



Courts Service Board Meeting Minutes

**Minutes of the Meeting of the Courts Service Board 13 June 2022 @ 2p.m.
Hybrid meeting in the Ashling Hotel and on Zoom**

A Quorum was reached.

1. Minutes & Redacted minutes of meeting of 28 March 2022

The Minutes of the 28 March 2022 were agreed.

2. List of ongoing Actions:

REPORT	SUBJECT	DECISION / ACTION	RESPONSIBILITY
N/A	Role of the Board and boundary lines between the Courts Service, the judiciary, and the Board.	Paper is being prepared by the Executive and Chair and will be available to the Board in advance of the next meeting.	Chair/ CEO/ Secretary
N/A	Resources and Judicial numbers an important issue and needs to be kept under ongoing review.	Resources and Judicial numbers to be added as an Agenda item.*	Chair/Secretary
10/2021	Board effectiveness review	Proposals for the formal performance review process for the Chief Executive to be re-visited.	Chair/Secretary
56/2021	Board effectiveness review	An update from the small working group chaired by President Birmingham was provided at the meeting. It was agreed that the induction documentation include an organization chart. A final report shared with the Board and attached.	Working group
N/A	Condition of Children's Court Building in Smithfield	Works planned for the Easter break may take longer than initially envisaged and may be postponed until August to ensure completion without disrupting Court sittings. Update: EMU and the Dublin Combined office have confirmed that works will take place in the Children's Court Public toilets from 2nd – 26th August. The Children's Court (Court 55) sits each Tuesday and Thursday throughout August to deal with new custody and/ or time sensitive matters. 8 sittings will be impacted by the works and therefore the Court will relocate to Blanchardstown District Court on those specific dates. Blanchardstown Courts do not sit throughout August and so no adult cases will be listed. The Children's Court Office will remain in	Chief Executive



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		operation in Smithfield for administration purposes, with the assistance of Blanchardstown Court Office on the 8 Court dates.	
39/21	Operational Committee	Working group is being considered.	Chief Executive/ Secretary
N/A	Sustainability	An update on Sustainability to be brought to the Board to the next meeting and then to be removed. Update: Due to annual leave this item is proposed for the next meeting in the autumn, date to be agreed.	Chief Executive

* The impact of the work of Judicial Planning Review Group and the work of the OECD on judicial numbers and on the Courts Service was discussed as part of the risk reporting later in the meeting.

3. Audit and Risk Report (Report 18.2022) delivered by Deirdre Kiely, Chair of the Audit and Risk Committee and Board member and Risk Register report (Report 19.2022 plus Appendices) delivered by John Cleere, Assistant Secretary, Corporate Services Directorate.

Ms. Kiely presented the Audit and Risk Report from the Audit and Risk Committee to the Board. Ms. Kiely noted that further work was required to determine whether there had been an issue with papers being processed on the CCTS and this was under review by the Committee.

Ms. Kiely reported that the potential delay with the commencement of the Assisted Decision Making Capacity (AMDC) Act 2015 had been flagged as a risk by the Committee. The main risk identified is to the ongoing position of the funds and should this become a longer-term situation. In the year before the due date of the commencement of the Act a de-risking strategy was quite rightly applied to the funds. However, this approach wouldn't be recommended for the longer-term and therefore further delays to the commencement of the Act causes a risk to this approach on an ongoing basis. The Audit and Risk Committee has requested a further update on the various risks involved with the ADMC Act at its next meeting on 18 July 2022.

The potential reputational risks in relation to the Haughton report were also mentioned. The report is currently with the Department and Minister of Justice.

Ms. Kiely with Mr. John Cleere brought to the attention of the Board two risks which are being added to the Corporate Risk Register, the first being the risk that the Courts Service will not be ready to provide support following the appointment of additional judges. Additional judges are expected following the work of the Judicial Planning Working Group and the OECD on judicial numbers. The Board discussed the risk, recognising that the additional numbers would be a positive outcome. Emphasis was placed on using positive wording in relation to the importance of the Courts Service being able to support an increase in judicial numbers and capturing that on the Corporate Risk Register. This is important as the Courts Service do not want financing and resources to become an impediment to the appointment of additional judges but both must be adequately resourced to provide the appropriate support services. It was agreed in relation to this risk the wording would focus on the Courts Services' ability to effectively manage the appointment



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of additional judges.

The challenges to supporting additional judges such as securing funding and resources from the Department of Public Expenditure and Reform and finding premises were also discussed.

