

**Courts Service: Vote 22**

**OPENING STATEMENT TO THE PUBLIC ACCOUNTS COMMITTEE**

**14<sup>th</sup> November 2019**

I thank the Chairman for the invitation to appear before the Committee in my capacity as Accounting Officer for the Courts Service, Vote 22, and I look forward to discussing any aspect of the Vote with you and the members of the Committee.

I am pleased to report that a clean audit report has been provided by the Comptroller and Auditor General (C&AG) on the 2018 Appropriation Account. Overall the Vote was managed successfully and within budget at year end. A surrender balance of €1,611,785 was recorded on the Vote.

The Courts Service is responsible for the management and administration of the courts. As you are aware, the administration of justice is a matter for the judiciary and, in accordance with the constitutional independence of the judiciary and the provisions of the Courts Service Act, is outside the scope of the functions of the Courts Service. You will appreciate therefore that in my discussions with you to-day I am precluded from commenting on any matter relating to the exercise by a judge of his or her judicial functions or on any matter relating to the exercise of quasi-judicial functions by an officer of the court. I am also, of course, precluded from commenting on matters of Government policy.

Since its establishment, the Courts Service has worked to ensure that the courts operate effectively and efficiently, that the use of available resources is optimised; that value for money is achieved and the best possible service is provided to court users.

Over recent years the Service in common with other Departments and Agencies, has seen a very welcome increase in funding and staff numbers. Using the resources available to us, the Courts Service continues to work with the judiciary to introduce a broad range of reforms which provide improved services to the citizen as well as yielding significant savings for the Exchequer, while maintaining the constitutional right of access to Justice.

The Service has robust financial measures in place across the organisation to ensure that expenditure is kept to an absolute minimum, is incurred only where it is necessary and unavoidable, and that value for money is achieved.

The Courts Service was established to support the courts in the administration of justice. This is a unique role supporting the third branch of government. An effective courts system is critical to a functioning modern society, especially in these challenging times. Like most public bodies, the key task for the Courts Service is to continue to meet the expectations of all stakeholders and deliver efficient services in a timely fashion. In addition to the change and diversity in the economic, social, demographic and cultural landscape, we have also seen very significant challenges from advances in technology that have positive and negative impacts of the efficiency of the courts system. Allied challenges arise from increasing levels of litigation and increased complexity in legislation, both of which are outside of the control of the Courts, but to which the Service must respond.

The Courts Service has had a modernising agenda since its establishment in 1999. Since the last time that the service was before the Committee in 2017, very significant performance and efficiency improvements have been achieved, the most significant of which are as follows:

#### [Regional courthouse projects – Courts Public Private Partnership \(PPP\) Bundle](#)

The project to construct/refurbish seven regional courthouses was completed in 2018. As part of the Government's Infrastructure and Capital Investment Plan 2016-2021, it was the largest courthouse building project undertaken in the history of the State, outside of Dublin. The project saw the construction of four new courthouses in Drogheda, Letterkenny, Limerick, and Wexford; and substantial refurbishment and extension works to existing courthouses in Mullingar, Waterford, and Cork. The courthouses were delivered as public private partnership projects. Finance was arranged through the National Development Finance Agency with payments to be made by the Service over a period of 25 years. The seven-courthouse project delivered over 36,000 square meters of accommodation including thirty-one courtrooms, all relevant support facilities including consultation rooms, victim support facilities, holding cells and court offices.

## Courts Office Review Implementation

A major review in 2017 of the Circuit and District Combined Office structure included recommendations to improve and better support the service delivery framework and operational model in provincial court offices. The first 18-month phase has focussed on taking work out of court offices and enhancing the support available to them through the implementation of eight projects:

- centralising of jury summons administration (printing, posting and enveloping)
- centralising of service of foreign documents under EU Regulations
- electronic transfer of non-Garda summons
- developing clear and consistent parameters for customer service
- introducing a new management structure
- supporting succession planning
- supporting technical training, and
- developing a more reactive and transparent resource allocation model.

