



An tSeirbhís Chúirteanna
Courts Service

Courts Service Board Meeting Minutes

Minutes of the meeting of the Courts Service Board 26 September 2022

Present:

- The Hon. Mr. Justice Donal O'Donnell, Chairperson of Courts Service Board
- The Hon. Mr. Justice George Birmingham, Board Member
- The Hon. Ms. Justice David Barniville, Board Member
- The Hon. Mrs. Justice Elizabeth Dunne, Board Member
- The Hon. Mr. Justice Tony O'Connor, Board Member
- The Hon. Mr. Justice Patrick McCarthy, Board member, Chair of Building Committee
- The Hon. Ms. Justice Patricia Ryan, Board Member
- Her Honour Judge Alice Doyle, Board Member
- His Honour Judge Paul Kelly, Board Member
- Judge Alan Mitchell, Board Member
- Ms. Angela Denning, Board Member
- Ms. Deirdre Kiely, Board Member, Chair of Audit & Risk Committee
- Ms. Karen Kiernan, Board Member, Chair of Family Law Development Committee
- Ms. Patricia King, Board Member
- Ms. Michele O'Boyle, Board Member
- Mr. Doncha O'Sullivan, Board Member
- Ms. Hilary McSweeney, Board Member

Also in attendance

- Maura Howe, Secretary to the Board
- Deirdre Doyle, Secretariat
- Mr. John R. Cleere, Head of Corporate Services
- Ms. Denise Cole, Head of HR
- Mr. Owen Harrison, Head of ICT
- Ms. Audrey Leonard, Head of Strategy & Reform
- Mr. Peter Mullan, Head of Circuit and District Operations
- Mr. Tom Ward, Head of Superior Courts
- Mr. Kevin Fidgeon, Manager, Criminal Courts of Justice, SMT PO representative

Apologies

- Vacancy with Bar Council nominee of Bar Council vacancy

A Quorum was reached.



Courts Service Board Meeting Minutes

1. Minutes & Redacted minutes of meeting of 18 July 2022

The Minutes of the 18 July 2022 were agreed. A query was raised regarding the format of the redacted minutes, which the Secretary will follow up on (**Action: CSB 47/22**). Approval of the redacted minutes was deferred until the next meeting.

2. Meeting actions and decisions:

Action No.	Report	Action / Decision	Update/ Status	Responsibility	Due date
Meeting actions					
CSB 47/22	Minutes	Secretary to double check format for redacted minutes, approval of minutes of last meeting to be deferred until next meeting.	For discussion	Secretary	November meeting
CSB 48/22	36/2022	Estates Strategy Venue Review criteria to be reviewed and agreed by the Building Committee and then sent to the Board	For update by Chair of Building Committee	Head of Corporate Services and Chair of Building Committee	
CSB 49/22	SMT presentations	Head of Corporate Services agreed to follow-up with OPW regarding reinstating access to the Four Courts through the main doors.	In progress	Head of Corporate Services	November 2022
CSB 50/22	SMT presentations	Head of Corporate Services agreed to follow-up on on the availability of detailed data on outstanding fines.	In progress	Mr. John Cleere	November 2022
CSB 51/22	Workplan presentation	Finalised workplan for 2023 to include Mondays only to be brought to the next meeting for finalisation.	For consideration	Secretary	November 2022
CSB 52/22	Workplan presentation	Research Sharefile as a viable option for the Board for all members.	In progress, Secretary to report Dec meeting	Secretary	End of year
CSB 53/22	Board self-assessment review	Set-up working group in early 2023 to look at establishing a new Board and to discuss Board composition.	For agenda early 2023	Secretary	Start of 2023



Courts Service Board Meeting Minutes

CSB 54/22	Board self-assessment review	Develop a cover sheet template for all Board papers to outline item type, purpose, overview and request to the Board.	For approval	Secretary	November 2022
CSB 55/22	Board self-assessment review	Develop a revised/ tailored self-assessment for the Board to be circulated by the end of year.	In progress, for circulation by year end	Secretary	End of year
Meeting Decisions					
CSB 56/22	38/2022	Internal Audit Charter approved	n/a		
CSB 57/22	39/2022	Draft report approved	n/a		
CSB 58/22	Workplan presentation	Administrative changes agreed	n/a		

Full action log can be seen at appendix 1.

Meeting decisions.

- Internal Audit Charter was approved by the Audit and Risk Committee at its meeting of 21 March 2022. The Charter was approved and adopted.
- Draft Annual Report to the Minister 2021- Compliance with Code of Practice for the Governance of State Bodies - report approved
- Agreement to proposed administrative changes

3. Modernisation Committee update (Report 35/2022)

The Chair of the Modernisation Committee, The Hon. Mr. Justice Donal O'Donnell, presented the report as circulated. There were no decisions required from the Board at this time.

