

2007

COURTS SERVICE
ANNUAL REPORT



COURTS SERVICE
An tSeirbhís Chúirteanna

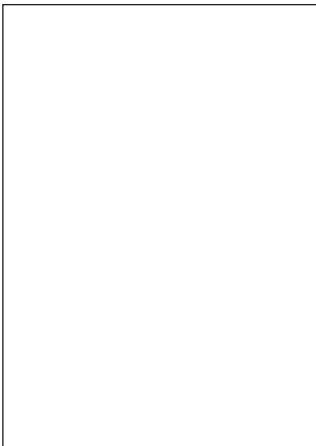


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TO MANAGE THE COURTS, SUPPORT
THE JUDICIARY AND PROVIDE A HIGH
QUALITY AND PROFESSIONAL SERVICE
TO ALL USERS OF THE COURTS

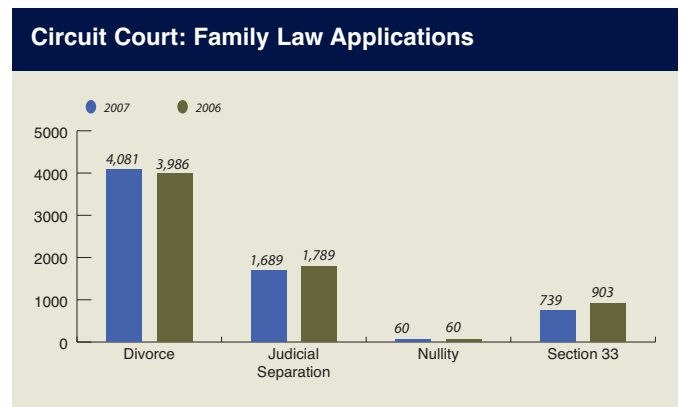
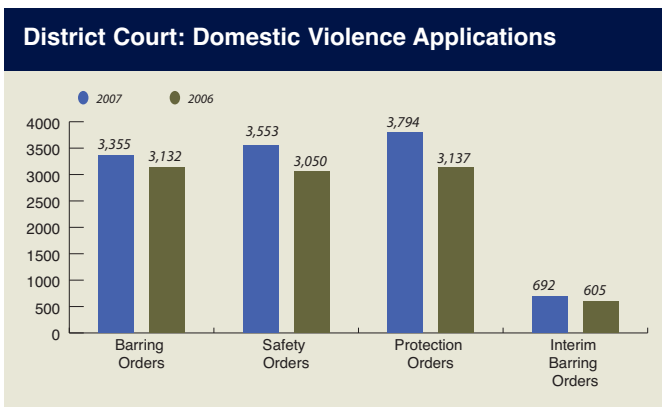
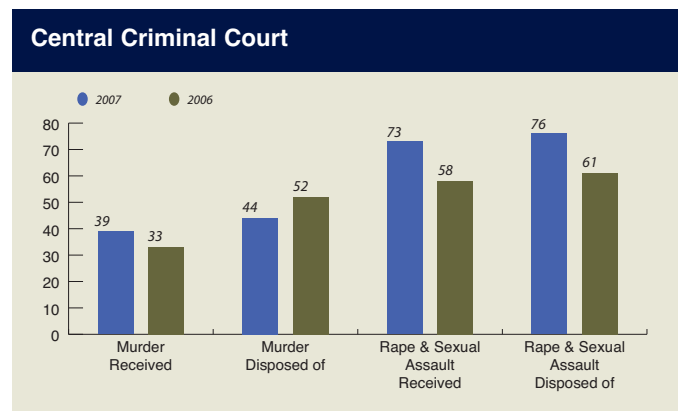
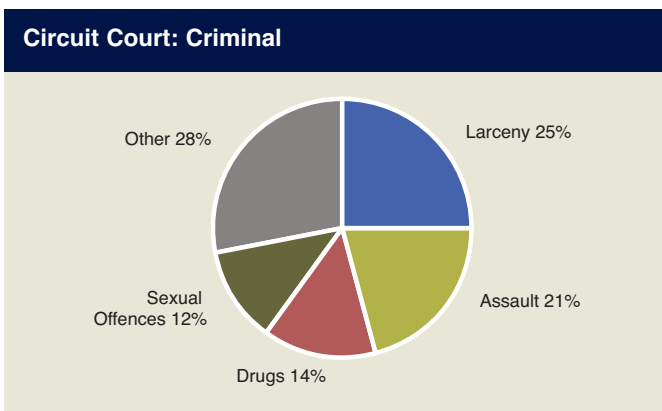
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2007 HIGHLIGHTS

COURT OPERATIONS

- 26% increase brings new cases in the High Court to 19,435 (including a 70% increase in medical negligence cases)
- 73% increase in the number of new cases entering the Commercial Court list
- 30% increase in Solicitors' Act cases
- More than 50% (17,481) of the 30,435 new civil cases issued in the Circuit Court relate to breach of contract/debt collection
- 1,552 or 41.5% of all Small Claims cases are received through the *Small Claims Online* system
- New pub licence applications decrease by 17% and new hotel bar licences by 36%
- Applications under domestic violence legislation increase by almost 15% with a 21% increase in protection orders sought and a 16% increase in safety orders
- Murder or manslaughter cases increase by 18% with rape cases showing an increase of almost 26%
- Almost 25% of all offences in the Circuit Criminal Court relate to larceny, theft or robbery while a further 21% involve assaults
- Drug offences account for almost 14% of the work of the Circuit Criminal Court with sexual offences almost 12%
- Criminal matters in the District Court increase by more than 15%
- Road traffic offences continue to account for over half of all cases dealt with in the District Court – a total of 281,641 in 2007 - an increase of more than 25% on 2006.



MODERNISING THE COURTS

- Construction of the new Criminal Courts Complex in Parkgate Street Dublin commences and is scheduled for completion by early 2010
- Central Accounts Office is established to handle all District Court financial transactions
- 24/7 access to court services improves as *Small Claims Online* completes its first full year of operations at initial pilot sites and work on *High Court Case Tracking* system to allow the public access is completed
- Independent survey ('*mystery shopper*' model) and study reveals that 96% of staff interactions in public offices and on the phone were professional and polite with 91% finding that staff were courteous and 88% finding that staff gave them confidence in the interaction
- System is installed in Limerick District Court to allow for video conferencing between Limerick District Court and Limerick Prison on a pilot basis from mid-2008
- Information on operation of family law courts is made available as *Family Law Matters* containing statistics, trends, judgments and reporting on family law proceedings completes its first year of publication
- Work with An Garda Síochána continues to develop and implement an interface for the electronic sharing of information and data between both organisations
- *Let's Look at the Law*, a resource pack to enable teachers who have no previous knowledge of the law introduce young people to law and the courts system in Ireland, is published.

Criminal Courts Complex

Video Conferencing

Family Law Matters

Let's Look at the Law

MESSAGE FROM THE CHIEF JUSTICE AND CHAIRPERSON OF THE BOARD



This is the eighth Annual Report of the Courts Service and, in reviewing its strategies and activities for the year 2007, it highlights the progress which continues to be made to modernise the administration and functioning of the courts system in an ever busier and demanding environment.

The Courts Service is a large decentralised organisation with administrative responsibility for some 170 courthouses and court venues throughout the country. Its 1,100 staff provide a vast array of services and administrative support to the judiciary, the public and court users.

The volume of cases coming before the courts continues to increase. In 2007 this resulted in many extra court sittings, an increased demand on facilities and people, and a concentration of effort by the judiciary and the management and staff of the Service. As this Report illustrates, a great deal of success has been achieved with the use of forward thinking, planning and management strategies. In his introduction the Chief Executive Officer highlights the extent of many of these initiatives. The body of the Report gives a detailed account of the excellent efforts which continue to enable the Service provide world class court services.

One of the main reasons for those successes is the day-to-day willingness of staff, at all levels, not only to accept and implement new ideas and new practices, but to initiate much of that innovation themselves.

In being so responsive and forward thinking the Board, management and staff of the Service enable the judiciary to deal with and increase efficiency in the administration of justice in many ways. In 2007 improvements in many areas saw an increased workload dealt with in a very professional and timely manner. For example appeals disposed of by the Supreme Court in 2007 increased by 13%, from 202 in 2006 to

229 in 2007 and reserved judgments increased by 25% in 2007 over 2006.

The workload of the Supreme Court continues to increase, including the number of cases with a multiplicity of complex issues. This will lead to an unavoidable increase in the time which cases must wait to be listed for hearing.

- Appeals received in the Court of Criminal Appeal increased by 9%, 267 in 2007 as compared with 244 in 2006
- A total of 19,435 new cases commenced in the High Court in 2007, a 26% increase on the 2006 figure of 15,432
- Civil bills issued in the Circuit Court in 2007 increased by 15% to 30,435 from 26,503 in 2006
- Civil business in the District Court increased by more than 18%, from 49,965 in 2006 to 59,061 in 2007
- Applications under domestic violence legislation, increased by almost 15% from 9,924 in 2006 to 11,387 in 2007
- Criminal matters in the District Court increased by more than 15%, from 378,047 in 2006 to 436,617 in 2007
- Cases related to drug offences increased by almost 12% from 8,842 in 2006 to 9,870 in 2007
- More than 5,500 people were convicted of dangerous driving in 2007, an increase of less than 2%
- There was an increase of over 8% in the number of people convicted of drink driving, from 26,919 in 2006 to 29,127 in 2007.

I refer to the above by way of highlighting the range, extent and increase of the work of the courts and the Service and as an introduction to the importance and success of the administrative initiatives mentioned throughout this Report.

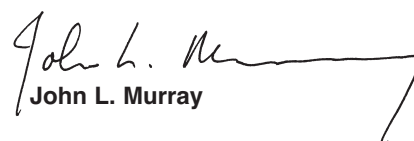
To meet the increasing demands being made on the courts as well as to permit the more efficient hearing and disposal of cases, the judiciary have introduced continuous improvements and changes in practice and procedures, and in particular case management techniques. These efforts have achieved success through partnership and cooperation with the Courts Service. My colleagues in the judiciary greatly appreciate the continual and tremendous support which the work of the Courts Service has provided to the administration of justice.

The task of the Courts Service is aided by the wider legal sector. The legal professions, other justice agencies and the other State and voluntary agencies with whom we work with on a daily basis have created a sense of partnership in advising and aiding the Courts Service.

I wish to thank the members of the Board, the many who work on our committees, my judicial colleagues, our Chief Executive Officer Mr P.J. Fitzpatrick, his staff, and the extended legal community for their work and support in the past year.

I would also like to acknowledge the continued support of the State and in particular the Minister of Justice, Equality and Law Reform and the staff of his Department. Knowing that the support and resources exist which are essential to the functioning of the Service makes it possible to plan confidently for the future.

The efforts involved in producing an Annual Report as comprehensive as this one cannot be overstated. I would like to thank all those involved in its compilation and presentation.


John L. Murray

INTRODUCTION BY THE CHIEF EXECUTIVE OFFICER



Following eight very busy years the challenge for the Courts Service continues to be the provision of a world class service delivered in a manner which meets the needs of our citizens. In introducing this Annual Report I am very conscious of the extraordinary effort and work across the organisation which helped us achieve the many positive outcomes described in this Report.

To consolidate on our achievements to date we must continue to change and further modernise so as to create a modern, forward thinking organisation equipped to deal with the challenges facing 21st century Ireland.

To assist us further manage these changes, we have developed a Change Management/Leadership Programme focused on staff development and court user's needs. In 2007 this programme continued to be driven by a number of major projects including the Courts Accounting System, the Funds Accounting System, the Civil Case Management System, the Criminal Case Management System, the new Criminal Courts Complex, Business Planning and the revised Performance Management and Development System.

Some of these projects were included in our *Output Statements*. These are a key element of the Budget and Estimate Reform measures announced by the Minister for Finance in the Budget 2006. They represent a new level of transparency and accountability across the public service and allow for enhanced Oireachtas scrutiny of the Estimates process. During 2007 we published our first Annual Output Statement.

WORKING WITH THE JUDICIARY

We continued to support the judiciary in their work and worked with them on measures aimed at improving the processing of court work during the year:

- the President of the High Court continued a pilot project to expand the number and range of cases heard by the High Court in provincial towns
- draft rules for case progression of family law proceedings were approved by the Circuit Court Rules Committee with the approval of the President of the Circuit Court and following consultation with the County Registrars. This scheme provides for County Registrars to perform case management duties to ensure that proceedings are prepared for trial in a manner which is just, expeditious and likely to minimise costs and, that the time and other resources of the court are employed optimally
- work continued on a major reorganisation of the District Court Districts. This is the first major revision of District Court Districts since 1961 and involved a full review of court venues, sittings and workloads. The reorganisation created more equitable workloads in the 11 Districts it was implemented in by year end. Many of these Districts have seen very significant demographic and population shifts in recent years.

USE OF INFORMATION AND COMMUNICATIONS TECHNOLOGY

We are very conscious of the need to make courts more accessible, more secure and more cost effective. During the year we installed video conferencing systems in Cloverhill, Tullamore and Castlebar courthouses as part of the overall programme to make video conferencing available in all county towns. We also upgraded the video conferencing and video link facilities in five courtrooms in the Four Courts.

The *Small Claims Online* system allows applicants lodge claims 24/7 over the internet, pay the court fee online and follow the progress of their application as it progresses through the various stages of the process using a unique personal identifier (PIN). 2007 represented the first full year of operation of the system at the initial 16 pilot sites.

We completed work on the development of an online public search facility for the High Court Case Tracking System during the year. Legal practitioners and members of the public can now obtain details of High Court cases at any time, from anywhere, using the internet.

INFORMATION FOR THE PUBLIC

We continued to improve the range of information explaining various aspects of our court system and how it works.

A resource pack for second level students, *Let's Look at the Law*, developed with the cooperation of the Department of Education & Science will

enable teachers with no prior legal knowledge to introduce young people to the law and the courts system in Ireland. It comprises a manual for teachers, a series of teaching aids and a DVD.

We completed the first year of a pilot project to report on family law. This included the publication of statistics, trends, judgments and reporting on proceedings in family law courts in a series titled *Family Law Matters*. The pilot project concluded with an evaluation report containing recommendations for the future of family law reporting.

BUILDINGS

The refurbishment of buildings continued to be a priority for us. Two new courthouses were built in Bray and Belmullet in 2007, and work was completed on the refurbishment of Tullamore and Fermoy courthouses. The family law District Courts in Dolphin House, Dublin were totally refurbished to provide modern accommodation for the judiciary, staff and all family court users.

Work neared completion on the provision of new court facilities in Ardee and continued on Thurles, Clones, Gorey and Blanchardstown.

Plans were completed for the refurbishment and extension of Kilkenny, Monaghan and Mullingar courthouses and sites were acquired to provide new courthouses in Wexford and Letterkenny. By year end the Service was working to progress major upgrades for Wicklow, Roscommon, Swinford, Manorhamilton, Youghal and Kilmallock courthouses.

