commercial List.

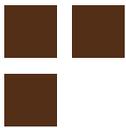
The Committee also considered the implications of the decision of the European Court of Human Rights in *Price & Lowe -v- The UK*, the Report on the Working Group on Criminal Jurisdiction, the 28th Interim Report of the Committee on Court Practice and Procedure and the question of the entitlement to representation in the Court of Criminal Appeal by an accused's former solicitor.

RULES RELATING TO THE FOLLOWING WERE UNDER ON-GOING CONSIDERATION BY THE COMMITTEE AT YEAR-END:-

- Solicitors (Amendment) Act, 2002
- Company Law Enforcement Act, 2001
- Freedom of Information Act, 2003
- European Convention on Human Rights Act, 2003
- Personal Injuries Assessment Board Act, 2003

Maeve Kane
Secretary





Circuit Court Rules Committee

THE TERMS OF REFERENCE FOR THE COMMITTEE ARE:

- to consider legislative changes at domestic and EU level and to amend Circuit Court Rules on practice and procedure to take account of such changes, where appropriate
- to review and update as necessary, the consolidated Circuit Court Rules, 2001
- to consider issues relevant to the Rules raised by members of the Committee and other parties having an interest in the practice and procedure of the Circuit Court.

MEMBERS OF THE COMMITTEE AT DECEMBER 31ST 2003:

- The Hon. Mr. Justice Esmond Smyth, President of the Circuit Court (Chairman)
- Her Honour Judge Elizabeth Dunne, Judge of the Circuit Court
- Mr. Patrick Hunt S.C., nominated by the Council of the Bar of Ireland
- Mr. Fergal Foley B.L, nominated by the Council of the Bar of Ireland
- Mr. Gerard J. Doherty, Solicitor, nominated by the Law Society of Ireland
- Mr. Joseph T. Deane, Solicitor, nominated by the Law Society of Ireland
- Mr. Edmund Carroll, appointed to act in place of the Attorney General under section 36(4) of the Courts and Court Officers Act, 2002
- Mr. Noel Rubotham, Courts Service, to whom membership has been delegated by the Chief Executive Office under section 30(2) of the Courts Service Act, 1998
- Ms. Susan Ryan, County Registrar, Dublin, is the Secretary to the Committee

The Committee met on eight occasions during 2003.

His Honour Judge Carroll Moran, Judge of the Circuit Court, resigned from the Committee during the course of the year due to the difficulty in arranging meetings to accommodate his extremely busy schedule on Circuit. He was a valued member and an active contributor to the Committee. The Committee extends its thanks and appreciation to him for his substantial contribution over the years, in particular in respect of the consolidation of the Circuit Court Rules in 2001 which was a major undertaking.

The Committee gave further consideration to Rules in respect of the Employment Equality Act, 1998 and Equal Status Act, 2000 in the context of the Freedom of Information Act, 1997 and the judgment of Finnegan J. in Minister for Justice v Information Commissioner (2001) 3 IR 43 and following due deliberation Rules were signed off and submitted to the Minister for Justice, Equality & Law Reform.

In addition, the Committee signed off on Rules relating to the following in 2003 and submitted them to the Minister for Justice, Equality & Law Reform, namely:

- The Jurisdiction and the Recognition and Enforcement of Judgements in Matrimonial Matters (Council Regulation (EC) No. 1347/2000)
- Service in Member States of Judicial and Extra-Judicial Documents in Civil or Commercial Matters (Council Regulation (EC) No. 1348/2900)
- The Jurisdiction and the Recognition and Enforcement of Judgements in Civil or Commercial Matters (Council Regulation (EC) No. 44/2001)
- The Restoration of Companies to the Register pursuant to Section 12 of the Companies Act, 1982 as inserted by Section 46 of the Companies (Amendment) (No. 2) Act, 1999
- Protection of Employees (Part - Time Work) Act, 2001 (Section 18)
- Carers Leave Act, 2001





The Rules referred to above were awaiting signature at year-end.

The Committee gave due consideration to the Children Act, 2001 and to the Data Protection (Amendment) Act, 2003.

The Committee recognised the need for rules on the practice and procedures to be introduced in respect of Section 39 of the Criminal Justice Act, 1994.

Consideration was given to correspondence from the Revenue Solicitor.

The Committee continued its review of the Circuit Court Rules, 2001 and in this regard received very constructive and helpful contributions from the County Registrars throughout the country.

The Committee noted the 28th Interim Report of the Committee on Court Practice and Procedure and is looking forward to the implementation of that Report.

During the course of the year, the Committee gave due consideration to submissions and correspondence received from practitioners and other stakeholders in the practice and procedure of the Circuit Court.

Susan Ryan
Secretary





District Court Rules Committee

The rule making authority for the District Court is the District Court Rules Committee with the concurrence of the Minister for Justice, Equality & Law Reform.

Members of the Committee at December 31st 2003:

- The President of the District Court, His Honour Judge Peter A. Smithwick (Chairman)
- Judge Uinsin MacGruairc, Judge of the District Court
- Judge Mary Devins, Judge of the District Court
- Judge John P. Brophy, Judge of the District Court
- Judge Thomas E. O'Donnell, Judge of the District Court
- Mr. Hugh O'Neill, Solicitor, nominated by the Law Society of Ireland
- Mr. Sean McMullin, Solicitor, nominated by the Law Society of Ireland
- Mr Damien Colgan, B.L., nominated by the Council of the Bar of Ireland
- Mr. David Kelly, Advisory Counsel, appointed to act in place of the Attorney General under Section 36(4) of the Courts and Court Officers Act, 2002
- Mr. Noel Rubotham, Courts Service, to whom membership has been delegated by the Chief Executive Officer under section 30(2) of the Courts Service Act, 1998.
- Ms. Liz Hughes, Deputy Chief Clerk, Dublin Metropolitan District Court, is the Secretary to the Committee.