The second risk discussed was the high number of vacancies and the challenge presented by relying on PAS who are struggling, with the current labour market, to recruit. Failure to fill new and vacant posts in a timely manner, due to the current challenging recruitment market and its impact across operations and modernisation was identified as a new high risk on the Corporate Risk Register.

The Judicial Appointments Commission Bill 2022 which identifies the Courts Service Chief Executive as the Accounting Officer for the Judicial Council, and for the Judicial Appointments Commission was also discussed. The Corporate Risk Register will capture as a medium financial risk the potential inability to address the financial and governance arrangements that are likely to arise as a result of the changes to the Courts Service Vote.

4. The Estate strategy presentation and document (Report 20.2022 and 21.2022) were presented by John Cleere, Assistant Secretary, Corporate Services Directorate with Brendan Shiels joining the meeting.

Mr. John Cleere presented the Estates Strategy 2022 -2025, including the process involved in developing the strategy and provided an overview with Mr. Brendan Shiels. The strategy was explained as a top-level document setting out the direction for the next number of years to support the modernisation agenda without over prescribing the detail. Mr. Cleere confirmed user needs, public transport and geographical layout would all form part of the venue review and have not been prescribed in the strategy. Mr. Cleere confirmed that the strategy was carefully developed so that it should not restrict decisions taken at project or venue review level. A number of the Board members stressed the importance of user and local needs being properly considered as part of the venue review.

A discussion was had recalling that the terms of venue review had been discussed originally by the Board in 2020. Although for some it felt like the same discussion was being held again, it was recognised that the venue review would now be part of the implementation of the strategy. The Board agreed with the adoption of the strategy as per the Building Committee approval.

5. Modernisation Programme Committee Update (Report 23.2022), Modernisation Programme Status Update (Report 22.2022) and CEO Quarterly update (Report 24.2022) delivered by Ms. Angela Denning, CEO, The Courts Service

Ms. Denning provided an update on the Modernisation Programme confirming that the programme was on target and on budget, with very good engagement from the various stakeholders. Ms. Denning also confirmed that the Circuit and District Court Offices which have been assigned as the new offices for the ADMC Act 2015 have been working away, as have the Wards of Court Office preparing for the commencement of the Act. Ms. Denning referred to the previous discussion on the impact of delays to the commencement of the Act and that the offices were continuing to prepare.



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Ms. Denning provided an update on the vacancies across the organisation as a result largely of retirements and mobility which slowed down during the two years of the pandemic and is having an impact now. The Courts Service is carrying 125 vacancies, plans have been put in place to manage these vacancies including local recruitment campaigns for Clerical and Executive Offices which have been going very well. An internship programme is also in place, which has seen 50 interns recruited with options to interview for Executive Officer positions after one year.

Ms. Denning also provided an update on two recent visits by the Minister of Justice to Waterford Court House and Dolphin House – which provided examples of the improvements required to family law and showed how investment can result in excellent facilities for court users.

Ms. Denning confirmed in relation to Tralee Courthouse that a letter from the Kerry County Council in relation to the matter of the current site and a proposal for the Island of Geese site had been received. Ms. Denning confirmed that a meeting with the CEO of Kerry County Council was being sought and that the Courts Service was in ongoing talks on the matter.

The Board discussed the situation where one party is in Court to pay child maintenance but doesn't appear. Later as a result of the execution of a benchmark by the Gardaí they appear in Court but the other partner isn't present as they haven't been made aware and the case then has to be adjourned again. The Courts Service executive are following-up with the Family Justice oversight group and the Family Law Reform programme on Modernisation.

6. Induction refresher course was facilitated by Tom Ward from the IPA with the Board

7. AOB

Under AOB Ms. Maura Howe, the Head of Communications and the Office of the CEO and secretary to the Board sought agreement from the judicial Board members to allow the lay members to see their email addresses. The judicial members agreed as this will permit Ms. Howe to send calendar invites etc. Ms. Howe also took the opportunity to remind the Courts Service Board of the invitation to the opening of the Decade of Centenaries exhibition and Four Court 100 tours on Friday 24 June 2022.

Under AOB Mr. Justice Tony O'Connor thanked President Irvine for her work and collegiality as a Board member ahead of her retirement. The Chief Justice, CEO of the Courts Service and various Board members agreed and supported Justice O'Connor's words and wished President Irvine well in retirement.

8. Next meeting: Remote Meeting on Monday 18 July 2022 at 8am

Ends.



An tSeirbhís Chúirteanna
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