The Criminal Courts Complex project is one of our major change projects and forms the largest part of the Capital Building Programme. This Public Private Partnership (PPP) project made considerable progress in 2007 with construction commencing in early May. We expect the complex to be operational in early 2010.

PARTNERSHIP AND OUR STAFF

The Central Partnership Committee, which I chair, continued to address issues of interest and concern. Regional Partnership Committees dealt with a range of issues including disability and accessibility obligations, developments in customer services, health screening, technical training, performance management and issues of health and safety.

We continued to enjoy a constructive and productive working relationship with the trade unions representing our staff. Through the combined use of the partnership arrangements and the Conciliation and Arbitration Scheme a positive industrial climate continued to be maintained. I am very pleased to report that we had no industrial disputes, and thus no lost work days.

MY GRATITUDE

I am very grateful to the Chief Justice and Chairperson of the Board, The Hon. Mr. Justice John L. Murray and to all of the members of our Board, to the Presidents of each of our Courts and the judiciary generally for their continued support in the past year and since our establishment eight years ago.

The staff once again demonstrated that their openness and willingness to embrace new approaches is second to none. To each and every one I extend my sincere appreciation and gratitude.

I also very much appreciate the cooperation and assistance we continued to receive from the many other agencies within the wider justice sector, the organisations representing the legal profession and the many other State and voluntary organisations and agencies, too numerous to mention.

I would also like to acknowledge and thank the Chairman of the Office of Public Works and his staff for their ongoing assistance with our building programme.

I would like particularly to thank the Secretary General and staff of the Department of Justice, Equality and Law Reform, and the Secretary General and staff of the Department of Finance for their wholehearted and ongoing support for our work. The support of everybody ensured that 2007 was another year of improvements and developments.

This Annual Report contains a detailed account of the volume and complexity of the work done in our courts during the year. My sincere thanks to Ms Helen Priestley Information Officer, the staff of the Information Office and to all who assisted in its production.



P.J. Fitzpatrick

STRUCTURE AND GOVERNANCE

CHAPTER 1

STRUCTURE AND GOVERNANCE

FUNDING AND STAFFING OF THE SERVICE IN 2007

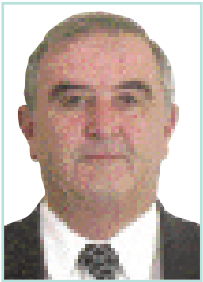
Bulk of funding provided by the State:	€131 million
Budget:	
Revenue:	€92 million
Capital:	€39 million
Staff:	1,100
Funds managed in a trustee capacity:	€1.022 billion
Fees collected:	€39 million
Fines collected:	€22 million
Offices nationwide:	82
Number of court venues:	173

The functions of the Service are to:

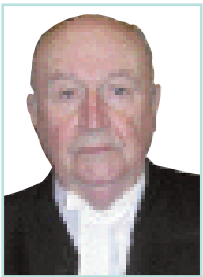
- Manage the courts
- Provide support services for the judges
- Provide information on the courts system to the public
- Provide, manage and maintain court buildings
- Provide facilities for users of the courts.

The Board consists of a Chairperson and 16 Members. Its functions are to consider and determine policy in relation to the Service and to oversee the implementation of policy by the Chief Executive Officer.

THE BOARD OF THE COURTS SERVICE



The Hon. Mr. Justice **John L. Murray**,
Chairperson
Chief Justice of Ireland



The Hon. Mr. Justice **Richard Johnson**
President of the High Court



The Hon. Mrs. Justice **Susan Denham**
Elected by the judges of the Supreme Court



The Hon. Mr. Justice **Iarfhlaith O'Neill**
Elected by the judges of the High Court



The Hon. Mr. Justice **John Quirke**
Nominated by the Chief Justice in respect of his experience or expertise in a specific area of court business



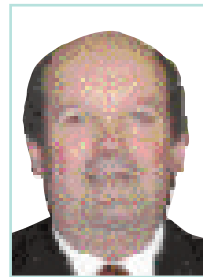
The Hon. Mr. Justice **Matthew Deery**
President of the Circuit Court



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



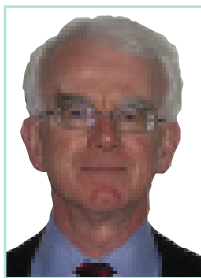
Her Honour Judge **Miriam Malone**
President of the District Court



Judge **Flann Brennan**
Elected by the judges, other than the President, of the District Court



Mr. P.J. Fitzpatrick
Chief Executive Officer



Mr. Eoghan Fitzsimons, S.C.
Nominee of the Council of the Bar of Ireland

Replaced Turlough O'Donnell S.C. in October 2007



Mr. Owen Binchy, Solicitor
Nominated by the President of the Law Society of Ireland



Mr. Kevin Fidgeon
Elected by the staff of the Service



Mr. James Martin
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. Esther Lynch
Nominated by the Irish Congress of Trade Unions



Mr. Liam Farrell
Nominated by the Minister for relevant knowledge and experience in commerce, finance or administration

STANDING COMMITTEES OF THE BOARD

FINANCE COMMITTEE

- The Hon. Mr. Justice John L. Murray, Chairperson
- The Hon. Mr. Justice Richard Johnson
- The Hon. Mr. Justice Iarfhlaith O'Neill
- The Hon. Mr. Justice Matthew Deery
- Her Honour Judge Miriam Malone
- Mr. James Martin
- Mr. P.J. Fitzpatrick

AUDIT COMMITTEE

- Mr. Tom O'Higgins, Chartered Accountant, *external member*, Chairperson
- The Hon. Mr. Justice Matthew Deery
- Judge Cormac Dunne, Judge of the District Court
- Mr. Jim Farrell, former Director of the National Treasury Management Agency, *external member*
- Mr. James Martin

BUILDING COMMITTEE

- The Hon. Mr. Justice John Quirke, Chairperson
- The Hon. Mr. Justice Iarfhlaith O'Neill
- His Honour Judge Michael White, judge of the Circuit Court
- Judge Catherine Murphy, judge of the District Court
- Mr. Fergal Foley B.L., *nominee of the Council of the Bar of Ireland*
- Mr. Gerard Doherty, solicitor, *nominee of the Law Society of Ireland*
- Mr. Kevin Fidgeon
- Ms. Olive Braiden
- Mr. Michael Haugh, Office of Public Works
- Mr. Brendan Ryan, Director of Corporate Services, *Courts Service*
- Mr. Shay Kirk, Principal Officer, *Courts Service*
- Mr. John Mahon, Principal Officer, *Courts Service*

FAMILY LAW COURT DEVELOPMENT COMMITTEE

- The Hon. Mrs. Justice Catherine McGuinness, President of the Law Reform Commission, Chairperson
- The Hon. Mr. Justice Liam McKechnie, judge of the High Court
- Her Honour Judge Mary Faherty, judge of the Circuit Court
- His Honour Judge Gerard Haughton, judge of the District Court
- Ms. Olive Braiden
- Ms. Catherine Forde B.L., *nominee of the Council of the Bar of Ireland*
- Mr. David Bergin, solicitor, *nominee of the Law Society of Ireland*
- Mr. Kevin Fidgeon
- Ms. Nuala McLoughlin, Chief Registrar and Director of Operations, Supreme & High Courts, *Courts Service*
- Mr. Diarmaid MacDiarmada, Director of Operations, Circuit & District Courts, *Courts Service*

BOARD COMMITTEES TO ADDRESS SPECIFIC ISSUES

STEERING COMMITTEE TO PROVIDE INFORMATION ON SENTENCING

- The Hon. Mrs. Justice Susan Denham, Chairperson
- The Hon. Mr. Justice Kevin O' Higgins, judge of the High Court
- The Hon. Mr. Justice Esmond Smyth, judge of the Circuit Court
- Her Honour Judge Miriam Malone
- Professor Thomas O'Malley, Senior Lecturer in Law, National University of Ireland Galway

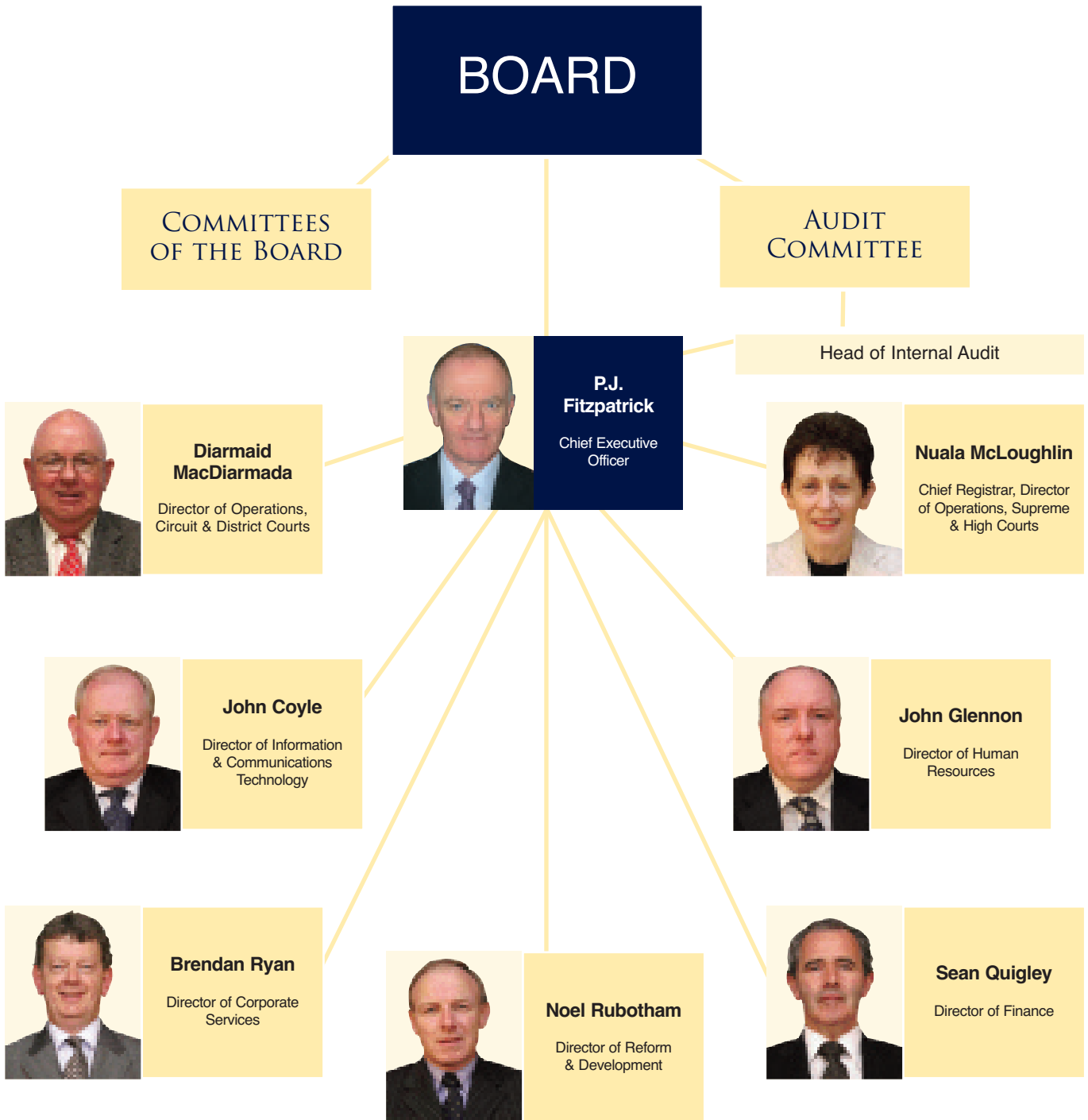
DISTRICT COURT REVIEW COMMITTEE

- The Hon. Mr Justice Joseph Finnegan, judge of the Supreme Court, Chairperson
- Judge Oliver McGuinness, judge of the District Court
- Judge Catherine Murphy, judge of the District Court
- Mr. Jim O'Farrell, Department of Finance
- Ms. Oonagh McPhillips, Department of Justice, Equality and Law Reform
- Mr. Diarmaid MacDiarmada
- Ms. Olive Caulfield, Northern Regional Manager, *Courts Service*

FAMILY LAW REPORTING PROJECT COMMITTEE

- The Hon. Mr. Justice Nicholas Kearns, judge of the Supreme Court, Chairperson
- The Hon. Mrs. Justice Catherine McGuinness
- The Hon. Mr Justice Henry Abbott, judge of the High Court
- His Honour Judge Michael White, judge of the Circuit Court
- Judge Gerard Furlong, judge of the District Court
- Mr. Kevin Fidgeon
- Ms. Olive Braiden
- Ms. Esther Lynch

ORGANISATIONAL STRUCTURE



REGIONAL OFFICES

There are regional offices in Monaghan, Naas, Tullamore, Cork and Castlebar.