The Committee met on four occasions during 2003 and considered and passed a number of Rules. The following Rules of the District Court were signed by the Minister for Justice, Equality & Law Reform between January 1st 2003 and December 31st 2003:

- S.I. No. 283 of 2003 District Court (Taxes Consolidation Act, 1997)(Amendment) Rules, 2003
- S.I. No. 409 of 2003 District Court (Terms of Employment Information) Rules, 2003
- S.I. No. 410 of 2003 District Court (Small Claims)(Amendment) Rules, 2003

- S.I. No. 411 of 2003 District Court (Estreatment of Recognisances) Rules, 2003
- S.I. No. 412 of 2003 District Court (Theft and Fraud Offences) Rules, 2003
- S.I. No. 484 of 2003 District Court (Appeals to Circuit Court) Rules, 2003
- S.I. No. 614 of 2003 District Court (Maintenance) Rules, 2003

RULES UNDER CONSIDERATION BY THE COMMITTEE AT YEAR-END:

- Intoxicating Liquor Act, 2003
- Children Act, 2001
- Refugee Act, 1996
- European Arrest Warrant Act, 2003

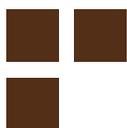
Liz Hughes
Secretary



Financial
Statements

2003





Expenditure and Income Data for the Year 2003

	2003 €'000	2002 €'000
Current Expenditure		
Salaries and wages	40,534	37,776
Travel and subsistence	3,308	3,171
Staff and judicial training	798	1,015
Stenography and other fees	2,493	2,311
Legal services	375	515
Postal services	898	841
Telecommunications	1,460	1,698
Office equipment and materials	1,869	1,236
Courthouse maintenance	5,665	4,397
Heat, light and fuel costs	1,554	1,133
Furniture and fittings	203	1,107
Leases	6,216	5,155
Consultancy	360	275
Incorporated Council of Law Reporting of Ireland	41	41
Incidental / miscellaneous costs	1,714	1,928
Total Current Expenditure	67,488	62,599
Capital Expenditure		
Telecommunications Systems	2	399
Computer systems	6,480	8,467
Courthouses and other buildings	18,841	19,352
Total Capital Expenditure	25,323	28,218
Total Expenditure	92,811	90,817
Income (Appropriations-in-Aid)		
Fees	20,654	1,100
Miscellaneous	914	5,126
Total Income	21,568	6,226
Net Expenditure	71,243	84,591

These figures are provisional and subject to audit by the Comptroller and Auditor General.



Statement of Compliance - Prompt Payment of Accounts Act, 1997

THE SERVICE UNDERTAKES TO COMPLY WITH THE PROMPT PAYMENTS OF ACCOUNTS ACT, 1997.

The following information is provided in accordance with the Act and within the guidelines issued by the Department of Enterprise, Trade & Employment:

PROCEDURES ESTABLISHED TO ENSURE COMPLIANCE WITH THE ACT

The Service has procedures in place to ensure that all invoices received are paid within the time limits identified on these invoices or, if no time limit is specified, within the statutory time limit. While the procedures have been designed to ensure compliance with the Act, they only provide reasonable, and not absolute, assurance against material non-compliance with the Act.

These procedures operated in the financial period under review and, in the case of late payments, the relevant suppliers were notified and the interest due was paid to them.

In accordance with the Prompt Payments of Accounts Act, 1997, the following information is provided in respect of the financial period ending December 31st 2003:

(a) Payment Practices

The Service makes payments to suppliers in accordance with the terms specified on the respective invoices or the conditions specified in individual contracts, if appropriate. Since 2002, the standard terms are 30 days.

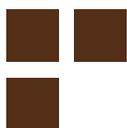
(b) Late payments

Invoice Amount	No. of Invoices	Amount of Interest paid in €
Under €317	43	413
Over €317	461	19,590
Total	504	20,003

(c) Overall percentage of late payments to total payments and total interest paid

The overall percentage of late payments to total payments was 8.6%

The total amount of interest paid with respect to late payments was €20,003



Poor Box Receipts Through Court Offices 2003

	Opening Balance at 01/01 €	Receipts €	Payments €	Balance on Hand at 31/12 €
High Court	Nil	Nil	Nil	Nil
Circuit Court	14,137.81	2,700.00	4,491.55	12,346.26
District Court	197,084.52	997,886.14	998,325.87	196,644.79
Total	* 211,222.33	1,000,586.14	1,002,817.42	208,991.05

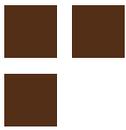
* The opening balance at 01/01/03 was €13,471.10 less than the closing balance in the Annual Report for 2002 due to revised details provided by court offices

POOR BOX RECEIPTS THROUGH COURT OFFICES 2002

	Opening Balance at 01/01 €	Receipts €	Payments €	Balance on Hand at 31/12 €
High Court	Nil	Nil	Nil	Nil
Circuit Court	30,192.55	34,581.99	44,681.73	20,092.81
District Court	182,028.33	899,876.13	877,371.06	204,600.62
Total	*212,220.88	934,458.12	922,052.79	224,693.43

* The opening balance at 01/01/02 was €9,211.12 less than the closing balance in the Annual Report for 2001 due to revised details provided by court offices.





