



An tSeirbhís Chúirteanna
Courts Service

Courts Service Board Meeting Minutes

Minutes of the meeting of the Courts Service Board 23 January 2023

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. Sara Phelan, Board Member
- Ms. Michele O'Boyle, Board Member
- Ms. Hilary McSweeney, Board Member

Apologies:

- Mr. Doncha O'Sullivan, Board Member

Also in attendance

- Mr. John R. Cleere, Head of Corporate Services
- Ms. Audrey Leonard, Head of Circuit and District Operations
- Ms. Una Murphy, Head of Sustainability Unit
- Maura Howe, Secretary to the Board

The Meeting was held in-person with a hybrid dial-in via Microsoft teams. A Quorum was reached.

Before formal commencement of the meeting a minute's silence was observed to mark the passing and funeral mass that day of the Hon. Mr. Justice John L. Murray, former Chief Justice and former Chair of the Courts Service Board.



Courts Service Board Meeting Minutes

1. Minutes of meeting of 12th December 2022.

Following a request to provide more detail on the Actions the Minutes of the 12th December were agreed. The Action Log has been updated as requested.

The request to provide the PQ and complaints report last year has been supplemented with a request for a FOI report to be provided also every 6 months Action (CSB 01/23).

During this discussion a Board member raised a previous Action (CSB 38/22) in relation to boundaries and roles and responsibilities. Although the Terms of Reference of the Board had been discussed at the last meeting they felt the original issue around the roles of the Board and Executive hadn't been completed. Action CSB 38/22 will not be marked as completed and it was agreed that the Office of the CEO are working on an updated version of the Governance Framework document which will be supplied to the Board and this should address this issue (Action 02/23).

There was also a request to re-issue the email from 21 December 2022 attaching the Fines Report with totals which Mr. Peter Mullan supplied following the 12 December 2022. This email re-issued to all Board members on 24 January 2023 along with the Agenda of meetings for 2023 – this is closed.

2. Meeting actions and decisions:

Action No.	Report	Action / Decision	Update/ Status	Responsibility	Due date
Meeting actions					
CSB 01/23	Minutes	A report on FOI to be provided and then added to the 6 month update on Complaints and PQ's	Immediate action	Office of the CEO	As soon as the Agenda allows
CSB 02/23	Minutes	As soon as the Governance Framework document by the Office of the CEO	For update	Secretary	As soon as possible



Courts Service Board Meeting Minutes

		has been updated it will be provided to the Board			
CSB 03/23	Item 3	The Board membership report will be updated to include leave/ release dates	For Update	Secretary	Next meeting
CSB 04/23	Item 3	During discussion on the Board membership report it was agreed to look at setting up a sub-group for the establishment of the new Board	For Action	Chair and Secretary	Next meeting
CSB 05/23	Item 4	During the update from the Family Law Development Committee President Barniville agreed to nominating a representative from the High Court to the Committee.	Action-	President Barniville and Secretary	Complete
CSB 06/23	Item 6	During the report from the Building Committee Chair it was agreed that the criteria of Venue Review once agreed would be brought before the Board	Update	Building Committee Chair	As soon as possible
CSB 07/23	Item 6	Patricia King agreed to take over as Chairperson of the Building Committee until the end of the current Board term and her official release date later this year.	Action	Patricia King and Secretary	With immediate effect
CSB 08/23	AOB	Following the publication of the JPWG report a special Board meeting is to be	Action	Chief Executive, Secretary and Chair	TBC



Courts Service Board Meeting Minutes

		convened and whether Bridget McManus' head of the JPWG might attend is to be explored			
Meeting Decisions					
CSB Decision 01/23	CSB 43/22 Action	The possibility of setting up an Operational Committee to the Board was discussed again. Board members expressed the importance of being able to raise operational matters but recognised that this didn't warrant a separate Committee. Decision not to establish this Committee at this time was taken but could be reviewed pending the Judicial Planning Working Group report.			

Full action and decision log can be seen at appendix 1.

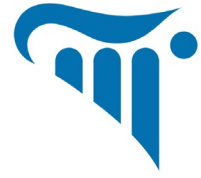
3. Board Membership Report (Report 1/2023)

A report on Board membership and tenure of members was requested at the meeting of 12th December (Action CSB 73/22). There was a brief discussion on the paper and it was agreed that it would be updated to include leave/ release dates for each member (Action CSB 03/23). It was also agreed that the setting up of a new sub-group would be discussed at the next meeting to look at the new Board set-up (Action CSB 04/23).