4. Building Committee update (Report 36/2022)

The Chair of the Building Committee, The Hon. Mr. Justice Patrick McCarthy presented the report as circulated, discussions and actions included;

- Discussions on the planning work for Hammond Lane, Galway Courthouse and the planned venue review.
- It was confirmed that the venue review criteria would be considered by the Building



Courts Service Board Meeting Minutes

Committee and would then be considered by the Board (**Action CSB 48/22**).

- It was noted that the Courts Service were recipients of the “Client & Service Provider of the Year” award at this year's Facility Management Awards, a recognition of the hard work of the Estates Management Unit Team.

5. Energy Planning Group Update (Report 37/2022)

Mr. John Cleere, Head of Corporate Services joined the meeting for this item.

Mr. Cleere presented the briefing note as circulated and advised the Board of the purpose and activities of the group. It was agreed that the Head of the Sustainability Unit will provide an update to the Board re the work of her unit at its next meeting. (**Action CSB 44/22**).

Discussions took place concerning the volatile energy situation and rising utility costs.

6. Internal Audit Charter (Report 38/2022)

Ms. Deirdre Kiely advised the Board that the updated Internal Audit Charter was approved by the Audit and Risk Committee at its meeting of 21 March 2022. The Charter was approved and adopted.

Decision: The Board approved the updated Charter.

7. Draft Annual Report to the Minister 2021- Compliance with Code of Practice for the Governance of State Bodies (Report 39/2022)

Ms. Denning presented the report as circulated and advised the Board that in accordance with Section 2.6 of the Code of Practice for Governance of State Bodies 2016, the Chairperson of each State body is required to furnish to the relevant Minister in conjunction with the annual report and financial statements of the State body, a comprehensive report providing details of the system of internal control and affirming that all appropriate procedures for financial reporting, internal audit, remuneration, travel, procurement and asset disposal are being carried out.

Decision: The Board approved the report

The Board had requested copies of the report made by the SMT to the JPWG. Following



Courts Service Board Meeting Minutes

clearance by the Chair of the JPWG, Ms. Denning confirmed she had redacted copies of the report for each member of the Board and would circulate them during the tea break.

9. Senior Management Team Update

Members of the SMT attended the meeting for this item, each Head of Directorate provided a short update as follows;

• Ms. Denise Cole - Human Resources

Ms. Cole provided a short presentation to the Board; giving an overview of the organisation's People and Organisation Strategy, the challenging recruitment environment and the activities being undertaken to recruit staff.

A discussion took place which highlighted the numbers of Courts having to be cancelled due to insufficient judicial resources and the impact this is having on those needing access to justice.

• Mr. Peter Mullan – Circuit and District Court Operations

Mr. Mullan gave a short presentation to the Board which focused on

- Modernisation 2022 - the e-Charge Sheet project, improvements to the statistical information and the planning in place for the Assisted Decision Making Capacity Act (ADMC). A discussion took place concerning the 9 ADMC office locations.
- An overview of operational activity and waiting times.
- An overview of various Modernisation projects scheduled for 2023.
- Additional Judicial resources and the staffing and estate resourcing requirement to support these
- District Court (Data Retention Court); Commencement of Communications (Retention of Data) (Amendment) Act 2022 to give judicial oversight of data retention requests
- Family Law Strategy, Family Courts Bill and Hammond Lane

A discussion arose concerning the need to have appropriate data for case management and to better inform decision making.



Courts Service Board Meeting Minutes

• Mr. Tom Ward – Superior Court Operations

Mr. Ward gave a short presentation to the Board which focused on;

- preparations for Assisted Decision Making Capacity Act and impacts on the Wards of Court Office and the General Solicitors Office
- restructuring of the High Court support functions, and the consequential recruitment of new registrars following retirements of a large number of registrars
- maintaining service delivery, with an overview on Probate and Remote Courts
- need for improved data.

Mr. Ward also highlighted emerging issues and opportunities from the Judicial Planning working group. Discussions rose in relation to:

- the considerable judicial resource commitments required to transition from the Wardship regime
- the use of remote courts and the lessons learned over the Covid period. With an appetite being seen in some to return onsite or for hybrid. The need to examine how best to utilise the remote court resource going into the future was flagged
- e-filing and
- the appointment system in place in the Central Office.

• Ms. Audrey Leonard – Head of Strategy and Reform Directorate

Ms. Leonard gave a short presentation to the Board which focused on;

- The roles of the offices under her remit; Change Programme Office, Learning and Development Unit and Legislation and Rules Unit.
- An overview of the transform phase of the Modernisation programme
- The development of the Benefits framework for the Programme,
- Innovation strategy and activities update
- Legislation and Rules Unit work



Courts Service Board Meeting Minutes

- Learning and Development Unit work update,
 - The Board were advised that a key priority for next year is to set out the customer service model which will incorporate satisfaction measures.