Office of the Accountant of the Courts of Justice

ANNUAL STATEMENT OF ACCOUNT

REPORT OF THE ACCOUNTANT OF THE COURTS OF JUSTICE

STATEMENT OF RESPONSIBILITIES

The Accountant of the Courts of Justice is responsible for the preparation of the Statement of Account for the year ended 30 September 2003 in accordance with the Rules of Superior Courts, Order 77, Rule 96. The basis of preparation and the accounting policies are set out on *page 132*.

MANAGEMENT OF COURT FUNDS

Since the establishment of the State, virtually all of the records and systems used to support the management and investment of court funds have been manual, using procedures and processes that have remained largely unchanged for decades. Such manual systems have serious limitations when dealing with large volumes of transactions across thousands of individual accounts. Following an extensive review of all aspects of the management of court funds a major change took place during the period under review when on 14th July 2003 a computerised funds accounting system (AGRESSO) went into operation in the Accountant's Office. This has transformed the work of the Accountant's Office bringing with it many benefits that will only be fully appreciated when the new system has been in operation for a full year, and the new investment arrangements referred to below are fully implemented. Combined with the introduction of technology there was also a major organisational restructuring of the Office together with significant business process redesign.

During the year proposals were put forward to the Superior Courts Rules Committee seeking changes to Order 77 that would enable the introduction of computerisation to the Accountant's Office, and enable the benefits of computerisation to be taken advantage of. These proposals have been approved by the Rules Committee.

The other area where significant progress has been made during the year was the joint appointment of Bank of Ireland Asset Management and State Street Global Advisors as fund managers for all court funds. Four investment strategies have been agreed, with appropriate asset class mix that will be capable of meeting the specific requirements of individual beneficiaries. By the 30th September 2003 the Investment Management Agreement was virtually complete and I can confirm that the first tranche of court funds (€150m), representing funds of Wards of Court, were invested in the new strategies in early December 2003.

As I write, outline proposals are being prepared in respect of legislation required to enable the Central Funds Office to be established and to take account of the recommendations made in the various reviews that have been carried out in this area.

FUNDS OF SUITORS ACTS

Prior to the introduction of computerisation in the Accountant's Office referred to above an exercise was carried out to:

1. reconcile all individual cash balances with the bank, and
2. ensure that the sum of all the cash balances amounted to the sum held in the current account.

This was necessary in order to ensure the integrity of data being taken into the new computerised system and also to satisfy audit requirements. This exercise identified a shortfall in the current account in the region of €1.4m. On investigation it transpired that payments had been made from the current account pursuant to various Funds of Suitors Acts which predated 1984.





SPECIFICALLY THE FOLLOWING AMOUNTS WERE WITHDRAWN UNDER THE FOLLOWING ACTS:

Funds of Suitors Act, 1966:	£450,000	(€571,400)
Funds of Suitors Act, 1963:	£ 50,000	(€63,500)
Funds of Suitors Act, 1959:	£323,000	(€410,100)
Total:	£823,000	(€1,045,000)

In addition it was established that there were 11 Acts of Parliament dating back to 1783, which also directed payments out of the current account, and which amounted to £325,151 (€412,800).

These two sums, when converted to Euro, amount to €1,457,800. The result of these transfers up to 1984 was to create a potential shortfall on the court funds as the amounts transferred exceeded the value of dormant accounts at that time. This was recognised in the legislation enabling these transfers, whereby an indemnity from the Central Fund was underwritten by the Minister for Finance. Such an indemnity would be called in, in the event of there being insufficient funds available to discharge the liability to any beneficiaries. Such a situation has not arisen.

The Funds of Suitors Act, 1984, also provided for the transfer of funds held by the Accountant to the Exchequer, however, this transfer was confined to funds that had been classified as dormant in accordance with court rules and was not taken out of funds held in the current account as had happened previously.

A note has been included on *page 133*, stating that an indemnity exists from the Minister for Finance in respect of this potential liability. The Department of Finance in a letter dated 6th January 2004 confirmed that this is acceptable to it.

ACCOUNTING RECORDS

The Rules of the Superior Courts, Order 77, Rule 96, require that a statement of account should be produced annually, detailing total funds received into court and total payments out of court. The statement is extracted from the books of account. For the greater part of the period under review the books of account were based on manual records and involved in excess of 24,000 documents in the year ended 30 September 2003, handwritten by staff and, in turn, handwritten into ledgers. As an interim measure the various registers in the Accountant's Office have been mapped on to Lotus Approach databases, thereby providing summarised data in respect of cash receipts and non-cash receipts, such as insurance policies, Form 9s (lodgements with defence), equities and other investments and payments.

With effect from July 2003 a modern computerised funds accounting system came into operation and this, when in operation for a full year, will overcome the limitations identified below in the current manual accounting system. The manual system had a number of inherent limitations including:

- bank reconciliations were prepared without the use of specialised reconciliation software;
- valuations in respect of non-cash receipts, such as insurance policies, Form 9s (lodgements with defence), equities and other investments were not readily available;
- summarised data in respect of interest earned was not available. Interest is recorded in the year end account valuations and the closing valuations are shown in the Statement of Account. It was not however, possible to readily identify the actual amount received and paid out by the Courts Service due to limitations in the manual accounting system. There are in excess of 6,750 individual interest-earning accounts.