Northern Region:



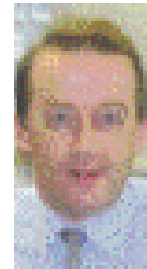
Paula Lyons
Regional Manager

Office location -
Monaghan

Counties covered
Monaghan, Cavan, Leitrim,
Donegal, Louth

* replaced Olive Caulfield
in June 2007

Eastern Region:



Gerry Nugent
Regional Manager

Office location -
Naas, Co. Kildare

Counties covered -
Kildare, Wicklow, Carlow,
Kilkenny, Wexford

Midland Region:



Anne Price
Regional Manager

Office location -
Tullamore, Co. Offaly

Counties covered -
Laois, Longford, Offaly,
Roscommon, Westmeath,
Meath

Southern Region:



Eamonn Kiely
Regional Manager

Office location -
Cork City

Counties covered -
Cork, Kerry, Limerick,
Waterford, Tipperary

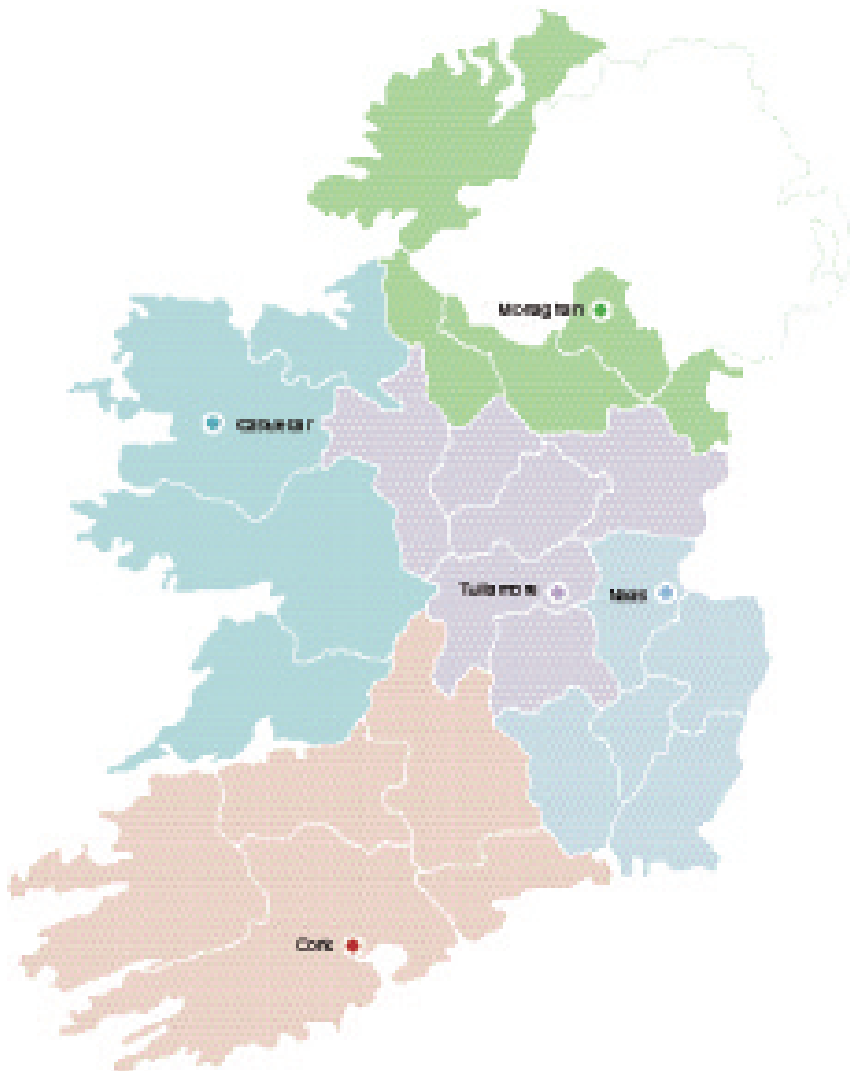
Western Region:

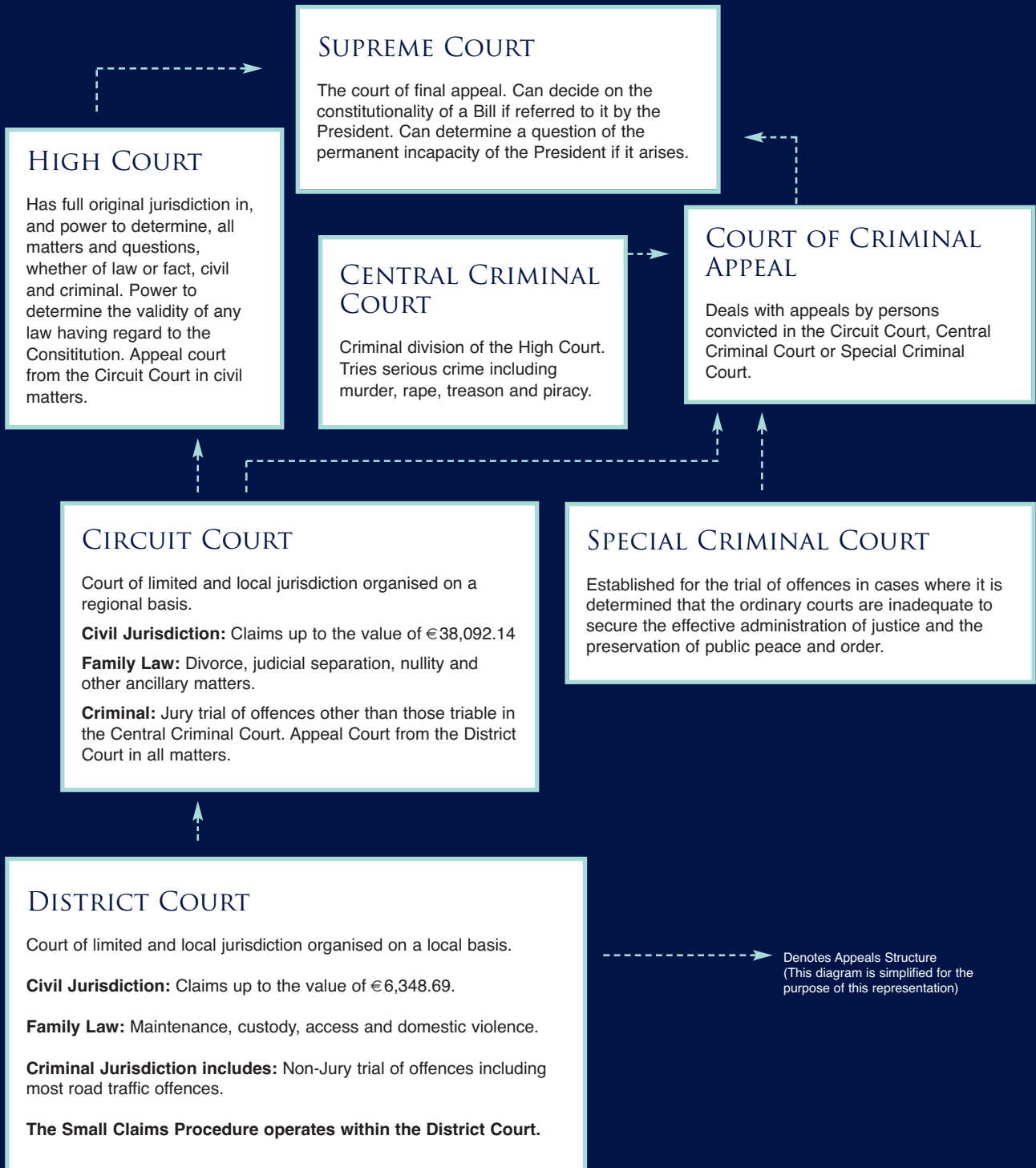


Brendan J. McDonald
Regional Manager

Office location -
Castlebar, Co. Mayo

Counties covered -
Galway, Mayo, Sligo, Clare





ACCOUNTABILITY

The Service is accountable to the Minister for Justice, Equality and Law Reform and through the Minister to the Government. The Chief Executive Officer is the Accounting Officer and in that capacity attends Public Accounts Committee and other Oireachtas Committee meetings.

GOVERNANCE FRAMEWORK

The functions of the Service are set out in the Courts Service Act, 1998. While the Act contains accountability and governance mechanisms, the Service is proactive in putting additional governance arrangements in place. These underpin best practice in the management of the organisation and the delivery of services to meet the expectations of users while at the same time ensuring accountability for expenditure of funds. A Governance Framework Document approved by the Board defines the functions reserved to the Board itself and the functions delegated to Committees and the Chief Executive Officer.

The Service continues to implement the recommendations of the Working Group on the Accountability of Secretaries General and Heads of Offices (*the Mullarkey Report*). During 2007, the Service continued to make significant progress in developing new systems, structures and management practices.

AUDIT COMMITTEE

The Audit Committee advises the Board on internal audit policies and the management of risk. The Committee provides assurance to the Board on the robustness and effectiveness of internal controls. The Committee is chaired by one of the two external qualified accountants.

INTERNAL AUDIT UNIT

Audits are conducted by the Internal Audit Unit augmented by outsourced internal auditors across the full range of activities of the Service including financial, operational, information and communications technology, capital building and governance. This provides assurances on the adequacy and effectiveness of the Service's risk management, control, and governance processes.

Thirty one audits were completed during the year. All reports were submitted directly to the Audit Committee and to the Chief Executive/Accounting Officer.

RISK MANAGEMENT

The risk management programme is designed to ensure that business risks are identified and assessed, that mitigating actions are put in place and that risks are monitored on an ongoing basis.

Further progress continued to be made during 2007 in embedding the risk management framework. An independent external review of the framework and the effectiveness of risk management within the Service was completed. This highlighted a high level of engagement with the programme with sound fundamentals and structures in place. The Risk Management Committee, which comprises the Senior Management Team, met regularly to monitor the implementation and operation of the risk management framework. It reported on a quarterly basis to the Audit Committee.

PROCUREMENT

Revised Procurement and User Guidelines were prepared and disseminated during 2007. The Guidelines ensure that all procurement is in full compliance with National and EU procurement rules. This was supported during the year by targeted training for staff involved in procurement.

MANAGING THE COURTS - PERFORMANCE OVERVIEW

CHAPTER 2

MANAGING THE COURTS

- PERFORMANCE OVERVIEW

During 2007 the courts dealt with various civil law (including family law) and criminal law matters. This Chapter provides an overview of the work of the courts across all jurisdictions. Comprehensive statistics together with trends in some areas are contained in Chapter 5.

THE SUPREME COURT

Appeals finalised by the Supreme Court increased by 13%, from 202 in 2006 to 229 in 2007. Forty seven appeals were withdrawn by consent, an increase from 35 in 2006. Reserved judgments increased by 25%, from 67 in 2006 to 84 in 2007.

Fewer appeals were lodged, down from 484 in 2006 to 373 in 2007. Of these, 49 (13.1%) were lodged by appellants in person. Certificates of readiness lodged increased, from 218 in 2006 to 236 in 2007. There was a slight reduction in motions issued, down to 129 from 136 in 2006. There were 132 motions disposed of, one fewer than in 2006.

There was a 58% increase in appeals of decisions made in the High Court's Commercial List, 22 compared to 14 in 2006. There was a significant increase in appeals against final orders made in chancery actions, 24 compared with nine in 2006. Appeals in Companies Act matters doubled, from five in 2006 to ten in 2007. There was a 22% increase in appeals against orders made under the European Arrest Warrant Act, 2003, from 22 in 2006 to 27 in 2007. There was also an increase of 57% in appeals against final orders refusing judicial review, 28 in 2006 to 44 in 2007.

The largest category of appeals lodged was in personal injury actions, which decreased to 42 from 58 in 2006. Four appeals were lodged from the Court of Criminal Appeal, the same as in 2006.

A notable increase in the workload of the Supreme Court Office in 2007 was certificates of authentication of the seal and signature of notaries public or the signature of commissioners for oaths on public documents for use abroad, principally in connection with the adoption of children. In 2007, a record 9,937 certificates were issued, an increase of 12.5% on 2006.

CIVIL

The High Court

New cases

A total of 19,435 new cases were commenced in the High Court in 2007, a 26% increase on the 2006 figure of 15,432. Much of this was due to the continued increase in personal injuries summonses, of which there were 5,951 in 2007 twice the 2006 figure of 2,673.

There was a substantial increase in new medical negligence cases – 566 new cases were initiated, an increase of 70% on the 2006 figure of 334. New claims for liquidated debt increased by 21%, up to 2,292 in 2007 from 1,894 in 2006. European Arrest Warrant cases also saw an increase of 21%, from 171 in 2006 to 207 in 2007. There were a greater number of Garda Compensation Act summonses, an increase of 85% from 171 in 2006 to 317 in 2007. More liquidated debt claims resulted in an increase in the number of cases in which judgment for a liquidated sum was granted. Judgment in default of appearance was

marked in the Central Office in 881 cases, significantly up from the 576 cases in 2006 and 724 in 2005. Judgment on foot of Master's Order increased by 25%, from 157 in 2006 to 196 in 2007. There was also a 17% increase in judgment mortgage affidavits, from 402 in 2006 to 471 in 2007. High Court *lis pendens* registrations (disputes relating to the sale of property) more than doubled, increasing from 127 in 2006 to 274 in 2007. Registration of judgment, regardless of the court in which it is marked, is done in the High Court. In 2007 there were 3,324 registrations, a 12% increase in the overall number of registrations, compared with 2,960 in 2006.

Judicial Review

In 2007, there were 368 certiorari applications to the High Court, a 27% increase on the number in 2006; 95 mandamus applications, a slight increase on the 2006 figure of 90; and 87 applications for prohibition, again a slight increase on the 74 applications made in 2006.

The total number of all types of judicial review applications to the High Court in 2007 was 1,730, a 12% increase on the 2006 figure of 1,541.

Judicial Review Applications in Asylum Related Matters

Applications for judicial review of the decisions of the Office of the Refugee Appeals Commissioner, the Refugee

European Arrest Warrant Act: Orders made in 2007										
Year of commencement of proceedings	Extradition (final)	Extradition (final – on consent)	Extradition refused	Remand in custody	Warrant to arrest	Bail pending extradition	Endorse warrant for extradition	Extradition (outgoing applications)	Misc	Total by year of case
2004	-		-	-	-	-	-	-	1	1
2005	-		1	1	-	-	-	-	3	5
2006	21	9	1	5	-	7	2	1	10	56
2007	36	23	3	17	13	61	139	31	14	337
Total	57	32	5	23	13	68	141	32	28	399

Appeals Tribunal and the Minister for Justice, Equality & Law Reform in asylum related matters are all listed in the High Court Asylum List. There were 1,024 new asylum related judicial review applications made in the High Court in 2007, a 12% increase on the figure for 2006.

There were 263 orders made granting leave to seek judicial review in asylum related cases in 2007. This is an 89% increase compared with 2006 when 139 such orders were granted. Leave to appeal was refused in 56 cases. There was a slight reduction in cases in which a final order was made on consent, with 343 such orders being made in 2007 compared with 358 in 2006.

Judicial Review Applications in Other Matters

Judicial Review applications in other matters also increased, with a total of 706 such applications in 2007, an increase of 13% on the 2006 total of 626. There was little change in applications for leave to seek judicial

review in cases under the Planning Acts, with 49 new cases in 2007 compared with 50 in 2006.

European Arrest Warrant Act

Applications under the European Arrest Warrant Act continued to increase as in previous years. In 2007, the High Court made 399 such orders, a 23% increase on the 323 orders made in 2006. Of the 399 orders made in 2007, 337 or 84% were in respect of proceedings commenced in 2007.

Companies Acts

During 2007, cases commenced in the High Court for relief under the Companies Acts increased by 4% to 480 from 462 in 2006. However, orders made in new and existing Companies Acts cases increased by 18.6%, from 591 in 2006 to 701 in 2007. This increase was most notable in respect of orders for the winding up of a company where 42 such orders were made compared with 32 in 2006.

JUDICIAL REVIEW

An application for leave to seek judicial review can be made to the High court for certiorari (to quash an order or ruling of a District Court, a regulator or tribunal), mandamus (requiring a District Court, a regulator or tribunal to do a certain act) or an order of prohibition (prohibiting a District Court, a regulator or a tribunal from doing an act). Typically such applications are made in respect of the orders or decisions of government ministers, local authorities and others including An Bórd Pleanála, the Environmental Protection Agency, the HSE, the Residential Institutions Redress Board and the Medical Council.

Commercial List

The business of the Commercial List has increased each year since its commencement in 2004. In 2007, 196 cases entered the List representing a 73% increase on the number of new cases compared with 2006 or 43% of all the cases entered during the four years the List has been operating.

A total of 362 cases have been dealt with in the List since 2004. Of these, almost half (48%) or 173 cases were dealt with in 2007. The increase over 2006 was 64 cases (59%).