Work to deliver on these projects commenced during 2018 and an office has now been established in Castlebar to deal centrally with the service of foreign documents under EU regulations and the administration of jury summonses using the printing and enveloping facilities of the Revenue Commissioners.

The centralisation of tasks will result in significant efficiencies with economy of scale being achieved, consistency in service delivery, automation of tasks currently carried out manually and the redeployment of court staff to other customer service tasks. A new management structure was piloted in several offices in 2018 with arrangements in place to extend it to all provincial court offices in 2019. A new customer charter together with clearer and consistent parameters for customer service delivery in combined court offices is also now ready to be launched.

## Interagency working for the benefit of citizens

The Service continued to work in partnership with other agencies and NGOs to deliver enhanced services for the benefit of courts users. Among those which are of significant benefit are:

- Courts Users with mortgage arrears: The Service facilitates the work of Abhaile, a scheme to help homeowners find a resolution to their home mortgage arrears.

The Service facilitates staff of MABS and duty solicitors who may attend Circuit Court hearings either before the County Registrar or a judge of the Circuit Court.

- Family Mediation: The Service continued to work with the Legal Aid Board to increase access to mediation services in family law offices of the District Court. A project in Dublin District Family Court in Dolphin House resulted in an increase in the number of information sessions per mediator per week. A similar service continued to be provided in Clonmel, Cork, Dundalk, Ennis, Naas, Nenagh and Limerick. Efforts continued to extend the service to other court office locations around the country.
- Victims of Domestic Violence: In partnership with local NGOs in 18 locations nationwide, the Service facilitates support and referral services for people appearing in the family law courts.

#### Implementation of new legal costs adjudicator regime

Part 10 of the Legal Services Regulation Act 2015 provides for the establishment of a new office the Office of the Legal Cost Adjudicators which has replaced the Taxing Masters Office. It will also provide for greater transparency in legal costs awarded by the Legal Cost Adjudicators with additional governance arrangements.

Work has been ongoing over the past two years to prepare for the establishment of the Office of the Legal Cost Adjudicator and the transition from the current Taxing Master's regime. The legislation was commenced on 7<sup>th</sup> October 2019 and 2 of the 3 Legal Cost Adjudicators have been appointed.

The Courts Service has put in place arrangements to support the operation of the office which include:

- Additional staff members have been assigned to the Office.
- A new online ICT application process has gone live.
- The refurbishment work to the Office to accommodate additional sittings and other requirements was completed in 2018.

### Review of probate services

The Probate Office Review assessed the current probate service in terms of its rules, legislation and structures with a view to improving delivery to the next of kin of deceased persons. Implementation of the recommendations of the Review commenced in 2018 and included improvements to existing business processes which at year end resulted in significantly reduced waiting times for probate applications. A new simplified fees structure will be launched later in the year, which will make the application process easier for all court users.

### E-licensing system

The Service has developed an online system for the management and administration of licensing applications to the Circuit Court and District Court. The system will provide for e-filing of applications including e-payment of fees, and an eRegister. The roll out for on line use by Solicitors is continuing and 5 offices in counties Louth, Donegal, Sligo and Leitrim can now complete their applications on line. Data shows that between 1st July to end of September 2019, 32% of applications in those counties were made using the new system. An Information and Communications strategy for solicitors is underway involving seminars, posters and information on the Courts Service website.

### Application for leave to appeal in the Supreme Court

The project to provide for online applications for leave to appeal to the Supreme Court was completed in 2019.

### National Development Plan 2018-2027

A number of proposed courthouse developments were included in the Government's National Development Plan 2018-2027, which was published in February 2018. These include:

- further new or refurbished courthouses in regional cities and county towns where facilities remain substandard (including Galway city, Wicklow town, Portlaoise, Tralee and Roscommon) and further provincial locations such as An Clochán Liath (Dungloe) to serve as the Gaeltacht court for the region, and Tuam
- Family Law and Children Court Complex in Dublin followed by the redevelopment of the Four Courts as a campus for civil courts

- Construction of standard county town type court facilities at several locations in county Dublin and in north Kildare, Bray and Navan
- Regional family law centres

The precise allocation and timing of additional funding over the ten-year period of the National Development Plan remains to be fully determined. The outcome of further detailed planning and analysis of costs will determine the prioritisation of projects.