With the exception of the identification of the amount of deposit interest received and paid by the Accountant during the year, all information on total receipts and payments was available for audit. The auditors have drawn attention to this exception in their audit report. The new computerised system put in place in July 2003 will address this issue in the future.

Through a combination of the introduction of a modern computerised financial system and the application of a new approach to the investment of court funds the year 2003 has seen major changes to the way in which court funds are managed and invested.

Sean Quigley
Accountant of the Courts of Justice

12 March 2004





Audit Report to the Accountant of the Courts of Justice

We have audited the Statement of Account of the Accountant of the Courts of Justice on *page 131*.

RESPECTIVE RESPONSIBILITIES OF THE ACCOUNTANT OF THE COURTS OF JUSTICE AND AUDITORS

The Accountant of the Courts of Justice is responsible for preparing the Statement of Account in accordance with the Rules of Superior Courts, Order 77, Rule 96. Our responsibilities, as auditors are set out in our letter of engagement dated 26 November 2001.

This report, including the opinion, has been prepared for and only for the Accountant of the Courts of Justice, and for no other purpose. We do not, in giving this opinion, accept or assume responsibility for any other purpose or to any other person to whom this report is shown or into whose hands it may come save where expressly agreed by our prior consent in writing.

We report to you our opinion as to whether the Statement of Account gives a true and fair view of the funds held by the Accountant of the Courts of Justice at 30 September 2003 and has been properly prepared in accordance with the Rules of the Superior Courts, Order 77, Rule 96. We state whether we have obtained all the information and explanations we consider necessary for the purpose of our review and whether the Statement of Account is in agreement with the books and records.

BASIS OF OPINION

We conducted our audit in accordance with our letter of engagement dated 26 November 2001. Our audit included an examination on a test basis, of evidence relevant to the amounts and disclosures in the Statement of Account. It also includes an assessment of whether the accounting policies are consistently applied and adequately disclosed.

We planned our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient

evidence to give reasonable assurance that the Statement of Account is free from material misstatement, whether caused by fraud or other irregularity or error. However, information in relation to deposit interest received and applied by financial institutions to deposit accounts was not available due to limitations in the manual accounting system. There are in excess of 6,750 individual interest-earning deposit accounts. As a result, the amount of interest earned on the deposit accounts is not disclosed in the Statement of Account and related notes. Confirmation of balances on deposit accounts at 30 September 2003 was obtained by the Accountant of the Courts of Justice and these balances have been included in the Statement of Account.

QUALIFIED OPINION

Except for the disclosure of the amount of interest received into the deposit accounts during the year, in our opinion, the Statement of Account prepared by the Accountant of the Courts of Justice for the year ended 30 September 2003 has been properly prepared in accordance with the Rules of the Superior Courts, Order 77, Rule 96.

With the exception alone of the disclosure of the amount of deposit interest received into the deposit accounts during the year:

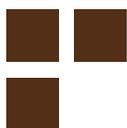
- we have obtained all the information and explanations we consider necessary for the purposes of our review.
- the Statement of Account of the Accountant of the Courts of Justice for the year ended 30 September 2003 is in agreement with the books and records.

The Statement of Account gives a true and fair view of the funds held by the Accountant of the Courts of Justice at 30 September 2003.



PricewaterhouseCoopers
19 March 2004





Office of the Accountant of the Courts of Justice

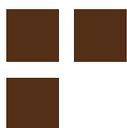
STATEMENT OF ACCOUNT FOR THE YEAR ENDED 30 SEPTEMBER 2003
IN ACCORDANCE WITH ORDER 77, RULE 96 OF THE SUPERIOR COURT RULES

	2003	2002
	€'000	€'000
Current Account		
Opening Balance 1 October 2002	4,238	2,193
Total Receipts	192,298	270,983
Total Payments	(185,716)	(268,938)
Closing Balance 30 September 2003	10,820	4,238
 Non-Cash Balances		
Deposit Funds	384,526	386,236
Managed Funds	243,062	246,288
Government Funds	1,910	1,356
Insurance Policies	1,174	1,345
Equities	74,695	70,015
Total Non-Cash Balances	705,367	705,240
Total Funds	716,187	709,478


Sean Quigley
 Accountant of the Courts of Justice

12 March 2004





Office of the Accountant of the Courts of Justice

NOTES TO STATEMENT OF ACCOUNT YEAR ENDED SEPTEMBER 30TH 2003

1. ACCOUNTING POLICIES

Accounting Convention

The Statement of Account is prepared under the receipts and payments basis, modified by the inclusion of investments at market value. Receipts and payments are only recognised to the extent that they have been presented and cleared in the bank.

Payments from Court as disclosed in the Statement of Account do not include cheques drawn and despatched, but as yet unpresented in the bank. At the year-end, the value of these cheques amounted to €8,216,928 (€3,290,691*). Of the total cheques outstanding at the year-end, €7,207,789 (€1,879,628*) were outstanding less than one month. All other outstanding cheques are outstanding for less than 6 months, thus remain valid.

2. VALUATION OF INVESTMENTS

Listed investments are valued at their bid price where they are quoted on a recognised stock exchange. Insurance policies are valued at their surrender value as confirmed independently by the insurance companies. Other investments are valued at their deposit value including interest accrued at the year-end.