The average waiting time from entry to the List to the allocation of a hearing date was 10 weeks. And from entry to the List to the conclusion of the case took an average 21 weeks.

Regulating the Professions

The President of the High Court has jurisdiction to deal with applications to

regulate the medical, dental, nursing, veterinary and solicitors professions.

Solicitors Act Applications

In 2007, 63 applications under all sections of the Solicitors Acts were made to President of the High Court, a 30% increase on the 48 such applications received in 2006.

Many of these applications were made under section 48 of the Solicitors Act, 1954 (as amended by the Solicitors (Amendment) Act, 1994) for the renewal of a practising certificate where there is a defect in the renewal application to the Law Society. There were 27 such applications made in 2007.

The Solicitors Disciplinary Appeals Tribunal investigates allegations of misconduct by solicitors initiated by the Law Society or by a member of the public. The Law Society refers reports of this Tribunal to the High Court. In such cases the Tribunal will have made recommendations for sanctions which may include the suspension of a solicitor or that he/she be struck off the Roll of Solicitors.

The Solicitors Acts also provide that an applicant or the solicitor against whom the allegation of misconduct has been made may appeal the decision of the Tribunal to the High Court in whole or in part. During 2007, there were seven appeals from the findings of the Solicitors Disciplinary Appeals Tribunal to the High Court. This represented a decline on the number of such appeals on 2006 when there were 17 such cases.

In 2007 the Law Society made seven applications for the production of client records (under section 11(3) of the

Solicitors (Amendment) Act, 1994). A further 20 applications were made to the High Court in 2007 under the Solicitors Acts (1954-2002). These applications included appeals by solicitors from a ruling of the Law Society's Client Relations Committee, referrals of Tribunal reports by the Law Society, and applications by the Law Society under section 20 of the Solicitors (Amendment) Act, 1960 (as amended) for a freezing order.

In addition, during 2007 the Law Society made two applications to the High Court under section 18 of the Solicitors (Amendment) Act, 2002 for an order prohibiting contravention of the Solicitors' Acts or regulations.

Medical, Dental and Nursing Council

The Medical Council, the Dentists Council and An Bórd Altranais have power to apply to the High Court for an order suspending the registration of any practitioner. Similarly, when the regulatory bodies of the respective professions find a registered practitioner unfit to practice, the practitioner may apply to the High Court for an order cancelling that decision.

Some of these matters are required by law to be heard otherwise than in public. In 2007, there were 24 applications to the High Court under the Medical Practitioners Act, a reduction on the 29 applications in 2006. There were 35 applications under the Nurses Act, just under double the 19 applications made in 2006. There were three applications under the Dentists Act, while none were made in respect of veterinary practitioners.

There were significant increases in orders made in the High Court in

respect of the medical profession, with 15 interim orders and 23 final orders in Medical Council matters (up from 10 and 16 respectively in 2006). Similarly, there were 13 interim and 28 final orders made under the Nurses Act in 2007, compared with two interim orders and 19 final orders in 2006.

Personal Injury

In 2007, the High Court saw a sizable increase in the number of personal injury actions. There were 8,045 personal injury actions finalised, an increase of 49% on the 5,389 actions disposed of in 2006.

Most of these increases arose from the management of the Dublin Personal Injury List where 5,910 cases were disposed of, more than double the 2,448 in 2006. Dundalk dealt with an increased number of cases, beginning the year with 452 cases on hand at 1st January and ending it with just 124 on 31st December. Exactly 164 new cases entered the Dundalk list in 2007 and 492 were finalised. The only venues with more cases on hand at the end of 2007 than there were at the beginning of the year were Cork (695 at end 2007 compared with 534 at end 2006) and Limerick (1,049 at end 2007 compared with 794 at end 2006).

Examiner's Office

There were 36 new company liquidations in 2007 compared to 29 in 2006. 75 cases were completed.

Winding up Orders by identity of Petitioner				
Year	Revenue	Other creditor	Company itself	Others
2003	12	9	6	1
2004	22	7	5	6
2005	24	11	5	4
2006	11	8	5	5
2007	20	7	8	1
Total	89	42	29	17

Bankruptcy

While there was no increase in the number of persons adjudicated bankrupt in 2007, there were 20 bankruptcy petitions presented to the court compared to 11 in 2006.

The Circuit Court

Civil bills issued in the Circuit Court increased by 15% in 2007 to 30,435 from 26,503 in 2006. More than 50% (15,481) related to breach of contract/debt collection. Personal injury cases accounted for a further 25% or 7,154 cases. The largest percentage increase was in Carlow where 553 civil bills were issued in 2007 compared to 330 in 2006, an increase of 67%. Four counties (Kilkenny, Mayo, Monaghan and Galway) issued fewer civil bills of which Galway had a 34% decrease, from 1,350 in 2006 to 886 in 2007.

The District Court

General

Civil business in the District Court increased by more than 18%, from 49,965 in 2006 to 59,061 in 2007. Committal orders also increased, up from 5,930 in 2006 to 6,425 in 2007, an increase of over 8%. There was a 15% increase in summary judgments, from 20,391 in 2006 to 23,389 in 2007.

Small Claims

Applications under the Small Claims procedure increased by almost 25% in 2007, from 2,990 in 2006 to 3,734 in 2007. The largest increase was in relation to claims involving furniture which almost doubled from 160 in 2006 to 311 in 2007. Applications relating to damage to private property increased by over 90%, from 158 in 2006 to 303 in 2007. Applications relating to holidays accounted for 10% of the total claims.

There was a considerable increase in the applications which could not be dealt with under the Small Claims procedure, from 44 in 2006 to 589 in 2007. This may be attributed to the introduction of the *Small Claims Online System* (see page 43) which allows the public to lodge claims online without discussing them in advance with their local Small Claims Registrar.

Of all applications received, 1,552 or 41.5% were received through the *Small Claims Online System*.

Over 50% of all the claims finalised were settled by the Small Claims Registrar with only 33% referred to court. There was a 20% reduction in decrees by default (where the person against whom the claim was made did not respond or take any part in the case), from 377 in 2006 to 294 in 2007. There were 857 cases referred to court, an increase of more than 17% on the 2006 figure. Of that number, 446 were dismissed, struck out or withdrawn with decrees granted in the remaining 411.

LICENSING

The Circuit Court

Overall, licensing business in the Circuit Court decreased by 17% in 2007. Only special restaurant certificates showed an increase, with 64 in 2007 as opposed to 51 in 2006. Pub licences granted decreased by 17% to 267 from the 2006 total of 322. There was a 36% reduction in hotel licences granted, down from 98 in 2006 to 62 in 2007. Club licences granted decreased by 20%. There was a 25% increase in special restaurant certificates granted.

The District Court

Licensing applications in the District Court increased from 106,721 in 2006 to 107,317 in 2007. Applications for the renewal of pub licences increased by 29%, from 1,111 in 2006 to 1,432 in 2007. Miscellaneous business including applications for music and singing licences and applications for licences for public bars in hotels increased by 12%, from 8,897 in 2006 to 9,933 in 2007.

High Court: Family Law Orders								
Year	Divorce (order by the court)	Divorce – settled prior to hearing	Divorce settled at hearing	Judicial separation	Judicial separation - settled prior to hearing	Judicial separation - settled at hearing	Miscellaneous High Court Family Law applications	Circuit appeals
1998		-	-	-		-	4	
1999	-	-	-	-		-	-	
2000	-	-	-	-		-	1	
2001	-	1	-	-		-	2	
2002	2	-	-	-		-	3	1
2003	1	2	-	1	1	-	2	1
2004	2	-	1	5	4	-	4	1
2005	1	3	3	4	2	7	12	12
2006	8	7	-	7	5	3	15	28
2007	12	4	-	1	2	-	16	15
Total	26	17	4	18	14	10	59	58

High Court: Orders made by reference to date of marriage*		
	Divorce cases	Judicial separation cases
1950s	1	0
1960s	0	0
1970s	6	5
1980s	6	8
1990s	3	8
2000 or later	0	1
* where details given		

High Court: Orders made by reference to length of time parties were living apart*		
	Divorce cases	Judicial separation cases
Not living apart	0	4
0-5 Years	4	18
5-10 Years	7	2
More than 10 years	4	0
* where details given		

FAMILY

The High Court

There was a 15% reduction in family law cases commenced in the High Court in 2007, with 97 new cases compared with 112 in 2006.

In contrast to 2006, husbands made more divorce applications than wives in 2007 (17 or 51.5%). Meanwhile, 47 or 90% of High Court judicial separation applications were made by wives.

During 2007 a total of 58 final orders were made in family law appeals from the Circuit Court and 81 final orders in divorce and judicial separation proceedings. Divorce proceedings were settled prior to final hearing in 17 cases and during hearing in four cases. Judicial separation proceedings were settled prior to final hearing in 14 cases and during final hearing in 10 cases. One order for the recognition of a foreign divorce was made as were 59

orders for final disposal of miscellaneous family proceedings (including orders post-divorce or separation for property and pension adjustments). The court also made 150 interim family miscellaneous orders. Approximately 38% of all divorce cases commenced in the High Court in 2007 concluded within 12 months of the date of issue.

Parties seeking divorce are required by law to have been living apart for not less than four years. There is no similar requirement for judicial separation.

Based on returns made on a voluntary basis by the parties, four of the parties seeking a High Court divorce in 2007 already had a judicial separation and one party had a pre-existing foreign divorce decree. One divorce applicant was also pursuing a maintenance claim in the District Court and one judicial separation applicant had a child access claim before the District Court.

The Circuit Court

Divorce applications increased by 2% to 4,081 in 2007 from 3,986 in 2006. Almost 60% or 2,430 applications were made by wives. Divorces granted increased by 7% from 3,420 in 2006 to 3,658 in 2007.

Judicial separation applications decreased by over 5% from 1,789 in 2006 to 1,689 in 2007. The majority of

applications (1,190 or 70.4%) were made by wives. Judicial separations granted increased by almost 9% to 1,167 from 1,072 in 2006.

There were 60 applications for nullity. Of that number, 32 or 53% were made by wives.

Maintenance arrangements involving periodic or lump sum payments to spouses or children were agreed in 1,739 cases where final outcomes were agreed. In 1,028 cases the position in relation to the family home (transfer/sale/residence) was determined. Custody/access orders were made in 1,115 cases.

Applications under section 33 of the Family Law Act, 1995 (which was replaced by section 47 of the Civil Registration Act, 2004 with effect from 5th November 2007) decreased by 18%, from 903 in 2006 to 739 in 2007. Orders granted decreased by 34%, from 836 in 2006 to 546 in 2007.

The District Court

There was a slight decrease of just over 1.5% in family law applications, from 26,680 in 2006 to 26,235 in 2007.

Domestic Violence

In 2007, there was a 15% increase in applications made under Domestic Violence legislation, up from 9,924 in 2006 to 11,387 in 2007. There was a 21% increase in the number of protection orders sought, from 3,137 in 2006 to 3,794 in 2007. Of the 2007 figure, 3,235 were granted, an increase of 13.7% on 2006. More safety orders were also sought, with 3,553 applications made in 2007 compared to 3,050 in 2006.

Of the safety orders sought, 1,556 were granted, up 27% on the 2006 figure of 1,221. Applications for interim barring orders increased by more than 14% from 605 in 2006 to 692 in 2007.

Applications granted increased by less than 8% to 586 in 2007 from 544 in 2006. Applications for barring orders increased by 7%, from 3,132 in 2006 to 3,355 in 2007. Applications granted increased by 4.5% from 1,357 in 2006 to 1,420 in 2007. Spouses continue to be the largest group among applicants. Their applications accounted for 55% of the total. The instances of parents applying for safety orders more than doubled, up from 102 in 2006 to 219 in 2007. There was a significant increase (48%) in parents seeking protection orders, from 316 in 2006 to 467 in 2007.

Guardianship, Custody, Access

Applications for custody of, and access to, children increased by 3.6%, from 5,027 in 2006 to 5,210 in 2007. Applications for access increased from 3,281 in 2006 to 3,475 in 2007, an increase of almost 6%. Applications for custody dropped from 846 in 2006 to 814 in 2007, a reduction of 4%. Applications for custody and access increased by just over 2%, from 900 in 2006 to 921 in 2007.

Applications for guardianship by unmarried fathers increased by more than 12%, from 1,742 in 2006 to 1,962 in 2007.

Maintenance

4,448 applications for maintenance were dealt with in the District Court in 2007, an increase of 5% on the 2006 figure of 4,207. In excess of 60% of applications were made by unmarried

applicants with a further 35% by married applicants. The remaining applications were dealt with under the Maintenance (Foreign Jurisdictions) Act, 1974.

Supervision and Care

Supervision orders increased in 2007 from 520 in 2006 to 555 in 2007. Care orders also increased, from 1,125 in 2006 to 1,201 in 2007.

CRIMINAL

The Court of Criminal Appeal

In 2007, 267 appeals were received by the Court of Criminal Appeal, a 9% increase on the 2006 figure of 244. The Court disposed of 232 appeals, a 30% reduction on the 2006 disposals. Of the appeals on hand at the end of 2007, just 17 had been lodged prior to 2006 and 18 lodged in 2006. The remainder were lodged in 2007.

The waiting time for conviction and for conviction and sentence appeals was 8-10 months. Waiting time for sentence/Director of Public Prosecution appeals against undue leniency was between six and eight months. Priority matters continued to be accommodated as part of the ongoing monthly review of appeals by the Court.

The Central Criminal Court

116 new cases commenced in the Central Criminal Court in 2007. Of that number, 39 related to murder or manslaughter, an 18% increase on 2006. Rape cases increased for a third consecutive year. There were 73 rape cases in 2007, an increase of almost

The Central Criminal Court: Murder and Rape					
	Cases received				Cases disposed of
	Murder	Rape	Other	Total	
1996	25	48	0	73	71
1997	28	72	0	100	70
1998	29	130	0	159	106
1999	33	130	0	163	127
2000	42	113	1	156	127
2001	31	92	1	124	131
2002	55	82	0	137	145
2003	39	52	0	91	154
2004	28	40	4	72	135
2005	35	44	4	83	121
2006	33	58	4	95	115
2007	39	73	4	116	123

26% on 2006. There had been a 32% increase in 2006 over 2005. The remaining cases related to aggravated assault, contempt of court and one case under the Competition Act.

For the seventh year in a row the Court disposed of more cases than it received.

Murder

The average murder trial took 8.3 days in 2007 (the two longest trials took 19 and 21 days; the shortest just 4 days).

Of the murder cases dealt with in 2007, 25% (11 out of 44) were dealt with by way of a plea of 'guilty'. A plea of guilty was entered in five murder cases during the course of the trial. Twenty

five murder cases in which a plea of 'not guilty' was entered went to trial by jury, with three murder cases otherwise disposed of (two *Nolle Prosequi* and one deceased).

