

MEETING OF THE COURTS SERVICE BOARD

8th April, 2019

The Courts Service Board met on 8th April, 2019.

Minutes and Documentation from Committees of the Board

The Board noted minutes and reports of meetings of Committees of the Board as follows

- Minutes of the Finance Committee Meeting, 28th January 2019
- Minutes of the Family Law Court Development Committee, 21st January 2019
- Minutes of Building Committee 23rd October 2019
- Minutes of Audit & Risk Committee, 28th January 2019 and Report on External Quality Assessment of the Internal Audit Unit

The Board considered and approved the following Reports:

Report on Membership of the Board and Committees of the Board

The Board noted and approved

- the election of Judge Conal Gibbons to the Board to replace Judge Gerard Haughton as the elected representative of the Judges of the District Court and the election of Her Honour Judge Alice Doyle to replace Judge Doirbhile Flanagan as the elected representative of the judges of the Circuit Court
- the appointment of Judge Marie Quirke to the Family Law Court Development Committee to replace Judge John O'Connor and
- the Judge Sarah Berkeley to the Family Law Court Development Committee as the nominee of the President of the Circuit Court.

Annual report of the Audit and Risk Committee 2018

The Board considered the Annual report of the Audit & Risk Committee 2018 which set out the activities, priorities and issues for the Committee in 2018 and the priorities for 2019. Key issues for the Committee in 2017 included

- ICT Governance

- Dormant Funds
- Procurement and Contract Management
- Court Poor Box
- Sherriff Function and
- Family Law Maintenance payments

The Committee were pleased to note that the Courts Service received unqualified audits for the C&AG Audit of the Courts Service 2017 appropriation Account and the external audit of the Financial Statements of the Accountant of the Courts of Justice for the year ended 30th September, 2018. The Committee were also satisfied that the Internal Audit function was operating effectively.

Report on Expenditure 2018 and Budget 2019

The Board considered the Report on Expenditure and Budget 2019, as circulated. The Board noted:

- **Financial position to end February 2019** – Gross expenditure to 28th February 2019 was €18.184m, compared with a budget of €20.777m, showing a gross underspend of €2.593m. This underspend is made up of an underspend on Pay of €0.214m, Non Pay of €0.559m and Capital of €1.821m. At this early stage in the year variances are largely timing related. Appropriations in Aid (Income) to the end of February shows an excess against profile of €0.447m. which again is largely timing related at this stage. The payroll budget continues to be a major focus of attention and expenditure is closely monitored. Vacancies are being filled as quickly as possible and a recruitment drive is underway for specialist posts such as a Health and Safety Manager, an Energy Manager, Judicial Research Managers.
- **A review of Court Fees** is underway at present and will be brought to the June meeting of the Committee and the Board for consideration. The last review of court fees took place in 2012 and the review will take account of inflation and will also provide an opportunity to streamline the fee structure. It is a function of the Board to recommend fees to the Minister for Justice and Equality and a report will be brought to the June meeting of the Committee.

Presentation by Mr. Peter Mullan, Head of Circuit and District Court Operations.

The Board considered and noted the Presentation by Mr. Peter Mullan, Head of Circuit and District Court Operations in relation to the remit and role of his Directorate and key issues and projects for 2019 as follows:

- The Circuit and District Court Operations Directorate is comprised of 619 staff in offices in Dublin and 33 offices outside of Dublin including 4 Regional Managers (POs) and 3 POs in Dublin. It supports all civil and family law business in Circuit and District Courts and criminal business across all jurisdictions. The Directorate has a budget of circa €45m - Pay €29.8m. and Non Pay of €15.5m excluding PPP payments.
- The Directorate assesses and advises the Department of Justice and Equality on the implications and development of legislation and procedures and provides management information and statistics to the Department in relation to queries, Parliamentary Questions etc. It monitors and compiles reports on case number statistics and waiting times.
- A Business Support Unit supports staff in offices across the organisation to ensure consistency of implementation of and compliance with procedures and legislation. The Directorate engages with all key stakeholders including the criminal justice agencies, An Garda Síochána and the Department and takes part in key strategic committees including the Criminal Justice Operation Hub Project Board which is chaired by Mr. Mullan.

Key projects underway at present include the development of

- projects under the Criminal Justice Operation Hub which will allow data sharing by agencies in the criminal justice sector to support efficiencies in the system, improve process and inform criminal justice policy. .
- ELicensing with eRegisters already in place, Phase 1 successfully completed with over 450 applications dealt with on line and Phase 2 extending the pilot allowing for end to end consistent electronic processing of licencing applications to all solicitors in 3 District Court areas, underway
- Implementation of the recommendations arising from the Combined Office Review which includes the development of a centralised office in Castlebar to deal with service of foreign documents and administration of jury summonses; the roll out of a new management structure with clarified role profiles; review and enhancement of the customer service charter and the development and roll out of new court registrar induction training and other development training for staff.

The Directorate also supports the Family Mediation Service in partnership with the Legal Aid Board in Dolphin House and in Carlow. The Carlow project will be the subject of a research project by Maynooth University which will allow the effectiveness of the project to be measured.

Other major operational areas within the remit of the Directorate include the

- Management of the CCJ supporting up to 22 courts daily
- Dublin Civil and Family Combined Office with circa 100 staff supporting up to 22 courts daily

- Regional Offices which manage a budget of approx. €1.5m and in addition to providing support for offices and staff within the regions, engage with and support buildings and contract management, Health & Safety, liaison with key users and drive the introduction and implementation of strategic organisational initiatives in court offices.
- Management of the 7 new PPP courthouses
- Maintenance and review of court venues

The Chairperson thanked Mr. Mullan for his presentation.