3. LODGEMENTS WITH DEFENCE

Lodgements with Defence (Form 9 receipts) are lodged directly to deposit accounts and therefore do not flow through the cash account as a receipt into Court or a payment out of Court unless they are cashed and repaid. Lodgements with Defence received during the year amounted to €15,309,702 (€9,071,722*). Of this amount €11,698,707 (€6,186,809*) remained in Court at the end of the year and were included in the non-cash balances at their relevant year-end valuations. The remaining amounts received were cashed and paid out at a value of €3,620,975 (€2,892,109*).

4. NON-CASH BALANCES

Non-cash receipts are included directly in the appropriate non-cash balances and therefore do not flow through the cash account as a receipt into Court or a payment out of Court unless they are cashed and repaid. The valuation of non-cash items received into Court during the year ended September 30th 2003 amounted to €1,976,695 (€5,016,570*). Of this amount, €538,300 (€2,302,162*) remained in Court at the end of the year and was included in the non-cash balances at the relevant year-end valuations.

The remainder of the non-cash receipts were either transferred out of Court without being liquidated; €1,190,967 (€2,526,303*), liquidated and paid out of Court during 2003; €38 (€nil*) or liquidated and reinvested into Court; €104,159 (€230,419*). The valuation of non-cash receipts relating to prior years but transferred out without being liquidated in the current year was €1,333,816 (€7,767,205*)

* Denotes 2002 figure





5. DEPOSIT INTEREST EARNED

Deposit interest earned is lodged directly to deposit fund accounts by the financial institutions and therefore does not flow through the cash account as a receipt into Court or a payment out of Court unless the deposit is cashed and repaid. It is not possible to quantify the amount of deposit interest earned for the year, and the analysis between that included in deposit funds at the year-end and that cashed and paid out during the year.

6. LIABILITY INDEMNIFIED BY MINISTER FOR FINANCE

During the year, an exercise was undertaken to reconcile all individual folio cash balances with the overall balance on the current account. This exercise identified a shortfall on the current account in the region of €1.4m. Upon further investigation, it was discovered that amounts totalling to €1,457,800 were withdrawn from Court funds in accordance with the 'Funds of Suitors Acts', 1959, 1963 and 1966 respectively, and various Acts of Parliament dating back to 1783. An indemnity has been underwritten by the Minister for Finance in respect of this potential liability.





Glossary of Terms

Administration suit - a form of proceeding taken in order to establish who is entitled to share in the estate (that is the property) of a deceased person and/or to have the estate administered by the court where questions arise in respect of the estate

Affidavit - a written statement made on oath

Appeal - a proceeding taken by a party to a case dissatisfied with a decision made, to a court having authority to review or set aside that decision

Appearance - a document which indicates that a defendant, after being served with a summons to a Circuit or High Court action, intends to defend the action

Average waiting time - the time between the court offices being notified that a case is ready to proceed to hearing/trial and the actual date for hearing/trial

Barring Order - an order preventing a spouse from entering the family home or using or threatening violence against the other spouse or family members

Bill of Sale - a document transferring or mortgaging of an interest in movable property

Care Order - an order placing a child in the care of the health board until he or she reaches the age of eighteen or a shorter period as determined by the court

Caveat - a written notice to the court requesting that nothing be done regarding the estate of a deceased person without notice to the party who entered the caveat or his/her solicitor

Certified List - a list of cases which have been certified by Counsel as being ready for hearing

Civil Bill - a document used to start a case in the Circuit Court. It gives details of the parties to the case and details of the claim that is being made

Claim - the assertion of a right. Taking a case against someone is a way of making a claim

Commissioner for Oaths - a person entitled to administer oaths and take affidavits

Courts-Martial Appeal Court - the name applied to the Court of Criminal Appeal when hearing appeals from courts martial (military tribunals for the trial of members of the defence forces on active service)

Deed Poll - a deed completed by one party only, often used to declare an intention to change a surname

Defence - a document delivered by the defendant to the plaintiff in response to a Civil Bill or a Plenary Summons

Defendant - a person against whom an action is brought; a person charged with a criminal offence

Deponent - the person who swears an affidavit

Emergency care order - an order placing a child under the care of the health board for a maximum period of eight days if the court is of the opinion that there is a serious risk to the health or welfare of a child

Enduring Power of Attorney - a document providing for the management of a person's affairs in the event of their becoming mentally incapacitated

Estreatment - the process whereby a court can call in that part of a recognisance (bond) which has not already been paid into court when a person has been in breach of the terms of the bond

Ex officio - by virtue of his/her office

Ex parte - without notice to the other side of an action

In camera - a court hearing to which the public is not admitted

Indictment - a formal document setting out certain kinds of charges against an accused person or the process by which those charges are presented against the accused

Indictable offence - an offence which, if committed by an adult, is triable on indictment

Injunction - an order of the court directing a party to an action to do, or to refrain from doing, something

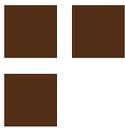
Interim barring order - an immediate order requiring a violent person to leave the family home, pending the hearing of an application for a barring order

Interim care order - an order, granted when an application for a care order has been or is about to be made, requiring that the child named in the order be placed in the care of the health board

Intestate - Dying without making a valid will

Judicial Review - a legal remedy available in situations where a body or tribunal has acted in excess of legal authority or contrary to its duty





Judicial separation - a decree granted by the court relieving spouses to a marriage of the obligation to cohabit