Eight of the 25 murder cases that went to jury trial resulted in an acquittal, twelve in a verdict of guilty of murder, and the remaining five cases resulted in verdicts of guilty of attempted murder (1), manslaughter (3) and manslaughter with diminished responsibility (1). Eight of the murder cases in which there was a plea of guilty resulted in a conviction for manslaughter.

Rape

Of the 73 rape cases dealt with in 2007, a plea of guilty was entered in 20 cases and a plea of guilty was entered in four cases during the trial. Thirty five pleaded not guilty and were dealt with by way of trial by a jury. The remainder were disposed of as follows: two deceased, six *Nolle Prosequi*, three bench warrants, one unfit to plead and two were quashed.

In the 35 cases that went to trial before a jury there were 21 convictions, 13 acquittals and one case where the jury disagreed.

The average time for a rape trial was 6.6 days (the longest took 14 days; the shortest 4 days).

The Circuit Court

Almost 25% of all offences in the Circuit Criminal Court in 2007 related to larceny, theft or robbery. A further 21% involved assaults. Drug offences accounted for almost 14% while sexual offences were almost 12% of the total number of offences.

The number of jurors summonsed to attend court increased from 97,069 in 2006 to 110,161 in 2007, an increase of 13%. Two thirds of all criminal trials lasted between two and five days with a further 29 trials lasting for six days or more. 26% of trials were completed in a day or less.

The District Court

Criminal matters in the District Court increased by more than 15%, from 378,047 in 2006 to 436,617 in 2007. The main increase was in summary cases which increased by nearly 18% from 329,775 to 388,345. Indictable cases dealt with summarily were unchanged.

Road traffic offences continued to account for a large portion of the work of the District Court with over half of all cases dealt with relating to such offences – a total of 281,641 in 2007 up from 224,848 in 2006, an increase of more than 25% in 2007 on the 2006 figure.

More than 5,500 people were convicted of dangerous driving in 2007, an increase of 2%. There was an increase of over 8% in the number of people convicted of drink driving, from 26,919 in 2006 to 29,127 in 2007.

Cases relating to drug offences increased by almost 12%, from 8,842 in 2006 to 9,870 in 2007. Sexual offences also increased by almost 25%, from 415 in 2006 to 517 in 2007.

There was a 7% reduction in the number of public order offences, from 38,700 in 2006 to 35,964 in 2007 and a 6% reduction in larceny offences, from 24,463 in 2006 to 22,937 in 2007.

There were 164,541 cases struck out in 2007, an increase of 35% on the 2006 figure of 121,871. Of all summary cases dealt with in 2007 40% were struck out. A further 17% were dismissed – 14,646 in 2007, an increase on the 2006 figure of 12,727.

The numbers of fines imposed increased by more than 11%, from 95,913 in 2006 to 106,965 in 2007.

District Court		
Cases disposed of	2007	2006
Summary cases	388,345	329,775
Indictable cases dealt with summarily	48,272	48,272
All cases disposed of	2007	2006
Public order/assault	35,964	38,700
Drugs	9,870	8,842
Larceny	22,937	24,463
Road traffic offences	281,641	224,848
Sexual offences	517	415
Other *	85,688	80,779
Total	436,617	378,047

SUPPORTING THE JUDICIARY

CHAPTER 3 SUPPORTING THE JUDICIARY

NUMBER OF JUDGES AT 31ST DECEMBER 2006

	Number allowed by legislation	Numbers serving
Supreme Court	8	8
High Court	34	33
Circuit Court	34	33
District Court	55	55
Total	131	129

NUMBER OF JUDGES AT 31ST DECEMBER 2007

	Number allowed by legislation	Numbers serving
Supreme Court	8	8
High Court	38	37
Circuit Court	38	38
District Court	61	60
Total	145	143

The goals set out in the Strategic Plan include many initiatives to support the judiciary and enhance day to day working arrangements between the judiciary and staff. They also contain measures to assist the judiciary to manage increasing workloads. Managers continued to meet regularly with the judiciary in 2007 to discuss court business and to devise methods of improving the management of court lists.

ADMINISTRATIVE SUPPORT

Judicial Studies Institute and Judicial Appointments Advisory Board

The Service continued to provide administrative support for the Judicial Studies Institute and the Judicial Appointments Advisory Board, both of which are independent of the Service.

Court Rules Committees

The Service also continued to provide administrative support, research and drafting resources for the three Court Rules Committees in the form of a single support unit pending the enactment of the Civil Law (Miscellaneous Provisions) Bill, 2006. The Bill contains a provision to establish a unified secretariat on a statutory basis for these committees.

SUPPORT FOR THE WORK OF THE COURTS

Sittings outside Dublin

The High Court

The High Court has a long tradition of travelling on circuit to hear personal injury cases and Circuit Appeals. The pilot project, commenced by the President of the High Court in 2006 to expand the range of cases to be heard by the High Court in provincial towns, continued in 2007. The objective is to ensure that cases are assigned guaranteed early dates, that High Court business is spread across the country and that the recently refurbished stock of large courthouses across the State is

utilised for the benefit of court users. A major boost for this initiative was the appointment of extra judges to the High Court. In 2007 there were 37 serving High Court judges compared with 33 in 2006.

The High Court sat in regional venues to deal with debt recovery, contract disputes and other non jury matters. During 2007, Dundalk and Naas courthouses were used extensively for cases traditionally heard in Dublin. The High Court also sat in Bray, Cork, Limerick, Bruff, Castlebar and Ennis. The High Court sat for over 200 additional days in 2007 compared with 2006.

The number of sittings and range of venues outside Dublin will increase in 2008 with consequential benefits for parties and for local court users.

BENEFITS OF CONDUCTING HEARINGS OUTSIDE DUBLIN

- Cases receive earlier dates
- High Court business is spread across the country providing more local access to solicitors and the public
- Recently refurbished larger courthouses are utilised to benefit local court users
- There are savings on costs for users including An Garda Síochána, the Prison Service, litigants, witnesses, victims, families and relatives.

The Central Criminal Court

The policy of sitting outside Dublin to deal with murder and rape cases was also continued in 2007. The Service assisted the President of the High Court to arrange hearings in Limerick, Cork, Cavan, Galway, Cloverhill and Tralee – a total of 57 sitting days.

Increase in number of sitting days

The Circuit Court

The priority in the Circuit Court in 2007 continued to be the reduction in backlogs in criminal cases. Additional judicial resources were assigned by the President of the Circuit Court for this purpose to Tullamore, Mullingar, Portlaoise, Roscommon, Kilkenny, Trim, Limerick, Ennis, Naas, Wicklow, Letterkenny, Galway, Carrick-On-Shannon, Monaghan, Sligo, Nenagh, Waterford, Cork, Wexford, Wicklow and Tralee. Six judges remained assigned fulltime to criminal work in the Dublin Circuit Court.

The District Court

Additional District Court sittings were held in Dublin in August and September 2007 facilitating the earlier disposal of a number of cases.

Special sittings of the District Court were held in almost every county. Examples include:

- Wexford District Court where five weeks of additional sittings were held specifically to target drink driving cases and more than 100 additional cases were disposed of
- Wicklow and Arklow District Courts where additional judicial resources allowed the President fix a dedicated family law day every month
- In addition two dedicated criminal hearing days per month were fixed for Bray with remand and summons courts increasing from four to six per month.

District Court Family Law

Progress continued to be made during the year to separate family law cases from the other work of the court by the provision of separate sitting days. In Dublin and Cork District Courts judges continued to be assigned on a full time basis to the family law courts. By year end dedicated sittings were taking place in 42 venues nationwide. Family law cases are increasingly being dealt with in the larger centres such as county towns where appropriate facilities and more privacy is available. In Dublin family law cases are heard in Dolphin House (Dublin City Centre), Swords, Dún Laoghaire and Balbriggan.

Provision of reports to the Family Courts

By year end arrangements had been made for the Probation Service to manage the provision of reports under section 47 of the Family Law Act, 1995 for the family law courts through the establishment of a panel of

Court Registrars continued to facilitate the efficient disposal of High Court cases by calling over lists prior to the judges sitting in certain lists including common law, chancery and personal injury.

probation/social workers. The service will be funded by the Courts Service.

Case progression

The Service continued to assist judges improve the processing of cases before the courts. In 2007 a number of initiatives resulted in improvements in the matter of case progression:

The High Court

A detailed draft scheme of rules for case progression in respect of High Court litigation generally, as well as a scheme in the area of court rules were prepared. These are referred to in greater detail on *page 41*.

The Circuit Court

Draft rules for the progression of family law cases in the Circuit Court were approved by the Circuit Court Rules Committee during the year. Further details of the scheme envisaged are on *page 42*.

Juvenile cases

During 2007 a number of District Courts organised separate days for the

District Court venues with dedicated sittings for family law		
District No.	Venue	Frequency of Family Law Sittings
	Dublin	Daily
1	Donegal Town	one day every month
1	Letterkenny	one day every month
2	Sligo	one day every month
3	Ballina	one day every month
3	Castlebar	one day every second month alternating with Westport*
3	Westport	one day every second month alternating with Castlebar*
5	Cavan	one day every month
5	Monaghan	one day every month
6	Drogheda	one day every month
6	Dundalk	one day every month
7	Galway	two days every month (except for September – one day)
8	Athlone	afternoon of every court sitting
8	Nenagh	afternoon of every court sitting
9	Mullingar	one day every month
9	Tullamore	one day every month
10	Trim	every Friday afternoon (doesn't sit on 5th Friday of a month)
12	Ennis	one day every month
13	Listowel	one day every month
14	Limerick	one day every week
14	Thurles	one day every month
15	Portlaoise	one day every month
16	Arklow**	one day every month
16	Bray	one day every month
16	Wicklow**	one day every month
17	Killarney	one day every second month
17	Tralee	one day every second month
19	Cork	two days every week
20	Fermoy	one day every month
20	Mallow	one day every month
21	Clonmel	one day every month*
21	Youghal	heard at end of list
22	Kilkenny	one day every month
22	Carlow	one day every month
23	Wexford	one day every month
24	Waterford	one day every month
25	Naas	one day every month*

* In certain venues, while the day is not entirely dedicated to family matters, arrangements are made to hear family lists separately.

** In Arklow and Wicklow, some civil cases may also be listed on these days.

BENEFITS OF REORGANISATION OF DISTRICT COURT DISTRICTS

- Addresses the demographic and social changes (including improvements in roads and increased road use) which have occurred in the past 45 years
- Eliminates short sittings in small venues freeing up full days for sittings in larger venues
- Provides opportunity to have additional days dedicated to the hearing of family law cases only
- Allows for more equitable distribution of workloads for judges particularly in the eastern half of the country.

hearing of juvenile cases. They included Carlow, Galway, Castlebar, Westport, Ballina, Waterford and Cork.

Work to organise local sittings of the Children Court in Dublin continued. From September 2007 all new juvenile cases are heard in Tallaght. Juvenile cases will be heard in Blanchardstown when new court facilities are in place in 2008.

Reorganising District Court Districts and areas

Work on a major reorganisation of the District Court Districts continued in 2007. This is the first major revision of District Court Districts since 1961 and involves a full review of court venues, sittings and workloads. The reorganisation will create more

equitable workloads in the Districts many of which have seen very significant demographic and population shifts in recent years.

The first phase of the reorganisation will come into effect on 1st January 2008. It will cover counties Monaghan, Cavan, Louth, Meath, Kildare, Carlow, Kilkenny, Waterford, Wexford and Wicklow. Two new Districts will be established: District No. 24 will cover Waterford City while District No. 25 will cover County Kildare. Work on the second phase of the reorganisation which will cover the remaining 15 counties will continue in 2008.

District Court Committee

The reorganisation of District Court Districts will address many of the issues affecting the work of the District Court. Issues of an operational and resource nature require separate consideration. The Board established a committee during the year chaired by a judge of the Supreme Court to examine these operational and resource needs. In particular the committee will objectively examine the judicial and administrative resources required in the District Court with reference to changes in the nature and complexity of its work in recent years. It will also examine the support services required by the Court and make recommendations to the Board.

Restorative Justice

The District Court continued to work with the local Probation Service in implementing community based restorative justice schemes in Nenagh and Tallaght.

INFORMATION AND COMMUNICATIONS TECHNOLOGY

Digital Dictation Systems

A digital dictation application with an embedded voice recognition system to assist judges was selected during the year. Work on a pilot project commenced with the support of members of the judiciary. The pilot will be reviewed in mid 2008.

Digital Audio Recording System

During 2007 the Service completed a major procurement for the selection of a digital audio recording system. This system will enable proceedings in courtrooms to be recorded providing an accurate record of evidence which can subsequently be accessed for the preparation of transcripts or for playback either within the courtroom or otherwise as required.

Initial implementation of the system will be on a pilot basis in the Central Criminal Court and Circuit Criminal Court. Further details are on *page 43*.

Video Conferencing/Video Link

Work continued during the year to increase the number of courtrooms where evidence can be given using video conference/video link facilities. Further details are on *page 43*.

Video Viewing

The Service continued to provide facilities for the viewing of evidence during the hearing of cases. Such evidence includes recordings of interviews in garda stations and CCTV security footage. Further details are on *page 43*.

Statistical information

The continued improvement in information and technology systems has afforded an opportunity to increase the range and quality of statistical information on the work of the courts

for judges. During the year reports on court activity across the jurisdictions were provided to assist judges manage court lists, highlight areas where work is increasing and decreasing and provide information on a range of matters.

Equipment

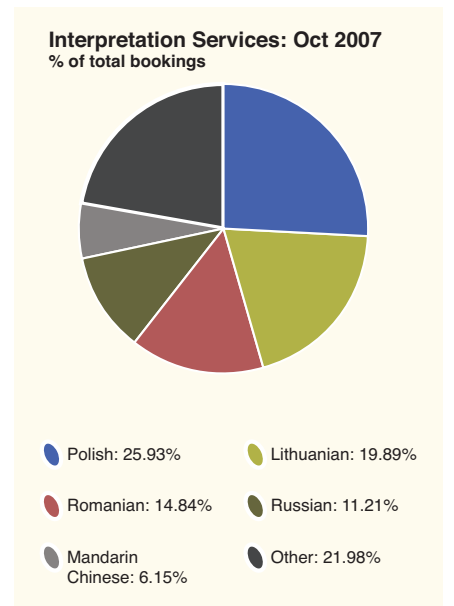
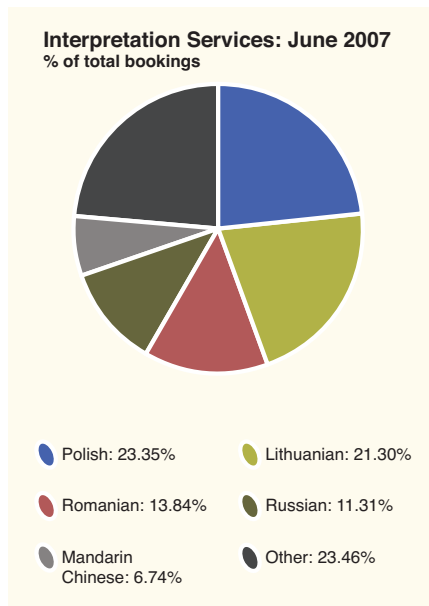
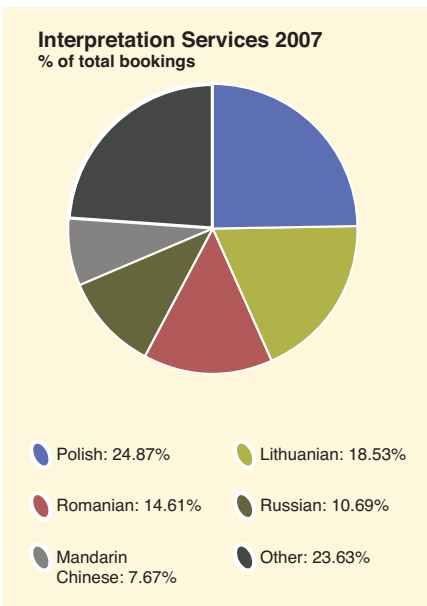
Judges continued to be provided with wireless handheld devices during the year. The next phase of improving remote access facilities includes modernising the existing laptop system. This will allow access to the network of the Service using a range of communications media such as broadband, WiFi and mobile technology (GPRS/3G). Testing of this new remote access system was completed in 2007.