• Mr. Owen Harrison – Head of ICT Directorate

Mr. Harrison gave a short presentation to the Board which focused on;

- An update on Judicial Technology; the new desktop being introduced; improvements in judicial support model for technology, expansion of WiFi and upgrade to digital dictation.
- Courtroom Technology update; expansion of technology enabled courtrooms, a trial of Microsoft Teams for Remote Courts to replace Pexip and an upgrade of DAR (to use in hybrid courts and which will be compatible with the case management system).
- Digital Case Management system.
- Data update
- ICT Security update;

A question was posed concerning data retention, as when a policy might be in place. Mr. Harrison confirmed that it was hoped to have a draft data retention schedule to the Board by year end, for consideration. An update was provided on the work being done in collaboration with the National Archives, who have carried out a survey of the data held with a view to records being transferred over there.

• Mr. John Cleere – Head of Corporate Services

Mr. Cleere gave a short presentation to the Board which focused on the role and activities of each of the units under his remit;

- Finance Management Unit
- Courts Funds Office
- Estates Management Unit
- Sustainability Unit
- Hammond Lane;



Courts Service Board Meeting Minutes

A question was posed concerning the timeline for completion of the venue review. Mr. Cleere advised that no deadline has yet been set, as it is dependent on the criteria the assessment and comprehensive consultation. It is hoped to have the consultation well advanced by Q2 2023.

A further question was posed concerning the possibility of reinstating access to the Four Courts through the main doors, due to its symbolic importance. Mr. Cleere advised that the building is controlled by the OPW and the security and accessibility aspects of using this door would need consideration. He undertook to explore this with the OPW (**Action CSB 49/22**).

A question arose on whether there is detailed data on outstanding fines, Mr. Cleere undertook to obtain this for the Board. (**Action: CSB 50/22**)

- **Ms. Maura Howe – Head of Communications and Media Unit and the Office of the CEO**

Ms. Howe gave a short presentation to the Board which focused on work being done in the implementation of the Communications and Stakeholder Engagement Strategy.

- **Ms. Angela Denning – CEO**

Ms. Denning provided a recap on the breadth of work being undertaken in the organisation, such as Assisted Decision Making preparations, Hammond Lane, establishment of Judicial Appointments Commission and noted that depending on the scale of growth that this may reshape the structure of the organisation.

AOB.

- **Judicial Planning Working Group (JPWG)**

Mr. Tom Ward, Head of Superior Courts Operations joined the meeting for this item, in light of his role as Courts Service representative on the JPWG.

A broad discussion took place on the pressing need for an increase in judicial numbers.

It was noted that the Courts Service and the judiciary need to be in full alignment on the requirement for additional judicial resources and work together to put the appropriate structures in place to support their appointment.

Mr. Ward left the meeting after this item.



Courts Service Board Meeting Minutes

10. Board Governance and organisation; annual workplan, schedule of meetings for 2023 and general admin

Ms. Howe, the Board Secretary introduced the Board to a draft workplan for 2023 which was based on a comprehensive review of the Terms of Reference, Matters reserved for the Board, Standing Orders, governance requirements and actions arising from recent Board assessments. To ensure that everything has been included and to ensure that matters come to the Board in a timely fashion, whilst allowing opportunity for strategic priorities the workplan was mapped to a draft schedule of meetings for next year.

Ms. Howe undertook to look at ensuring all meetings would be scheduled for Monday and would bring a finalized workplan with dates back to the Board at its next meeting for sign off (**Action: CSB 51/22**).

Ms. Howe suggested some further administrative changes which should streamline the meeting preparation. Ms. Howe undertook to review Sharefile as an option to share and house meeting documentation (**Action: CSB 52/22**)

Decision: The Board agreed to the administrative changes.

11. Board Effectiveness review/self-evaluation

In accordance with Terms of Reference the Board completes an annual self-evaluation/assessment on the membership, role and operation. The self-assessment acts to strengthen governance arrangements and assist the identification of practices which are operating well and also where changes could be made to enhance its operation.

Ms. Howe advised the Board that a review of the previous two years self-evaluation reports had been carried out, to examine the feedback given, log where changes had been made since, and pinpoint areas which still require improvements and overview of this was provided.

Ms. Howe then provided a status update regarding the recommendations made in the IPA Board effectiveness review carried out in 2020, highlighting actions taken and working well and recommending further actions for consideration. An overview of this was provided. This update showed that many of the recommendations have been adopted or dealt with in the proposed administrative changes and the introduction of the annual workplan.



An tSeirbhís Chúirteanna
Courts Service

Courts Service Board Meeting Minutes

A discussion took place on the remaining recommendations and whether they were appropriate or relevant to the Boards effectiveness. It was noted that the establishment of a new Board by the end of 2023 is required. It was agreed that a new working group would be established at the beginning of 2023 to look at the new Board which should also discuss the Board composition **(Action: CSB 53/22)**.