Jurisdiction - (a) the power of a court or judge to hear an action, petition or other proceeding, or (b) the geographical area within which such power may be exercised

Mortgage suit - a form of proceeding to recover a debt owed to the holder of security on property - by forcing the sale of the property (usually on foot of a judgment mortgage or an equitable mortgage)

Nolle Prosequi - the entering by the prosecution of a stay on criminal proceedings (not to be confused with an acquittal)

Notary Public - a legal practitioner, usually a solicitor, who witnesses the signing of documents or makes copies of them in order to verify their authenticity, especially for use abroad

Oath - a form of words by which a person calls his/her God to witness that what he says is the truth, or that what he/she promises to do he will do

Original actions - actions begun in the court of hearing (as opposed to cases appealed from a lower court)

Plaintiff - a person who brings a legal action against another

Plenary Summons - document used to begin certain civil proceedings (e.g. claims for non-specific damages, libel, nuisance) in the High Court where pleadings and oral evidence are required

Power of Attorney - a deed by which one person allows another to represent him, or act in his place either generally or for specified purposes

Protection Order - an interim order, granted when an application for a safety/barring order has been made, prohibiting a person from committing further acts of violence or threatening of violence

Recognisance - an obligation or bond, made before a court, whereby a person agrees to perform some act e.g. ensure that an accused person attends at his/her trial.

Revenue Summons - a form of Summary Summons heard on affidavit, used by the Revenue Commissioners

to commence civil proceedings in the High Court to recover sums due (e.g. unpaid taxes)

Safety Order - an order prohibiting a person from committing further acts of violence or threatening to do so. It does not prevent the person from entering the family home

Seat Office - part of the Probate Office in Dublin where applications by solicitors for grants of probate and administration are processed

Setting down for trial - a request that an action be allocated a date for hearing

Special Exemption Order - an order allowing a licensee to sell alcohol outside the normal licensing hours subject to certain conditions

Special Summons: document used to begin certain civil proceedings (e.g. equity claims, mortgage enforcement, administration of trusts) in the High Court to be heard on affidavit (that is, not oral evidence)

Subpoena - an order issued in an action requiring a person to be present at a specified place and time for a specified purpose under penalty

Subpoena ad testificandum - to attend and give evidence

Subpoena duces tecum - to attend and produce certain specified documents

Summary Judgment - judgment for a claim in respect of a debt or specific monetary demand. The judgment is given to the Plaintiff against the Defendant in a court office without needing to bring the claim to court

Summary Summons : document used to commence certain civil proceedings (e.g. claims for a specific amount of money, recovery of possession by a landlord) in the High Court, to be heard on affidavit

Supervision order - an order authorising a health board to visit a child periodically to satisfy itself as to the child's welfare and enabling the health board to give advice regarding the child's welfare





Additional Information

CONTACTING OFFICES OF THE SERVICE

Contact details for the main offices of the Service are published on the website (www.courts.ie). Details may also be obtained from the Information Office, Courts Service, Phoenix House, 15/24 Phoenix Street North, Smithfield, Dublin 7. Telephone: 01-8886462

EIRCOM TELEPHONE DIRECTORIES

Telephone numbers for the main offices of the Service are contained in the green pages section of the current eircom telephone directories.

OTHER USEFUL INFORMATION

Details of court cases at hearing in the High Court in Dublin are displayed daily on the electronic board at the Information Desk off the Round Hall in the Four Courts.

The Legal Diary providing details of cases for hearing on specific days in the Supreme Court, the Court of Criminal Appeal, the High Court (including the Central Criminal Court) and the Circuit Court (Dublin and Dundalk) is published daily on the website.

The Annual Reports of the Service for the years 2000, 2001 and 2002 together with the Strategic Plan, Customer Service Action Plan and other publications including those referred to in Chapter 2 are published on the website.

Copies of all publications are available from the Information Office.

WEBSITE

The website can be accessed at www.courts.ie

SOLICITORS

McCann Fitzgerald,
Solicitors,
2 Harbourmaster Place,
International Financial Services Centre,
Dublin 1.

AUDITORS

The Office of the Comptroller and Auditor General,
Treasury Block,
Lower Yard,
Dublin Castle,
Dublin 2.
(Appropriation Accounts)

PriceWaterhouseCoopers,
Wilton Place,
Dublin 2.
(Annual Statement of Account, Office of the
Accountant of the Courts of Justice)