By year end arrangements had been made to procure new laptops and tablet PCs for deployment to judges commencing with Supreme Court judges early in 2008.

INTERPRETATION SERVICES

The Service continued to provide quality interpretation services to the courts during the year. Interpreters were provided in all courts to facilitate access to justice for those for whom English is not their first language. A single service provider continued to be engaged to deal with the increasing need for interpreters, the diverse range of languages required and to ensure an appropriate standard of service.

The Service provided interpretation services in 75 languages in 2007. The main languages requested were Polish, Lithuanian, Romanian, Russian and Mandarin Chinese. There was a month on month increase in the volume of requests for these languages in 2007.



LIBRARY AND RESEARCH FACILITIES

Library facilities

The information resources made available to the judiciary through the Judges' Library continued to grow in 2007. In addition to a broad range of quality online electronic sources, the library holds a considerable hardcopy collection of textbooks, periodicals, reference works, law reports and unreported judgments, legislation, indexes and digests, Oireachtas Debates and official publications.

Items were obtained on inter-library loan or from document supply services when they were not held within the collection. Readers availed of the service on the premises, through email communications, by telephone and fax, and by using electronic subscriptions directly.

Staff of the library provided training and assistance in the use of various information resources for readers. Library personnel availed of opportunities for professional development and training to keep abreast of trends and best practices.

Judicial fellows

By year end arrangements were being made to engage judicial fellows to assist High Court judges. The fellows will carry out legal research, writing, collation of material, editing and other tasks, including attendance in court.

ACCOMMODATION

Improved accommodation and other facilities for judges continued to be provided as part of the Capital Building Programme detailed in Chapter 4.

FOREIGN VISITS

The Service facilitated judicial visitors from many countries during the year. They included the United Arab Emirates, Lesotho, Norway, Sweden,

Finland, Switzerland, the United States of America, Sri Lanka, Bosnia, France, England, Northern Ireland, Australia and Taiwan. Programmes tailored to meet the specific needs of the individual groups included opportunities to meet members of the judiciary and court staff and attend a range of court hearings. A programme of events was also arranged for the members of the European Court of Justice.

MODERNISING THE COURTS

CHAPTER 4

MODERNISING THE COURTS

The modernisation of the courts continued to be guided by the Courts Service Strategic Plan 2005-2008, which itself is in line with the Government's modernisation programme for the public service. Many of the measures featured in the Strategic Plan were subsequently set out by the social partners in *Towards 2016*.

Among them are commitments to improved customer service, better regulation, new technology, development of eGovernment services, improved buildings, better information for the public and changes in existing structures and processes to improve services. Reports on progress made to deliver on the targets outlined in the Service's *Towards 2016* Action Plan were submitted to the Department of Justice, Equality & Law Reform in March and December 2007.

The challenge for the Service continues to be to provide a world class service, delivered in a manner which meets the needs of citizens. To meet this challenge the Service must continue to change and restructure so as to create a modern, forward-thinking organisation equipped to deal with the issues facing 21st century Ireland. To focus this process of change and restructuring, the Service has, in recent years, developed a change management / leadership programme focused on staff development and customer needs. In 2007 the Change Programme was driven by major projects such as the Courts Accounting System, the Funds Accounting System, the Civil Case Management System, the Criminal Case Management System, the new Criminal Courts Complex, Business Planning and the Performance Management and Development System.

CUSTOMER SERVICE

User groups

The Service remains committed to providing a high quality customer focussed service for those who use the courts. In fulfilling this commitment, representative groups are regularly consulted to better inform the Service of customer needs. These groups include professional bodies such as the Law Society of Ireland, the Council of the Bar of Ireland, Solicitors Bar Associations, the Family Lawyers Association, the Office of the Director of Corporate Enforcement, the Consultative Committee of Accounting Bodies in Ireland, the Institute of Chartered Accountants in Ireland, the Prison Service, An Garda Síochána, the Probation and Welfare Service, the Legal Aid Board, the Office of the Director of Public Prosecutions, the Chief Prosecution Solicitor's Office, the Chief State Solicitor's Office, Law Agencies, Victim Support organisations and various other advocacy groups.

In Dublin, six user groups met three times during the year. Regional and local groups organised on a cross-jurisdictional basis met at least once and also when specific local projects were being undertaken.

In addition the Service hosts an annual forum for all its users, the third of which was held in April 2007. It was attended by representatives of groups including those supporting victims and their families, other government agencies, the legal profession and An Garda Síochána. The forum discussed the Capital Building Programme, the new Criminal Court Complex, the online search facility for the *High Court Case Tracking System*, *Small Claims Online* and the website. The fourth annual forum will take place in April 2008.

In 2007, the Service's regional offices introduced special user group meetings for victims groups, which will continue to be held on a quarterly basis throughout 2008.

Mystery Shopper

The Service engaged an external company to undertake a number of 'mystery shops' using face-to-face visits to court offices and telephone and email surveys. Offices were selected independently and randomly, subject to the stipulations that they were of varying size and spread nationally. No advance warning of a visit was given to the offices and each office was visited twice, ensuring any once off problems would not distort their score.

The survey revealed that 96% of mystery shoppers reported that staff were professional and polite, 91% reported that staff were courteous and 88% reported that staff gave them confidence in the interaction.

Complaints

The Service dealt with 11 formal customer complaints during 2007.

New Customer Service Action Plan

The preparation of a new Customer Service Action Plan commenced at the end of 2007. Representatives of the various court user groups will be consulted about the plan during 2008.

Improved telephone facilities

In 2007 the Service commenced a strategic review of its telephony requirements nationwide, both fixed line and mobile, with a view to introducing an updated telephony infrastructure. This will provide a cost effective solution and additional options to improve customer service.

Improved telephone access, including voicemail messaging, was introduced in several offices around the country including Cork, Athlone, Bray, Carlow and Naas.

BUSINESS PLANNING

A revised business planning process was developed during 2007. It was undertaken by all offices by the end of 2007, facilitating planning for 2008.

BETTER REGULATION

Reform of court processes and procedures

The management structure of the Service continued to include a Directorate of Reform & Development (*see page 16*) tasked with identifying and promoting measures to reform court procedures and, in conjunction with the draftsman to the Court Rules Committees, prepare various schemes of court rules. List of these rules can be found in the Reports of the Rules Committees in Chapter 8 of this Report.

The Supreme Court

A Supreme Court practice direction to expedite the preparation of documentation for appeals and providing that submissions be lodged by e-mail in addition to hard copy was prepared by the Chief Justice and came into effect in February 2007. An existing practice direction concerning Child Abduction/Hague Convention appeals was revised in September 2007 to conform with a similar direction regarding the listing of European Arrest Warrant Act appeals. A further practice direction was issued to take account of changes introduced under the Criminal Justice Acts, 2006 and 2007 pending the coming into force of rules of court.

The High Court

A detailed draft scheme of rules for case progression in respect of High Court litigation generally, as well as a scheme of court rules to implement recommendations of the Haran Working Group Report on Legal Costs was prepared. Rules of court to assign litigation under the Cape Town Convention on securities on aircraft and similar high value assets to the Commercial Court were also prepared.

A Practice Direction for the allocation by the President to the Master of various categories of application for judgment by consent was introduced in 2007. A second practice direction to allow the Registrar of the Asylum and Immigration Judicial Review List take consents in specified aspects of cases listed for hearing before the judge was also introduced. The practice direction also provides that any solicitor who needlessly leaves a case in the list for the judge may be penalised on costs.

The High Court: Office of Wards of Court

The Service submitted observations to the Department of Justice, Equality & Law Reform, Civil Law Reform Division in relation to a draft scheme for a Mental Capacity Bill prepared by the Department. The Service will continue to liaise with the Department in relation to the draft scheme in 2008.

The High Court: Office of the Official Assignee in Bankruptcy

A number of modernisation measures were put in place in the Office of the Official Assignee in Bankruptcy in 2007. The measures, which included a computerised case management system, are designed to improve efficiencies in the management and processing of bankruptcy cases at each stage of the bankruptcy process from adjudication to discharge. The case management system has facilitated the development of a register of assets vested in the Official Assignee. By year end plans were in place to further develop the system and in particular its management reporting capabilities.

The High Court: Probate Office

A pilot project to improve the application form for solicitors applying for Grants of Representation concluded in 2007. Fifty solicitors firms around the country volunteered to participate in the project with feedback used to develop the improved form. Reaction to the new form was very positive. It will be available for use from mid-2008.

The Circuit Court

With the approval of the President of the Circuit Court, and following consultation with the County Registrars, draft rules for case progression of family law proceedings were approved by the Circuit Court Rules Committee during the year. The scheme provides for County Registrars to perform case management duties to ensure that proceedings are prepared for trial in a manner which is just, expeditious and likely to minimise the costs of proceedings and, that the time and other resources of the court are employed optimally.

In order to facilitate the provision of case management duties in high caseload areas such as Dublin, a draft Head of Bill was furnished for inclusion in the Civil Law (Miscellaneous Provisions) Bill, 2006. This would amend section 9 of the Court Officers Act, 1945 so as to allow County Registrars to exercise jurisdiction concurrently with each other where assigned to provide back-up to their colleagues in high caseload counties. A Practice Direction and related forms were prepared for the Circuit Court governing the procedure under section 99 of the Criminal Justice Act, 2006, as amended by the Criminal Justice Act, 2007, in cases in which an accused is convicted of an offence during the period of suspension of a sentence for a previous conviction.

A committee of County Registrars and Chief Clerks was established to develop improved procedural manuals for staff of the Circuit Court. By year end a detailed criminal manual had been completed and was being reviewed by selected staff throughout the organisation.

An A-Z Guide of legal terms and processes in Dublin Circuit Court office

was prepared by that office during the year for the assistance of staff.

The District Court

Rules of court to facilitate the operation of the Criminal Justice Act, 2006, came into operation and court rules were drafted to give effect to the changes in bail, amongst other matters, contained in the Criminal Justice Act, 2007.

Work was undertaken during the year to revise the District Court Family Law and Criminal Law Training Manuals in view of legislative changes made since the manuals were originally drafted. These step-by-step guides are prepared in house and cover practice and procedure as it applies to court offices.

Civil Law (Miscellaneous Provisions) Bill

Heads of Bill proposed for inclusion in the Bill include (i) the establishment of the Combined Courts Office which would enable the provision of a single point of delivery for court business, combining two or more jurisdictions, or categories of court business, and (ii) provision for assistance for visually impaired lawyers and other persons participating in court proceedings. The Service will continue to liaise with the Department regarding these and other courts related provisions for inclusion in the Bill in 2008.

Codification of Courts Legislation

The Service provided input to the project to consolidate courts legislation initiated by the Law Reform

Improved pre-court procedures were introduced in Cavan District Court for the Annual Licensing Court. All proofs and publications were lodged in the office for checking in advance of the court sitting. This facilitated more efficient use of court time and significantly reduced the level of adjournments.

Commission at the request of the Department of Justice, Equality & Law Reform. The Commission published a Consultation Paper and draft Consolidation Bill in July 2007.

Business Process Reviews

Measures were taken during the year to implement the recommendations made following reviews of business processes in the Dublin Family Law District Court Office, the Probate Office and the Office of Wards of Court. A review of the District Court Custody Office will be undertaken in 2008.

INFORMATION AND COMMUNICATIONS TECHNOLOGY

Civil Case Management System

The development of an integrated computerised civil case management system is one of the major change projects being undertaken by the Service (*see page 40*). Phase 1 of the project, a review of civil and family law processes to standardise and simplify, in so far as possible, processes and court forms across regions and jurisdictions to improve efficiency and

customer service was completed during the year. This process standardisation is an essential requirement for the success of the system.

Phase 2 of the project, the identification of a high level series of improved processes will be developed at workshops with senior managers during early 2008.

Criminal Case Management System

Another of the major change projects is the computerised Criminal Case Management System. The criminal business of the District Court continues to be supported by this system which has also delivered significant benefits to the reporting capability of the Service. A number of enhancements were implemented during the year specifically associated with the introduction of the Criminal Justice Act, 2007.

A business case for the extension of the system to the Circuit Criminal Court, Central Criminal Court and Special Criminal Court was nearing completion by year end.

Video Conferencing/Video Link

During the year video conferencing systems were installed in Cloverhill, Tullamore and Castlebar courthouses as part of the overall programme to have video conferencing available in all county towns. An upgrade of the video conferencing and video link facilities in five courtrooms in the Four Courts was also completed during the year.

The Service continued to work with the Prison Service to complete the testing

ELECTRONIC RECORDS

Projects to harness technology to improve the quality of the service provided to court users continued during the year. An example was in Cavan Circuit Court where a project to replace manual indictment and appeal books with electronic versions commenced. The new versions will allow for improved efficiencies and speedier issue of post-court documentation.

of a video conferencing system to provide for video conferencing between courts and prisons. A system was installed in Limerick District Court with a view to commencing video conferencing between Limerick District Court and Limerick Prison on a pilot basis from mid-2008.

Video viewing facilities

At the end of 2007 new video viewing facilities were available in seven courtrooms in Dublin. Similar facilities will be available during 2008 in selected courthouses nationwide. These facilities allow for viewing of all types of evidence during the hearing of cases including recordings of interviews in garda stations and CCTV security footage.

Digital Audio Recording System

During 2007, the Service completed a major procurement for the selection of a digital audio recording system for implementation in all courtrooms

nationwide. A pilot implementation of the system will commence in the Central Criminal Court and Circuit Criminal Court in early 2008. Subject to satisfactory completion of the pilot full deployment to all Central and Circuit Criminal Courts will take place in 2008.

eGOVERNMENT

The provision of 24/7 access to services continued to be a major priority for the Service in 2007.

