

Policy Statement on the

Use of Courts Service property for non-court purposes

1. Introduction

This notice outlines a new formalised policy on the use of Courts Service property for non-court purposes, which is set out in a protocol. It aims to give guidance to managers in making decisions on requests for the use of court property for purposes that are not directly related to the running of court business. It also covers access for filming on court property.

2. Protocol on the use of Courts Service property for non-court purposes

The Building Committee of the Courts Service Board has approved the attached protocol and you are asked to begin handling requests for the use of Courts Service property in accordance with it. The protocol provides guidance on what would be considered appropriate and inappropriate uses of Courts Service property. The protocol sets out the procedures for making an application and includes an application form to be completed by persons or bodies wishing to use Courts Service property. It also includes a form of revocable licence which can be granted where the use of the property is approved. The decision on an application will be made by the Regional Manager or, in Dublin, by the Head of the Estates & Buildings Unit.

Other matters covered by the protocol include:

Use of Courts Service property by other State bodies – the protocol provides that the Courts Service will facilitate the use of its facilities, in particular by State adjudicative bodies, such as Coroners, the Labour Court and the Employment Appeals Tribunal, subject to such use not interfering with Court business.

Record of application – the protocol provides that a record of applications received will be maintained by Regional Offices and the Estates & Buildings Unit for the buildings which are their responsibility.

Notification - the Chief Executive Officer and the Chief Justice should be notified in advance of permissions granted for use of the Four Courts or of the Criminal Courts of Justice.

Costs and payment - the protocol includes a fee for the use of Courts Service property. For commercial bodies this is set at €1,000 per day for the use of the Four Courts or the CCJ and €500 per day for other buildings. There is no charge for use by non-commercial public bodies and community and voluntary bodies. There is also scope for the charge to be reduced or, in exceptional circumstances, waived. However in all cases any additional costs incurred by the Courts Service in providing the facilities, such as additional cleaning or extra attendance of staff out of normal working hours) is recoupable.

3. Other uses of Courts Service property

There may be other situations where access is sought across Courts Service property, such as to access an adjoining property, for car parking, or for temporary access during a construction project.

It is essential that any such access granted is properly documented, otherwise long term rights may by default accrue to the other party which could have detrimental effects on the operation, or even the ownership, of the court property.

It is recommended that any request for such use of property should be dealt with in accordance with the protocol with the effect that any access granted is for a specific purpose, is temporary and is granted by way of a written revocable licence.

It is recommended that any existing informal arrangements of the type referred to above should now be formalised. Details should be supplied to the Estates & Buildings Unit.

4. Questions

Any questions on the contents or application of the protocol should be addressed to the Head of the Estates and Buildings Unit.

Paul Burns
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