Appendices

2003



APPENDIX I

Circuit Court: Countrywide

CIRCUIT COURT	CRIMINAL CASES		CIVIL CASES				FAMILY LAW CASES					HIGH COURT APPEALS		
	CRIMINAL BUSINESS DEALT WITH	DISTRICT COURT APPEALS HEARD	CIVIL TRIALS DEALT WITH	MOTIONS DEALT WITH	DISTRICT COURT CIVIL APPEALS HEARD	LIQUOR LICENCES GRANTED	JUDICIAL SEPARATION GRANTED	DIVORCE GRANTED	NULLITY GRANTED	SECTION 33 APPLS. GRANTED	DISTRICT FAMILY LAW APPEALS HEARD	CRIMINAL APPEALS	CIVIL APPEALS	FAMILY LAW APPEALS
CARLOW	23	54	99	392	10	10	11	34	0	33	8	0	3	0
CARRICK-ON-SHANNON	10	43	57	105	4	5	5	14	0	4	7	0	2	4
CASTLEBAR	29	100	245	638	0	18	24	45	3	16	6	0	17	7
CAVAN	53	97	60	217	5	17	15	35	0	19	2	0	7	0
CLONMEL	45	179	582	927	19	19	19	70	0	22	11	0	49	1
CORK	299	865	2,161	3,351	142	47	215	357	9	66	123	64	2	10
DUBLIN	1,041	6,900	4,225	9,596	154	86	432	1,032	8	264	135	n/a	n/a	n/a
DUNDALK	127	119	421	860	22	12	40	71	1	32	35	0	9	0
ENNIS	35	195	241	693	8	11	14	64	0	23	0	0	8	5
GALWAY	51	169	300	1,959	61	19	37	110	6	31	6	0	28	6
KILKENNY	21	68	131	451	3	14	14	56	0	18	3	0	12	1
LETTERKENNY	33	90	412	822	20	34	48	85	0	40	5	0	38	11
LIMERICK	78	876	794	937	35	36	43	105	2	50	24	7	39	1
LONGFORD	9	39	65	187	8	7	6	19	0	9	3	0	11	0
MONAGHAN	28	77	177	272	2	10	17	23	0	24	3	0	5	0
MULLINGAR	40	60	137	308	0	11	15	69	0	9	5	0	17	0
NAAS	83	206	356	933	19	32	37	88	0	29	5	5	12	1
PORTLAOISE	18	63	122	240	6	10	10	33	0	20	6	0	5	0
ROSCOMMON	20	65	120	240	4	4	9	33	1	6	0	0	9	6
SLIGO	32	51	195	488	9	10	20	61	0	17	0	0	11	3
TRALEE	58	212	368	638	9	26	32	100	0	19	25	0	19	5
TRIM	40	55	375	783	7	16	41	57	0	36	4	0	14	6
TULLAMORE	12	96	37	166	1	10	12	43	0	17	6	0	0	1
WATERFORD	42	69	81	500	17	10	37	84	0	0	8	0	0	0
WEXFORD	40	84	184	101	19	30	20	125	0	0	9	0	3	0
WICKLOW	58	99	261	529	2	17	33	116	3	33	2	0	13	5
TOTAL	2,325	10,931	12,206	26,333	586	521	1,206	2,929	33	837	441	76	333	73

APPENDIX II

Circuit Court: Family Law

CIRCUIT COURT	DIVORCE CASES				JUDICIAL SEPARATION CASES				NULLITY CASES				SECTION 33 CASES			APPEALS	
	RECEIVED	GRANTED	REFUSED	WD/SO ADJ GEN	RECEIVED	GRANTED	REFUSED	WD/SO	RECEIVED	GRANTED	REFUSED	WD/SO	RECEIVED	GRANTED	REFUSED	RECEIVED	DEALT WITH
CARLOW	57	34	0	0	14	11	0	0	0	0	0	0	34	33	1	10	8
CARRICK-ON-SHANNON	14	14	0	0	10	5	0	0	0	0	0	0	5	4	1	3	7
CASTLEBAR	65	45	0	0	46	24	0	4	2	3	0	0	17	16	1	6	6
CAVAN	32	35	2	0	19	15	0	0	0	0	0	0	20	19	1	1	2
CLONMEL	104	70	0	0	48	19	0	7	2	0	0	0	22	22	0	19	11
CORK	582	357	0	3	417	215	0	11	35	9	0	0	67	66	1	50	123
DUBLIN	1,326	1,032	0	14	543	432	4	12	21	8	5	0	293	264	10	135	135
DUNDALK	99	71	0	0	46	40	0	0	0	1	0	0	32	32	0	43	35
ENNIS	68	64	0	0	39	14	0	0	3	0	0	0	24	23	1	0	0
GALWAY	110	110	0	0	37	37	0	0	6	6	0	0	35	31	4	6	6
KILKENNY	61	56	0	3	28	14	0	4	0	0	0	0	21	18	0	7	3
LETTERKENNY	78	85	0	0	36	48	0	1	1	0	0	0	40	40	0	10	5
LIMERICK	122	105	2	8	88	43	0	8	2	2	3	0	50	50	0	27	24
LONGFORD	25	19	0	2	10	6	0	3	1	0	0	0	10	9	0	5	3
MONAGHAN	40	23	0	0	20	17	0	0	0	0	0	0	24	24	0	2	3
MULLINGAR	81	69	0	2	31	15	0	10	3	0	0	1	11	9	0	4	5
NAAS	133	88	0	0	67	37	0	0	3	0	0	0	31	29	2	13	5
PORTLAOISE	33	33	0	0	13	10	0	0	0	0	0	0	23	20	2	8	6
ROSCOMMON	50	33	0	0	19	9	0	0	1	1	0	0	6	6	0	4	0
SLIGO	72	61	0	1	25	20	0	1	0	0	0	0	16	17	0	1	0
TRALEE	78	100	0	0	43	32	0	0	0	0	0	0	20	19	1	28	25
TRIM	122	57	0	0	64	41	0	0	6	0	0	0	39	36	3	10	4
TULLAMORE	64	43	0	0	11	12	0	0	2	0	2	0	18	17	1	7	6
WATERFORD	97	84	1	0	47	37	0	0	0	0	0	0	0	0	0	9	8
WEXFORD	111	125	0	0	34	20	0	0	0	0	0	0	0	0	0	0	9
WICKLOW	109	116	0	7	47	33	0	21	4	3	0	3	34	33	1	4	2
TOTAL	3,733	2,929	5	40	1,802	1,206	4	82	92	33	10	4	892	837	30	412	441