Small Claims Online

In 2007, the *Small Claims Online* system marked its first full year of operation in the initial 16 pilot offices. At year end 46% of small claims applications were being received online in these offices. *Small Claims Online* enables applicants to lodge claims 24/7 over the internet, pay the court fee online and follow the progress of their application as it progresses through the various stages of the process using a unique personal identifier (PIN). The system, available in English and Irish, was implemented in a further six District Court offices by the end of 2007.

Small Claims Online won a 'Government to Citizen' best project award in 2007 at the 'Innovation Through Technology' awards organised by *Inside Government* magazine in association with eircom. The awards recognise excellence and creativity in technology initiatives across the public sector.

High Court Case Tracking System

Work on the development of an online public search facility for the *High Court Case Tracking System* was completed during the year. Legal practitioners and members of the public can now obtain details of High Court cases at any time, from anywhere, using the internet. The data in the system is updated every day, and shows the position in each case as of close of business the previous working day.

The system gives access to a wide range of information about High Court cases including the names of parties, name of the solicitors on record, the case record number, court listings and a brief description of the outcome, the types of documents filed and the date on which the court gave its written judgment. The system does not provide information on family law and other 'in camera' cases nor the contents of court orders or affidavits.

Electronic transfer of summonses

During the year, the Service continued to work with An Garda Síochána to develop and implement an electronic interface for the electronic sharing of information and data between both organisations. Arising from this initiative, the Service will receive applications for all summonses electronically. In return the Service will provide electronically to An Garda Síochána details of court schedules and court outcomes for all prosecutions initiated by An Garda Síochána in the District Court. At year end, user acceptance testing of the system had commenced with a scheduled implementation date of mid-2008.

PROVISION OF INFORMATION FOR THE PUBLIC

Improving range of publications

Leaflets on courthouse buildings were published to provide practitioners, jurors, witnesses, victims, litigants and the general public with a range of information including courthouse location and facilities. This project will continue in 2008.

The Service continues to mark the opening of new and refurbished courthouses with brochures for official openings. Brochures were published for the official opening of Tullamore and Bray courthouses in 2007.

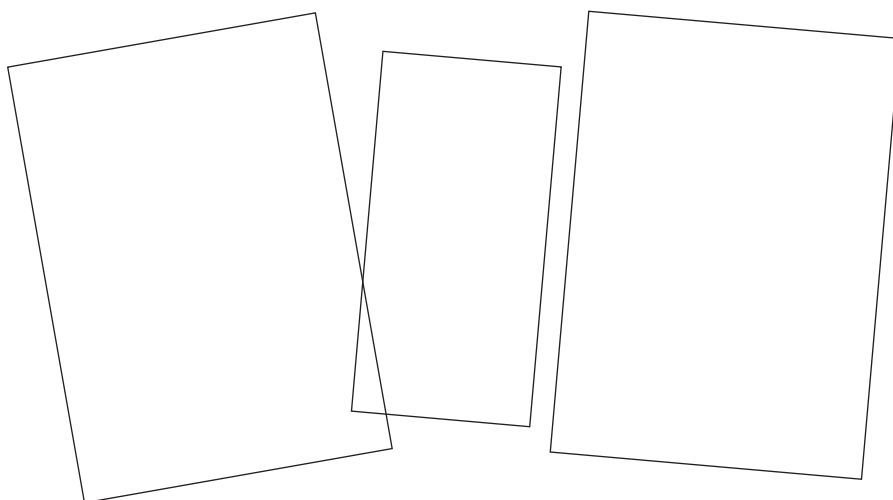
A catalogue of publications available from the Service was updated during the year and made available in hard copy and on the website.

The Service continued to promote publications of other agencies in the justice sector in court offices around the country during the year.

Young citizens

The programme to encourage young people to visit the courts as part of their general education continued in 2007. Visits to the Four Courts continued to be particularly popular with second-level schools. The tour programme includes a presentation on the court system, a discussion with a practising barrister and an opportunity to attend court hearings. Similar visits were organised in all five regions of the Service and involved schools from all parts of the country.

A resource pack for second level students, *Let's Look at the Law* was completed during the year with the cooperation of the Department of Education & Science. The pack is designed to enable teachers who have no previous knowledge of the law to introduce young people to the law and the courts system in Ireland. It comprises a manual for teachers, a series of teaching aids and a DVD. The pack, available in English and Irish, will be presented to the Minister for Education & Science by the Chief Justice in early 2008.



Family Law

Family Law Reporting Project

The Service completed the first year of a pilot project to report on family law. This included the publication of statistics, trends, judgments and reporting on proceedings in family law courts in a series titled *Family Law Matters*. The pilot project concluded with an evaluation report containing recommendations for the future of family law reporting.

In October the Board decided to continue the reporting project for a further year. A committee was established chaired by a judge of the Supreme Court to oversee and review the project. The committee was also asked to consider the recommendations contained in the pilot project evaluation report in so far as they relate to the Service and to make proposals concerning their implementation.

By December 2007 arrangements had been made for the publication of further issues of *Family Law Matters* in March, July and October 2008.

General information on family law matters

The Service continued to consult with a wide range of groups to produce family law information in hard copy and online during the year. At year end work had commenced on the production of improved information on domestic violence, divorce, judicial separation, custody and access. Information on maintenance was updated.

Information on the hearing of family law cases was published in hard copy and on the website. This included an

analysis of and statistics on the number of cases for hearing and orders made by the courts in relation to applications for divorce, nullity, judicial separation, custody and access, maintenance, childcare and domestic violence.

Website

The Service continued to use the website to provide a comprehensive range of information on the work of the courts in English, Irish and a range of other languages including Spanish, French, Chinese (Traditional and Simplified), Polish and Russian. Additions to the site during the year included improved information on a variety of court offices such as the Probate Office, the Office of the Official Assignee in Bankruptcy, the High Court Central Office, family law in the Circuit Court and practice directions. Judgments of the Supreme Court, Court of Criminal Appeal and High Court continued to be posted to the website. Additional court forms were added to the site together with practice directions and improved information for

jurors. Matters of particular interest, including notices and advertisements, were highlighted on the homepage of the site.

The *Legal Diary*, with details of court sittings, hearings and notices, continued to be updated daily during the court terms. In 2007, details of sittings of the Circuit Court in every county became available on the site.

The website was shortlisted at the end of the year in the 'Best State Body' category of the Irish eGovernment awards. This is the second time the site was shortlisted for this award, having been a category winner in 2005. The winners will be announced in March 2008. The awards organised by *Public Sector Times* and *Elucidate*, celebrate excellence in eGovernment and technology innovation in Ireland.

Visits to the site continued to increase during 2007 as month by month comparisons with visits for 2006 indicate (*see page 46*). The October 2007 figure of 139,336 visits was the highest to date.

Total monthly visits to website		
Month	2007	2006
January	103,354	77,530
February	105,740	76,522
March	109,231	84,389
April	103,353	64,416
May	125,590	78,726
June	114,116	69,875
July	129,541	76,119
August	89,147	58,863
September	94,898	63,616
October	139,336	91,086
November	136,752	99,377
December	101,029	73,855

Freedom of Information

In addition to formal requests (see table) a large number of queries under the Freedom of Information Acts were dealt with by telephone, email and through general correspondence requesting information relating to the courts and/or requesting court records. A total of 64 written requests were dealt with outside of the Act and approximately 80 queries by telephone.

During the year deciding officers and appeals officers availed of ongoing training to maintain a high standard of decision making skills.

The Freedom of Information Officer continued to participate in the Public Service Users Network group (PSUN), a group of FOI officers in Public Service bodies who exchange information relation to requests under the Act.

Freedom of Information Acts		
	2007	2006
Requests received	20	16
Access granted / part granted	13	13
Refused	2	1
Transferred / Withdrawn	5	2

Data Protection

In 2007, the policy of the Service in relation to data protection issues was published in an easy to use handbook. The policy is a statement of the commitment of the Service to protect the rights of individuals in accordance with Data Protection legislation. A second handbook containing guidelines for staff was also published. During the year the Data Protection Compliance Officer of the Service dealt with a variety of queries under the legislation.

Jurors

A series of leaflets was published during the year to assist those called for jury service in the Circuit Criminal Court, Central Criminal Court and High Court in Dublin.

Outreach

During the year a variety of organisations availed of tailored outreach programmes. This initiative allows the Service provide information in a targeted way tailored to meet the particular needs of individual groups. The programmes include an opportunity to meet and discuss matters of interest with court personnel including judges, court staff, media relations personnel and barristers together with an opportunity to observe a court hearing.

Media

During 2007 the Service continued to provide a dedicated Media Relations Service as a single reference point and source of information for national and local media including television, radio, internet and print. The Media Relations Service also acted as a conduit between court offices and a wide range of media interests locally, regionally, nationally and internationally.

Over 10,000 queries were dealt with during the year covering a broad range of issues including details of court proceedings, practice and procedure in the courts, statistics on the work of the courts and information to assist with historical research. Over 90% of these media queries were dealt with on the day of receipt.

A number of media releases were issued during the year relating to a wide variety of matters including the opening of courthouses, clarification of inaccuracies, information to inform public debate, updates on building projects and details of major initiatives.

The Media Relations Service continued to work with third level institutions to

organise simulated news days and investigative training programmes. The Media Relations Advisor lectured in a number of third level colleges and other centres of education at undergraduate and postgraduate level in Dublin. The Service also facilitated several visits to the courts together with workshops for journalism students during the year.

The Service will be expanded in 2008 to provide extended hours of availability to the media and the organising of a series of media seminars on law related topics.

Capital Building Programme

The allocation of €540 million under the National Development Plan 2007-2013 enabled the Capital Building Programme to continue at pace in 2007 with the opening of new courthouses, the refurbishment of existing ones and the ongoing planning for projects due to commence in 2008. The implementation of the Capital Building Programme continues to be overseen by the Building Committee. (*see page 14*).

The Courts Service Capital Building Programme

The refurbishment of court buildings has been a major part of the modernisation programme of the Service since its establishment in 1999. Over 50 projects have been completed and over €200 million invested to ensure that facilities meet modern requirements. Most county towns now have four courtrooms with adjoining judges offices, facilities for jurors, office accommodation for staff supported by up to date information technology, legal practitioner's rooms, consultation rooms, victim support rooms, rooms for An Garda Síochána, facilities for the media and holding cells for prisoners. These buildings are designed so that separate circulation is provided for the judiciary, juries, prisoners and the public. Disability access issues have been addressed by way of lifts and ramps and through the provision of induction loops in courtrooms for people with hearing difficulties and the provision of Braille signage where appropriate. In larger towns dedicated family law facilities have been provided including courtrooms, waiting rooms and consultation rooms.

Public Private Partnerships

New Criminal Courts Complex

Construction of the new Criminal Courts Complex, which is being delivered by way of a Public Private Partnership commenced in May and is scheduled for completion by early 2010. At the end of 2007, construction was ahead of schedule. The complex will include 22 courtrooms and ancillary facilities including 33 consultation rooms over 10 floors. There will be much improved facilities for jurors including a dedicated juror reception area, comfortable jury retiring rooms and catering for juries on site. In addition, there will be a suite of rooms for use by victim support organisations. For the first time all of the key stakeholders in the criminal trial process will have a permanent presence on site. In addition to the judiciary and staff, up to 200 barristers will be located in the Complex together with solicitors, staff from the Office of the Director of Public Prosecutions, the Probation Service, the Prison Service and An Garda Síochána. The public and practitioners will be well served by large comfortable courtrooms with good acoustics and good levels of natural light and by public areas suited to a courthouse of this size and national importance.

Other Public Private Partnership Projects

Work continued on the appraisal stage of other public private partnership projects during 2007. Sites were secured in Cork and Letterkenny. Other venues subject to appraisal were Swords and Limerick. The project in Drogheda will proceed as part of a larger decentralisation public private partnership sponsored by the Office of Public Works. Work also continued on site acquisitions for Maynooth, Waterford, Limerick and Swords.

Four Courts Complex

The Criminal Courts Complex Project will address many of the security and service delivery problems associated with the current criminal trial venues in the Four Courts and associated buildings. It will also pave the way for a major redevelopment of the Four Courts as a new Civil and Family Law Courts Complex. A concept for the redevelopment of the Four Courts as a Civil and Family Courts Complex was developed in 2007. The preliminary appraisal was completed and approved by the Department of Justice, Equality and Law Reform. By year end work was well advanced on the detailed assessment.

Projects completed in 2007

New courthouses were constructed in **Bray** and **Belmullet** in 2007.

The **Belmullet** courthouse was a joint development with Mayo County Council. It includes court facilities, a theatre, and offices for the Council and Údarás na Gaeltachta. The courthouse in **Bray** includes two main courtrooms

and a dedicated family law court suite with office accommodation for the District Court office. Modern office accommodation has been provided for the judiciary together with facilities for the legal profession, juries and the public. Secure holding cells with secure access to courtrooms are also provided.

The courthouses in **Tullamore** and **Fermoy** were refurbished. By restoring these 18th century buildings to their original condition the Service helped preserve the built heritage of these towns. Meanwhile, modern court and office accommodation was provided for the benefit of all court users.

The Dublin family law District Courts in **Dolphin House, Dublin** were totally refurbished to provide modern accommodation for the judiciary, staff and all family court users.

Projects in progress at the end of 2007

Construction of new court facilities in **Ardee** neared completion as part of a joint development with the Office of Public Works and Louth County Council.

Construction work continued at **Thurles, Clones, Gorey** and **Blanchardstown**. The courthouse in Thurles is being refurbished and extended with a completion date set for June 2008. Accommodation in Blanchardstown was acquired in 2007. By the end of the year it was being fitted out to provide two courtrooms and all necessary ancillary accommodation. Work will be completed at Clones and Gorey in 2008.

Plans were completed for the refurbishment and extension of

AWARD FOR TULLAMORE COURTHOUSE

Tullamore Courthouse won an Opus Architecture and Construction Award in the Heritage Category in November 2007 for the sensitive refurbishment of the courthouse building.

Kilkenny, Monaghan and **Mullingar** courthouses to provide additional courtrooms and all necessary ancillary accommodation to meet modern demands.

Sites were acquired to provide new courthouses in **Wexford** and **Letterkenny**. The Service is working to acquire additional space at the rear of **Wicklow** courthouse to facilitate a refurbishment and extension of the courthouse. A site for a new courthouse in **Roscommon** was being actively pursued at the end of the year.

Planning was also advanced for the **Swinford, Manorhamilton, Youghal** and **Kilmallock** courthouses.

Projects to commence in 2008

Work will commence on the refurbishment of **Kilkenny** courthouse early in 2008. This major project will provide two additional courtrooms together with modern office accommodation. It will also deliver ancillary facilities required in a county town courthouse including those for family law, juries, legal practitioners, the public, victims, the media, An Garda Síochána and the Prison Service.