Following discussion of both the self-assessment and Board effectiveness outstanding items Ms. Howe undertook to redraft the self-evaluation questionnaire which would issue to the Board by the end of the year **(Action CSB 55/22)**.

Ends.



An tSeirbhís Chúirteanna
Courts Service

Courts Service Board Meeting Minutes

Appendix 1 Full action log

No.	REPORT	MEETING DATE	SUBJECT	DECISION / ACTION	RESPONSIBILITY	DUE DATE
CSB 38/22	N/A	13/06/2022	Role of the Board and boundary lines between the Courts Service, the judiciary, and the Board.	Roles and responsibilities scheduled for December meeting	Chair/ CEO/ Secretary	December 2022
CSB39/22	N/A	13/06/2022	Resources and Judicial numbers.	Resources and Judicial numbers to be kept under review on the Agenda.*	Chair/Secretary	Agendas
CSB 40/22	10/2021	13/06/2022	Board effectiveness review	Three Board members – the Chair, the President of the High Court and Deirdre Kiely have agreed to conduct the formal performance review process for the Chief Executive. Remove from Agenda check-in December on workplan.	Chair/Secretary	n/a



An tSeirbhís Chúirteanna
Courts Service

Courts Service Board Meeting Minutes

CSB 42/22	N/A	13/06/2022	Condition of Children's Court Building in Smithfield	<p>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.</p> <p>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.</p> <p>The Children's Court Office will remain in operation in Smithfield for administration purposes, with the assistance of Blanchardstown Court Office on the 8 Court dates. UPDATE: Refurbishment to the public toilets in the Children's Court has since been completed.</p>	Chief Executive	n/a
--------------	-----	------------	--	---	-----------------	-----



An tSeirbhís Chúirteanna
Courts Service

Courts Service Board Meeting Minutes

CSB 43/22	39/2021	13/06/2022	Operational Committee	Working group is being considered.	Chief Executive/ Secretary	End of year
CSB 44/22	N/A	13/06/2022	Sustainability	An update on Sustainability to be brought to the Board to the next meeting and then to be removed. Update: Due to sick leave the sustainability report was rescheduled until the November meeting.	Chief Executive	November 2022
CSB 45/22	N/A	18/07/2022	Judicial Planning Working Group (JPWG)	Ms. Denning to speak to the chair of the JPWG about access by the Board to a report submitted to the JPWG by the Courts Service executive. Update: Ms. Denning provided a redacted version of the report for each member of the Board. Action to be removed.	Chief Executive	September
CSB 46/22	N/A	18/07/2022	Away Day	Secretary to find suitable city centre location for Away Day with hybrid meeting facilities. Completed action to be removed.	CSB 46/22	September



An tSeirbhís Chúirteanna
Courts Service

Courts Service Board Meeting Minutes

CSB 47/22	Minutes	26/09/2022	Secretary to double check format for redacted minutes, approval of minutes of last meeting to be deferred until next meeting.	For discussion	Secretary	November meeting
CSB 48/22	36/2022	26/09/2022	Estates Strategy Venue Review criteria to be reviewed and agreed by the Building Committee and then sent to the Board	For update by Chair of Building Committee	Head of Corporate Services and Chair of Building Committee	
CSB 49/22	SMT presentations	26/09/2022	Head of Corporate Services agreed to follow-up with OPW regarding reinstating access to the Four Courts through the main doors.	In progress	Head of Corporate Services	November 2022
CSB 50/22	SMT presentations	26/09/2022	Head of Corporate Services agreed to follow-up on on the availability of detailed data on outstanding fines.	In progress	Mr. John Cleere	November 2022
CSB 51/22	Workplan presentation	26/09/2022	Finalised workplan for 2023 to include Mondays only to be brought to the next meeting for finalisation.	For consideration	Secretary	November 2022
CSB 52/22	Workplan presentation	26/09/2022	Research Sharefile as a viable option for the Board for all members.	In progress, Secretary to report Dec meeting	Secretary	End of year



An tSeirbhís Chúirteanna
Courts Service

Courts Service Board Meeting Minutes

CSB 53/22	Board self-assessment review	26/09/2022	Set-up working group in early 2023 to look at establishing a new Board and to discuss Board composition.	For agenda early 2023	Secretary	Start of 2023
CSB 54/22	Board self-assessment review	26/09/2022	Develop a cover sheet template for all Board papers to outline item type, purpose, overview and request to the Board.	For approval	Secretary	November 2022
CSB 55/22	Board self-assessment review	26/09/2022	Develop a revised/ tailored self-assessment for the Board to be circulated by the end of year.	In progress, for circulation by year end	Secretary	End of year

Courts Service Board Meeting Minutes



An tSeirbhís Chúirteanna
Courts Service