APPENDIX III

Circuit Court: Average Waiting Times

CIRCUIT COURT	CRIMINAL CASES		CIVIL CASES		FAMILY LAW CASES			
	CASES	APPEALS	CASES	APPEALS	JUDICIAL SEPARATION	DIVORCE	NULLITY	APPEALS
CARLOW	3-6 months	3-6 months	Next session	Next session	Next session	Next session	Next session	Next session
CARRICK-ON-SHANNON	Next session	Next session	3 months	3 months	Next session	Next session	Next session	Next session
CASTLEBAR	Next session	Next session	Next session	Next session	Next session	Next session	Next session	Next session
CAVAN	6 months	6 months	6 months	6 months	6 months	6 months	6 months	6 months
CLONMEL	Next session	Next session	Next session	Next session	Next session	Next session	Next session	Next session
CORK	9-12 months	6-9 months	18 months	9 months	12 months	12 months	12 months	6-9 months
DUBLIN	1 month	1 month	1 month - longer cases up to 4 months	1 month	Consent - 6 weeks Contested - 3 months	Consent - 6 weeks Contested - 3 months	Consent Contested - 3 months	3 months
DUNDALK	Next session	Next session	3-6 months	3-6 months	Next session	Next session	Next session	Next session
ENNIS	Next session	Next session	6 months	6 months	6 months	6 months	6 months	6 months
GALWAY	Next session	Next session	Next session	Next session	Next session	Next session	Next session	Next session
KILKENNY	15 months	Next session	15 months	Next session	15 months	15 months	15 months	Next session
LETTERKENNY	3-6 months	3 months	9-12 months	9-12 months	6 months	3 months	Next session	3 months
LIMERICK	3 months	Next session	9 months	9 months	Next session	Next session	Next session	Next session
LONGFORD	Next session	Next session	12-18 months	Next session	6 months	Next session	Next session	Next session
MONAGHAN	9 months	Next session	6-12 months	Next session	Consent - Next session Contested - 6-9 months	Consent - Next session Contested - 6-9 months	Next session	3 months
MULLINGAR	Next session	Next session	3 - 6 months	3 - 6 months	Next session	Next session	Next session	Next session
NAAS	Next session	Next session	6 months	6 months	3 months	3 months	3 months	3 months
PORTLAOISE	Next session	Next session	6 months	Next session	Next session	Next session	Next session	Next session
ROSCOMMON	3 months	Next session	Next session	Next session	Next session	Next session	Next session	Next session
SLIGO	3 months	3 months	9 months	6 months	6 months	6 months	6 months	6 months
TRALEE	2 years	Next session	18 months	18 months	3-6 months	3-6 months	Next session	3-6 months
TRIM	Next session	Next session	Next session	Next session	Next session	Next session	Next session	Next session
TULLAMORE	Next session	Next session	6-9 months	Next session	Next session	Next session	Next session	Next session
WATERFORD	9 months	6-9 months	9-12 months	9-12 months	6-9 months	6-9 months	6-9 months	6-9 months
WEXFORD	6-12 months	12 months	18-24 months	Next session	Consent - Next session Contested - 12-18 months	Consent - Next session Contested - 12-18 months	Consent - Next session Contested - 12-18 months	Next session
WICKLOW	Next session	Next session	Next session	Next session	Consent - Next session Contested - 3-6 months	Consent - Next session Contested - 3-6 months	Consent - Next session Contested - 3-6 months	3-6 months

The term next session means that the case will be dealt with at the next court sittings in the venue concerned. While cases may be listed for hearing for a particular sitting, unusual circumstances, for example a long criminal trial, may lead to the adjournment of other listed cases to the following session. The duration of, and time between, court sittings will vary from circuit to circuit, but in general the Circuit Court sits every two to four months in provincial venues. In Dublin there are daily sittings throughout each term.

APPENDIX IV

District Court: Average Waiting Times

CRIMINAL CASES

Dublin Metropolitan District Court

5 months from the date of a person's first court appearance / date of receipt of application for a summons to hearing date

Provincial District Courts

CORK

2 ½ months from the date of a person's first court appearance/ date of receipt of application for a summons to hearing date

OTHER PROVINCIAL DISTRICT COURTS

Generally no delay in cases receiving hearing dates. Of course, not all cases can be dealt with immediately. For example, a case where there is a number of witnesses or in which there may be complex issues to consider may not go ahead on the day on which the case first comes for hearing. If such cases cannot be dealt with, Judges will set special sittings

FAMILY LAW CASES

Dublin District Court

12 weeks from the date of issue of the summons to the date of hearing of application

Provincial District Courts

CORK

7 to 8 weeks from date of issue of the summons to initial date for hearing

OTHER PROVINCIAL DISTRICT COURTS

In general, there is no delay in hearing family law cases in the provincial district courts as cases are listed for the next sitting in the District Court Area

CIVIL CASES

Dublin Metropolitan District Court

6 weeks from date of issue of summons to initial date for hearing

Provincial District Courts

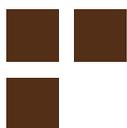
CORK

3 months from date of issue of summons to initial date for hearing

OTHER PROVINCIAL DISTRICT COURTS

Generally no delay. Outside Dublin and Cork City civil cases tend to be dealt with by way of special sittings and this can lead to some delays in completing same





Notes