Tenders will be invited early in 2008 for the refurbishment of **Monaghan**

Freephone facilities for jurors were introduced in several locations around the country including Cork, Limerick, Tipperary and Waterford.

An example of improved jury facilities was in Carrick in Shannon where a separate entrance to the courthouse was provided for those serving on a jury. This avoided the possibility of contact with witnesses, victims and relatives of accused persons and reduced the risk of trials being abandoned because of inappropriate contact.

courthouse to provide modern facilities. Tenders will also be invited in mid 2008 for the refurbishment and extension of **Mullingar** courthouse.

Health and Safety

In cooperation with An Garda Síochána security in court buildings was reviewed in many major court venues around the country during the year.

Jury facilities

Efforts continued during the year to improve facilities for jurors. All county towns and Four Courts venues have modern public address systems and jury rooms. Jurors are provided with lunch on the days of a trial. As part of the development of the new Criminal Court Complex a dedicated jury dining facility will be provided.

Victims and Witnesses

The Service continued to work to improve the experience of victims of crime as they attend court. During 2007 the system of reserving special seating for victims’ families in murder and manslaughter cases continued in the Central Criminal Court and the Circuit Criminal Court. Special rooms for victims are now available in over 50 newly refurbished courthouses around the country.

The new Criminal Court Complex courtrooms are designed to minimise the proximity of victims and their families to defendants and accused persons. The complex will contain remote video link and victim support and consultation rooms.

EFFICIENT USE OF RESOURCES

Output Statement

Output Statements are a key element of the Budget and Estimate Reform measures announced by the Minister for Finance in Budget 2006. They represent a new level of transparency and accountability across the public service and allow for enhanced Dáil scrutiny of the Estimates process. During 2007 the Service published its first Annual Output Statement.

As part of these initial statements government departments and agencies committed to deliver specific outputs on foot of their 2007 Estimates allocations. The three key outputs identified by the Service for 2007 were (i) commence construction of a Criminal Courts Complex, (ii) establish a Central Accounts Office to handle all District Court financial transactions and (iii) implement an Online Small Claims

system. The progress made to deliver on these projects is referred to elsewhere in this Chapter.

Courts Accounting Project

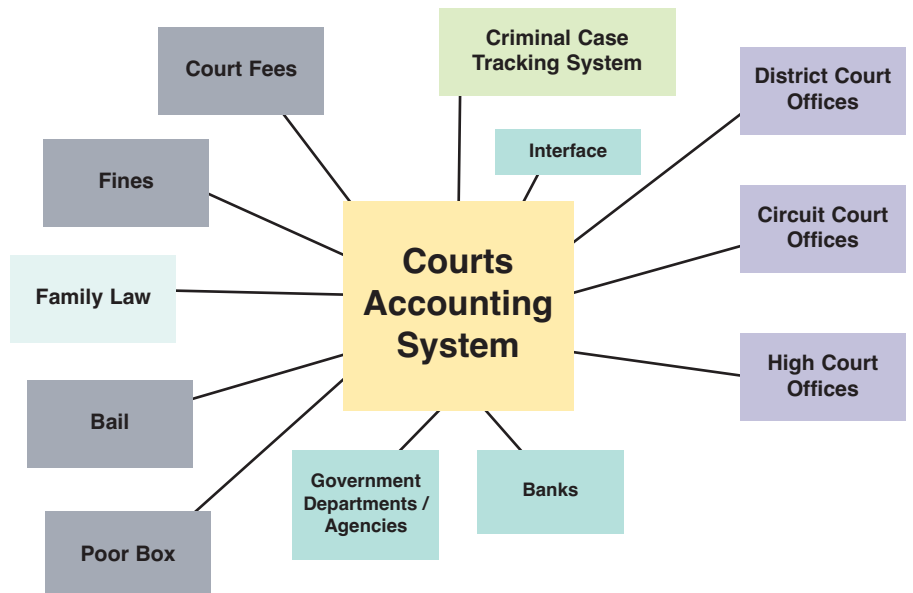
The establishment of the Central Accounts Office is part of the Courts Accounting Project. The project is in turn one of the major change projects of the Service and one of the three key outputs referred to in the Output Statement.

The objective of the project is the establishment of a central processing centre to process the financial transactions of the 42 District Court offices around the country. This will be facilitated by deploying a modern financial accounting system and making optimal use of technology to both improve customer service and efficiencies.

The Courts Accounting Project has demonstrated that customer service and improved organisational performance can be delivered while achieving excellent value for money for the tax payer. There has been significant demand for the electronic payment of family law maintenance directly into bank accounts. Also in 2007 testing was completed on an online payment facility for court fines. This facility will be rolled out in 2008. Roll out of the system to all District Court offices will continue during 2008.

During 2007 significant progress was made on the Courts Accounting Project with the establishment of the Central Accounts Office in February and the successful implementation of the system to a number of locations namely: Sligo, Naas, Drogheda, Galway and a number of offices in Dublin Metropolitan District.

Courts Accounting System



COURT FUNDS

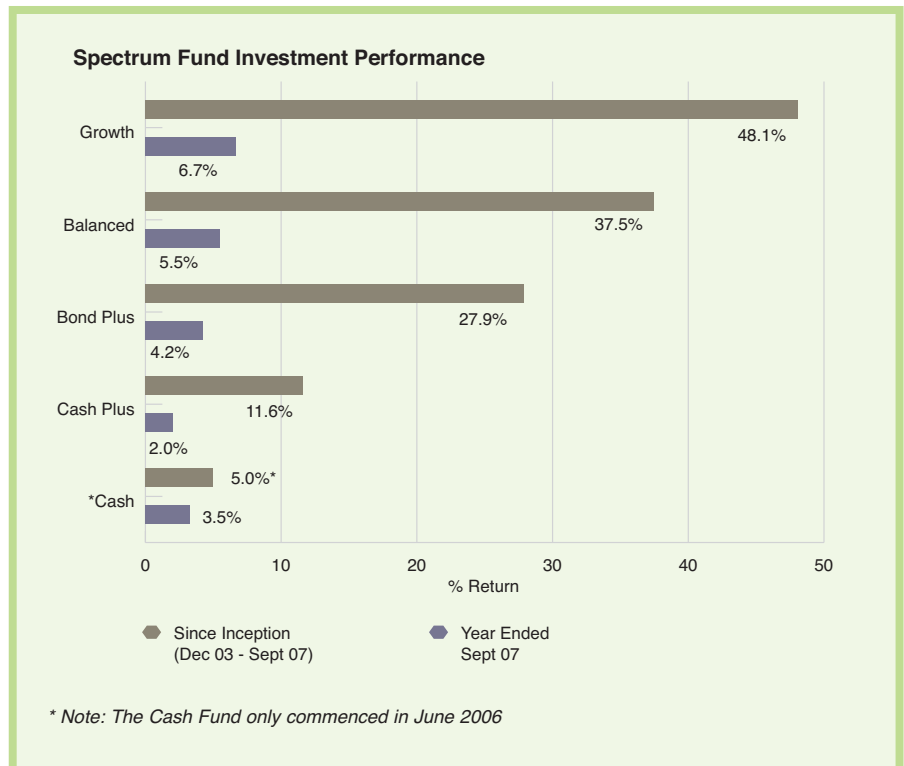
The courts have a custodial role in relation to funds lodged in court pursuant to orders of the courts or in compliance with legislative requirements. The funds held by the courts principally include:

- The funds of persons taken into wardship (Wards of Court)
- Financial awards made by the courts to persons under 18 years
- Lodgments by parties to court proceedings.

The benefits are significant for District Court offices. In particular a significant amount of time spent on accounting related activities is being released to support the core business of the courts.

Management of court funds

Total assets managed by the Office of the Accountant of the Courts of Justice (the Accountants Office) increased to €1.022 billion at the end of September 2007, an increase of €75 million on the previous year. Of the total assets managed by the Office, €899.4 million were invested in Spectrum Funds established in December 2003 as part of the modernisation programme for the management and investment of court funds. €26.3 million of the increase was attributable to gross investment performance. The average investment return for the year ended 30th September 2007 was 3.94% (gross of fees). Investment performance for the year for each of the five funds ranged from 2.02% (Cash Plus Fund) to 6.68% (Growth Fund) net of fees.



Fund Performance (Net of Fees)

During the year very good progress was made in transferring funds from Circuit and District Courts to the Accountants Office. At year end the total assets managed by the Office included €66.6 million from the Circuit Courts and €3.3 million from the District Courts. The transfer of these funds will be completed in 2008.

In October 2007 the Investment Committee initiated a comprehensive review of all aspects of the management and investment of court funds. This review will be completed in April 2008.

The annual financial statements for the Accountant of the Courts of Justice for the financial year ended 30th September 2007 have been audited by Deloitte & Touche, who provided an unqualified audit report. These financial statements have been submitted to the both the Minister for Finance and the Minister for Justice, Equality & Law Reform. Extracts from the financial statements are on pages 121-130.

SUPPORTING STAFF

CHAPTER 5

SUPPORTING STAFF

Well motivated, highly trained staff are the most important resource in the delivery of a world class service. During 2007 a wide variety of courses and programmes were provided to develop and improve staff skills and encourage staff participation at all levels. The management and development of staff was identified as critical to the success of the change programme. This resulted in a particular emphasis on the development of a successful performance management and development system and a determined effort to encourage management and staff to buy in to its success.

In addition to availing of opportunities for development during office hours, many staff were given financial and other support in pursuing out-of-hours courses on a variety of topics relevant to their work.

TRAINING

A training needs analysis for the Service was carried out during 2007. A new training and development strategy was drafted and will be in place in early 2008.

Supporting Staff in Further Education

One of the ways the Service encourages and supports staff to enhance their knowledge and skills is by refunding educational course fees. In 2007, fees were refunded to forty staff. Courses pursued included LLB (Hons) Legal Studies, MA Financial Management and Diploma in Business Studies.

Health & Safety

Fire Warden training was provided for 80 staff during the year. Thirty-five staff in Dublin completed a three day Occupational First Aid course. In the Northern and Western Regions 10 staff were trained as Safety Officers. A Courts Service Health and Safety Co-ordinator was also appointed.

General Training

The Training Unit of the Service continued to organise training courses for all grades during the year.

In addition, staff were encouraged to attend conferences, seminars and workshops relating to their work and professional duties. Events included legal seminars on legislative change, human resource conferences on development in employment law, project management programmes and mediation seminars.

On the Job Training

The vast body of knowledge acquired by staff in the course of their work continued to be a much valued element of the training programme of the Service. During the year offices across all jurisdictions, assisted by the Training Unit, organised seminars and training days to allow experienced staff share and transfer this knowledge to colleagues.

Promoting the Irish language

The Service continued to support staff interest in the Irish language. Staff attendance at courses organised by Gaeleagras was supported by the

Training Unit. In-house Irish training courses were also available. These courses offer training at beginner, intermediate and advanced levels of Irish and will continue throughout 2008.

Henley Management College

The change management/leadership programme *'Managing Change Through Projects'* developed with Henley Management College continued in 2007. A third group of senior managers attended the programme. Its objective is to provide managers with the skills to effectively manage the Service's ongoing projects in a manner that realises identified business benefits. By year end 50 staff had completed the programme.

DEVELOPMENT

Performance Management and Development

During 2007 the Performance Management and Development System was fully integrated and aligned with other human resource management systems including promotions, increments, training and career development. Training in the operation of the new approach was delivered to staff during the year.

Work on an electronic performance management and development records system commenced during the year. The new system which will be available in early 2008 will allow staff to create, save, approve, sign off and file forms electronically. It will replace the existing paper based system saving considerable time and resources for the Service.

Promotion

All staff promotions continued to be achieved by process of competitive interview in 2007. A total of 256 staff were interviewed with over 100 placed on promotion panels.

SUPPORT

Employee Assistance

The Service continued to provide an employee assistance service during the year. The service is an in-house counselling, information, support and referral service. It helps staff to manage or resolve work-related and personal difficulties which, if left unattended, may adversely affect attendance, work performance and quality of life. The Employee Assistance Officer (EAO) is an accredited psychotherapist and group therapist who consults with and provides support to managers dealing with sensitive staff welfare issues.

During 2007, the EAO continued to organise monthly information talks during the lunch break. Topics covered included probate, collaborative law in family law matters, pensions and drug awareness.

Work Life Balance

The Service continued to offer staff a range of flexible working arrangements including term-time and flexi-time during the year.

CONSULTING WITH STAFF

Partnership

The Central Partnership Committee chaired by the Chief Executive Officer continued to address issues of interest and concern to the Service at eight meetings during 2007. Regional Partnership Committees dealt with a range of issues including disability and accessibility obligations, developments in customer services, health screening, technical training, performance management and issues of health and safety.

Regional Partnership Committees continued to meet regularly during the year affording staff and management the opportunity to deal with a range of local issues.

In May 2007, Regional Partnership Committees were consulted for views on how the Service might improve the partnership process. A report on the exercise will be considered by the Central Partnership Committee in early 2008.

ASSISTING STAFF WITH DISABILITIES

The Service continued to assign a Disability Liaison Officer in 2007 to assist staff. The necessary organisational and technical supports were evaluated and are now in place to facilitate the employment of persons with a disability and to support existing employees with disabilities.

DECENTRALISATION

The Government's decentralisation programme continued to impact on the

Service in 2007. Twenty-seven staff transferred to decentralising departments under the terms of the programme.

STABLE INDUSTRIAL RELATIONS

The Service continued to enjoy a constructive and productive working relationship with the trade unions who represent staff. Through the combined use of the partnership process and the Conciliation and Arbitration Scheme a positive industrial climate continued to be maintained.

The ambitious programme to modernise the courts outlined in the Strategic Plan and restated in the *Towards 2016* Action Plan owes much of its continued success to the support of the staff and the staff trade unions. There were no working days lost due to industrial disputes in 2007. This harmonious industrial relations climate has been instrumental in encouraging staff to become, and remain, involved in the many projects, large and small, underway throughout the Service.

SOCIAL AND VOLUNTEERING

Staff continued to be involved in many activities outside of the workplace. The skills they acquire continue to be used to great effect within the Service. From sport to the arts, from travel to a variety of courses and projects, the Service continued to benefit in 2007 from talents and skills honed across a varied field of events.

Choir

The choir of the Service performed at the Mass to celebrate the commencement of the Legal Year in October and at several staff events during the year.

Retired judges and staff

The Service acknowledges the contribution made by those judges and staff who have retired, many following long years of service. Social events including a '*Summer Evening*' in June and a Mass and function in November were organised. These events afforded retired judges and staff to opportunity to meet each other and to spend time with serving judges and staff. Similar events will be organised in 2008.

Sports

Staff continued to be involved in a wide range of sporting activities including golf, soccer, Gaelic football and hurling, basketball, walking and mountain climbing. The sports club of the Service organised a number of events for the benefit of charitable organisations.