4. Family Law Development Committee Update and 2023 workplan (Report 2/2023)

Ms. Karen Kiernan, Chair of the Family Law Development Committee, presented the report as circulated and highlighted current areas of focus as detailed in the report. A discussion on the absence of a representative from the High Court on the Committee resulted in President Barniville committing to nominating a representative (Action CSB 05/23). The absence of childcare cases/ issues on the Committee's Agenda was questioned, the Chair confirmed that the Committee didn't have a remit in this area and agreed to discuss this further with the Board member.

5. Buildings Committee update (Report 3/2023)



Courts Service Board Meeting Minutes

The Hon. Mr. Justice Patrick McCarthy, Chair of the Building Committee presented the report as circulated and highlighted updates on Hammond Lane, the Estates Strategy including the Venue Review, the various sustainability actions, the renewal of the lease on Dolphin House, the situation in Galway, Tralee and Swords, a number of works being carried out, the Four Courts Complex allocation of judges' chambers and the Carlow Courthouse Railings.

There was a general consensus that progress on the anticipated Venue Review was positive and the Chair confirmed a special meeting of the Committee would be held in terms of the Venue Review 'As Is' position and criteria would be held in February. There was agreement to the suggestion that the Venue Review should take into consideration the Family Law Court Bill. It was also agreed that the criteria of the Venue Review would come before the Board (Action 06/23).

The new temporary building in Roscommon was commended for its excellent standard and clarity regarding its temporary nature was sought. The Chief Executive confirmed that the intention was the building would be a medium term temporary venue due to the fact that until funding is allocated specifically for the complete refurbishment of Roscommon no works can start. It was confirmed that preparatory work would commence as much as possible in advance. It was also confirmed that local estate agents were engaged to find the local venue which the landlord took to refurbish themselves to the necessary specification. An approach which has been taken in the past in different venues.

In relation to Hammond Lane the approach to making plans available for stakeholders was discussed and it was confirmed that the extensive stakeholder engagement that had happened at the end of 2022 provided those that attended the sessions with an opportunity to view the plans. The Courts Service has been advised not to share the plans beyond those engagement meetings for various reasons including commercial sensitivities.

The condition, size and general unsuitability of the Children's Court, even following recent refurbishment was raised and acknowledged. The funding of a Children's Court for Hammond Lane hadn't materialized but the need for the Court to be a city center venue was acknowledged. It was suggested that this would also come under the Venue Review.

It was noted that members of the Board also felt that an alternative venue outside Swords would not be satisfactory for the Fingal area.



Courts Service Board Meeting Minutes

It was also noted that there was no Law Society representative on the Building Committee anymore. Michele O'Boyle committed to following up with the Law Society president to look for a representative.

The Hon. Mr. Justice Patrick McCarthy who confirmed after ten years that he would be stepping down from Chair of the Committee, was thanked and congratulated by a number of members for his work in stewarding the Committee. His patience and dedication to staying with and following through on issues was particularly called out. The Chair of the Board officially thanked Justice McCarthy and acknowledged his commitment. Patricia King agreed to take over the role of Chair of the Building Committee until the end of the current Board term (Action CSB 07/23).

6. Modernisation Programme update (Report 4/2023)

The Board had requested that a comprehensive report on the Modernisation Programme be provided at this meeting. (Action CSB 72/2022)

Ms. Audrey Leonard, Head of Circuit and District Operations attended the meeting for this report. Ms. Leonard had been Head of the Strategy and Reform Directorate with responsibility for the Modernisation Programme until recently.

Ms. Leonard confirmed that Emer Darcy had just been appointed to her previous position as Assistant Secretary, Head of the Strategy and Reform Directorate. Ms. Leonard highlighted the key achievements of the Modernisation Programme 2022 including the status of the key deliverables and the ambitions for the Transform Phase: 2023 – 2024. There was a query in relation to the 'Pay' spent budget for 2022 and the accuracy of the figures. Ms. Leonard would like to thank the Board member for highlighting this and has subsequently confirmed that the correct figure for Pay 2022 Spend is €400,000 and not €272,000. With apologies, please see attached the presentation with correct amount. Since Ms. Leonard reported there has been an update on the status of the key deliverables 55 Deliverables for 2022: a total of 24 have been completed, 21 delayed and 10 are on-going. There were 15 carried over into 2023 and it is worth noting that only parts of some of these carried over rather than the full deliverable.