In addition to the provision of new and refurbished court buildings, the Courts Service is also responsible for ensuring that court accommodation is maintained to an appropriate standard which meets the needs of court users and protects the architectural integrity of our historic courthouses. In 2018, a contract was awarded to Aecom Ireland to conduct a nationwide condition survey of court buildings. As well as detailing the condition of each building the reports also set out a 20-year planned preventative maintenance costing for each building on a year by year basis. It is anticipated that all surveys will be complete by end Q1 2020. Once all surveys are completed the results will enable the Courts Service to make some key decisions about how best to provide for the maintenance of court buildings into the future.

## Reform

The Courts Service is extremely appreciative of the continued support from the Minister for Justice & Equality and the Oireachtas for the resources it makes available to support the continued operation of the courts system. Having an effective courts system is a key component of a well-functioning modern society and will be essential in meeting future economic challenges. We recognise that enhancing and reforming our processes and procedures can make an important contribution.

We can point to our track record of investment in ICT as evidence of our commitment to the improvement of services. In particular, the implementation of our ICT Programme over the last 2 years has resulted in the optimisation of courtroom and court support technology including

- the roll out of Digital Audio Recording to all court jurisdictions and venues,
- extended use of video link and video conferencing which has resulted in significant cross justice sector efficiencies

- Court generated financial transactions valued at some €1.8 billion have been transformed and centralised in a shared service centre utilising modern financial accounting technology, and
- the development of case management and e-filing projects which have been mentioned earlier.

The funding provided in recent years for investment in ICT has allowed the Courts Service to continue with its programme of maintenance and development of our ICT infrastructure as well as drive the implementation of new software, for the benefit of staff, Judges and courts users.

However, like many organisations, the Courts Service cannot afford to stand still. The increased use of technology is key to meeting the challenge of maintaining services to judiciary, staff, the legal profession and the public, and to meet legislative requirements and the demand for additional eGovernment and on-line services. We recognise that ICT is the enabler of modernisation and reform initiatives, supporting increased interaction with other justice agencies and government departments and providing improved customer service

Significant benefits have already been achieved through the ICT projects already in place for a range of stakeholders, including savings for the Exchequer and better service to court users. The Courts Service's ICT Strategy has charted the course for the maintenance of infrastructure, delivery of online services and the development of courtroom technology for the last three years.

A major challenge in the implementation of the strategy continued to be projects which require to be given priority over those outlined in the strategy. In 2019, with the assistance of KPMG, a new plan for an ICT operating model was developed and is being prioritised for resourcing. At the same time, a new long-term strategy for the delivery of Courts services for the next 10 years has been developed and consultations with key stakeholders will commence shortly on its implementation.

It is critical that the Courts Service has the capabilities and operating model to continue our reform agenda, meet the challenges we are facing and capitalise on opportunities as they arise. In keeping with the renewed focus at government level on key reforms in

the Department of Justice and Equality and in the civil and wider public sectors, the Courts Service continues to take a coordinated and focused approach to the implementation of change in the organisation. To this end, the Courts Service has recently established a Strategy and Reform Directorate to provide leadership in the definition of the systemic change necessary to deliver tangible change to courts users. The recruitment of a Chief Information Officer to lead the ICT function is also essential to enable the Service to meet the challenges of the future.

The Courts Service Strategic Plan 2018-2020 set out the strategic priorities and objectives of the Courts Service. It was designed to ensure that we can continue to deliver effectively on our key legislative mandates over the period of the Plan. Significant progress is being made in the review and reform of our structures and service delivery with a focus on maximising the use of technology and rationalising processes. My role as Chief Executive Officer is to ensure that the Courts Service supports access to justice for citizens and delivers improved value for money for the tax payer.

**Thank you**