Chief Executive Officer's Report

The Chief Executive presented his report as circulated, which was considered and approved by the Board. The Chief Executive briefed the meeting on some of the major issues outlined in his report including:

- **Appointment of a new Chief Executive** - the recruitment of a new Chief Executive is underway and interviews will be held in May. A report and recommendation will be brought to the June Meeting of the Board.
- **Organisational Capability Review** - the Government has noted the Report and Action Plan which will now be published on the Courts Service website. Work on the implementation of the Action Plan is already underway and the Board will be kept informed of progress in this regard.
- **Customer Complaints process** - dedicated Customer Complaint Liaison Officers are in place in each Directorate and across the regions to investigate complaints and liaise with complainants. 62 valid complaints were received in 2018 which were dealt with in accordance with procedures. The Complaints process does not deal with complaints in relation to the conduct of or decisions made in relation to court business which is a matter for the judiciary.
- **Human Resources** – continues to raise the profile of the organisation in the market place through external recruitment competitions
- **Learning and Development** - the Annual Report for 2018 was circulated at the meeting and sets out the major progress being made in the implementation of the L&D Strategy. Key achievements during the year include a focus on technical training, expanded induction, developmental and coaching programmes; specialised training and the development of L&D Connect which supports e-Learning. There was an 18% increase on training days per employee in 2018 over the previous year. Work has commenced on the development of the next 3year L&D strategy which will be brought back to the Board. The Annual Report of the Learning and Development Unit was circulated at the meeting.

- **ICT** - the review of ICT governance, structures and capability will be completed shortly and the report will inform the development of ICT in the future - a report will be brought to the Board in the matter. Significant progress has been made in relation to ICT infrastructure and systems including the provision of a new Firewall, Supreme Court Leave to Appeal system in operation, Legal Cost Adjudicator project to be completed by July, eLicencing electronic registers available and the roll out of the system to all solicitors in pilot counties underway, development of Bankruptcy Conversion Project Phase 2 and two projects under the Criminal Justice Hub - Charge Sheets and Court Lists to be progressed. Video conferencing solutions have been put in place in the Family Law courts in Dolphin House arising from the requirements of the Domestic Violence Act 2018 and the Digital Workplace for judges will be piloted with judges across jurisdictions by the end of this week to test the proof of concept.
- **Court Buildings** - the 7 PPP projects are in operation and working successfully, the acquisition of a site in Portlaoise is nearing completion and work to find a suitable site in Galway is continuing.
- **Judicial Assistants** –the new Head of Research and Library Services for the Judges has taken up duty and a competition is being held for Legal Researchers at Assistant Principal level to support the development and management of services.
- **Probate Service** - work on the implementation of the recommendations of the Probate Review is progressing. The level of delays has been reduced to 3 weeks for applications from solicitors. Given that there are now no significant delays, it is considered that there is no longer a business need to remove the call in facility for practitioners at the Seat Office and the Project Board agree with this approach. An online system in relation to the tax returns required for a Probate Application is being developed with the Revenue Commissioners under a joint project Board.
- **Reform and Development** - the Head of Reform and Development, Mr. Noel Rubotham has retired and a competition to fill the post is underway. The Chief Executive and Board expressed appreciation for the sterling service provided to the Courts and the Courts Service over the course of his career.

[Long Terms Strategy for the Courts Service](#)

The Board considered a progress report on the development of a 10 year strategy for the Courts Service including issues such as the delivery of digital services to enhance access to justice. Work on the draft strategy is continuing and it was agreed that a special Board meeting would be held on 27th May to consider the document.

Corporate Risk Register and Risk Management Policy

The Board considered and approved the Annual Corporate Risk Register and Risk Management Policy for the organisation.

Extension of Investment Advisory Service

In accordance with the Board Governance procedures, the Board considered and approved the proposed extension for a 1 year of the existing contract with AON for the provision of Investment Advisory Services.

Extension of Contract for the maintenance support and installation of video link and evidence display.

In accordance with the Board Governance procedures, the Board considered and approved the proposed extension for a 6 months of the existing contracts with Context and Translation.ie for the provision of Interpretation services. A procurement is underway at present and should be completed within this period.

Board Self- Assessment Evaluation

The Board considered the Report which set out the findings of the Self-Assessment Evaluation of the Board carried out by members.

The members rated the performance of the Board on a scale of 1 - 5 (where 5 = outstanding) across a range of categories relating to the structure, membership, operation, meetings and governance of the Board. Overall the Board scored 4 or higher in all categories except Board effectiveness which scored 3.8. Board members also provided comments which are being treated confidentially to ensure members remain open to providing comments and suggestions in the future.

The Board discussed the report and noted that overall the outcome of the exercise is very satisfactory. The Board discussed the findings generally in the context of the focus for the Board is developing its strategic function for the future.

Contract Register

The Board noted the Contract Register which set out the contracts entered into by the Courts Service since the previous meeting.

ATTENDANCE

Present: The Hon. Mr. Justice Frank Clarke, Chairperson
The Hon. Mr. Justice George Birmingham
The Hon. Mr. Justice Peter Kelly
The Hon. Mrs. Justice Elizabeth Dunne
The Hon. Mr. Justice Michael Peart
The Hon. Mr. Justice Seamus Noonan
The Hon. Mr. Justice Raymond Groarke
Her Honour Judge Alice Doyle
Her Honour Judge Rosemary Horgan
Judge Conal Gibbons
Mr. Brendan Ryan
Mr. Michael Quinlan
Mr. Damien Downey
Ms. Carol Baxter
Ms. Karen Kiernan
Ms. Patricia King
Ms. Deirdre Kiely

Apologies: Mr. Micheál P. O'Higgins S.C.

Officials Present: Mr. Peter Mullan, Head of Circuit and District Court Operations
Ms. Marie Ryan, Secretary