In relation to the underspend on Pay there was a query as to the consequences/ where that allocation went and it was confirmed that it was absorbed across the organization - mainly to cover the extra funding needed as a result of the pay deal. The implications for the Modernisation Programme by not filling key IT positions was queried. Although these



Courts Service Board Meeting Minutes

challenges seemed to improve towards the end of 2022 as a result of redundancies in other sectors, the inability to recruit specific IT roles earlier in 2022 resulted in outsourcing some work to contractors, and in some cases the work being prioritized differently.

The need to access relevant data and for improved data was emphasized by a Board member who struggled to provide the required information for work they were involved in last year. The data issue was acknowledged as a big problem, as a result of under investment in IT over a period of years. Funding is now being made available and one of the priorities of the Modernisation Programme is to improve the data. However, the current data is extracted from systems that are needed every day in court, replacements providing improved data need to be developed, tested, piloted and rolled out, this will take time. The priority in 2023 is to reduce the reliance on the Lotus systems and move to the modern Microsoft platforms which should make data more accessible.

Procurement was given as a reason for the delay across some of the key deliverable timelines and a Board member queried what was being done to improve this. Ms. Leonard confirmed the establishment of a procurement officer in the organization, a procurement register and the provision of procurement training should improve procurement processes and efficiencies across projects and key deliverables.

The Chair thanked Ms. Leonard for the report. Ms. Leonard left the meeting at this point.

7. Gender pay gap report (Report 5/2023)

A gender pay gap report was presented to the Board at the December 2022 meeting; a further report was requested to include pay bands information (Action CSB 74/22). Ms. Denning outlined that the report reflected the positive balance of females and males across the organization but that we would need to continue to monitor closely across some grades. It was confirmed that the report with an introduction from Ms. Denning would be published on the website.

8. Sustainability update (Report 6/2023)

An update on Sustainability was carried over from the meeting of 12th December 2022, (Action CSB 44/22)



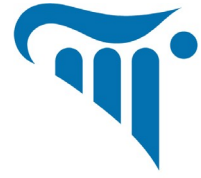
Courts Service Board Meeting Minutes

Mr. John Cleere, Head of Corporate Services and Ms. Una Murphy, Head of Sustainability Unit attended the meeting for this item and presented the report as circulated, highlighted the steps taken to establish the Sustainability unit, the Courts Service response to the Climate Action Plan 2021, the key elements of the Courts Service Environment Sustainability Strategy and Actions.

The Chair and members of the Committee thanked Mr. Cleere and Ms. Murphy for the report, both of which left the meeting at this point.

9. AOB

- Prior to Mr. Cleere and Ms. Murphy joining a discussion was had in the relation to the situation regarding the Judicial Planning Working Group's (JPWG) report. The Board was informed that the current intention is that the Minister for Justice will launch/ publish the JPWG report/ recommendations together with/ along side the OECD report/ recommendations. Depending on timing the Board agreed that a special board meeting might be convened for the purpose of discussing the report. A suggestion was made to understand whether Bridget McManus, head of the JPWG might attend that Board meeting (Action CSB 08/23)
- The Secretary dealt with a number of administrative items including a reminder to complete the self-evaluation as soon as possible. Some members expressed difficulty in answering some of the questions and the Secretary and Chair confirmed that Board members should note those difficulties in the responses. As a result of similar feedback provided previously the self-evaluation had been somewhat updated/ tweaked, however for consistency over previous years it wasn't advisable to completely change the evaluation. A self-evaluation that better reflects the work and remit of the Board will be developed for the new Board.
- The Action CSB 43/22 regarding the setting up of an Operational Committee was discussed. Board members expressed the importance of being able to raise operational matters. Retrospectively it was felt that operational issues didn't take up excessive amount of time to warrant a separate Committee. It was also acknowledged that depending on the recommendations of the JPWG a separate Committee may need to be established in this regard.



An tSeirbhís Chúirteanna
Courts Service

Courts Service Board Meeting Minutes

- Ms. Denning noted that the current Department of Justice representative on the Board Doncha O’Sullivan, who was absent from the meeting, had been recently promoted into role that wouldn’t be compatible with remaining on the Board. The Chief Executive and Secretariat agreed to follow-up with the Department of Justice on this.

On request the dates for the 2023 Board meetings were re-circulated after the meeting.

It was noted that the next Board meeting was scheduled for 27th February @ 8am and would be held virtually.

Ends.



An tSeirbhís Chúirteanna
Courts Service

Courts Service Board Meeting Minutes