



*An tSeirbhís Chúirteanna*  
*Courts Service*

Tuarascáil Bhliantúil  
Annual Report  
2011



## **MISSION STATEMENT**

**TO**

**MANAGE THE COURTS,**

**SUPPORT THE JUDICIARY**

**AND**

**PROVIDE A HIGH QUALITY AND PROFESSIONAL SERVICE**

**TO**

**ALL USERS OF THE COURTS.**





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## MESSAGE FROM THE CHIEF JUSTICE AND CHAIRPERSON OF THE BOARD



The courts have operated in very changed circumstances over the last few years. The well documented issues of reduced funding, reduced staff numbers, and potential and actual judicial vacancies, were certainly a feature of the year past. They all possessed the possibility to impact adversely on court sittings. I am glad to report that the Courts Service worked with the judiciary to maintain frontline and courtroom services across the country and in each court jurisdiction.

This was done in a time where every aspect of public service has been asked to do more and spend less. In reorganising court sittings and reallocating staff it was ensured that court sittings continued to be scheduled throughout the country with no short notice cancellations.

There have been changes in the areas where the Courts Service is busy and where we need to focus resources. These remain under constant review. For example, in the criminal courts, there were increases in rape cases, and in theft, fraud and robbery cases, and simultaneous decreases in murder, drugs and road traffic offence cases.

In the civil courts, there were increases across all jurisdictions in applications relating to the recovery of debt though – notably - there were decreases in applications for possession in the High Court and applications for committal regarding debt in the District Court. These decreases might well reflect changes in the law. The Courts Service is pro-active in accommodating such changes.

### **How we responded**

In the Supreme Court we introduced a number of list management initiatives to address the delay in the hearing of cases and the delivery of judgments. These included the categorisation of appeals where common issues of law arose and the sitting of the court in two divisions.

The President of the High Court scheduled additional sittings of the High Court, with the assistance of High Court judges, during September 2011. This resulted in the disposal of over 300 additional common law matters. That, and the allocation of an extra judge, helped reduce the waiting time for motions for judgment from 20 weeks to nine weeks.

The High Court also assumed the hearing of notices of motion seeking an order for discovery, previously dealt with by the Master of the High Court. This measure reduced the waiting time in the Master's Court from 26 weeks to eight weeks.

In a similar vein the President of the Circuit Court assigned extra judges to deal with criminal cases in 13 provincial venues – thus reducing waiting times in those areas, and bringing justice in a timely manner.

The President of the District Court scheduled additional sittings in Dublin in August and September to further reduce waiting times. She also facilitated the extension of the catchment area of the Drug Treatment Court – allowing for more people to avail of its resources to restore them as citizens and to restore them to the community.

The development of the role of the county registrar is designed to take advantage of the legal qualifications and experience of county registrars by enabling them perform a wider range of quasi judicial functions to enhance their roles and free up judicial time for trial work. Additional adjudicative functions were transferred by Statute to county registrars during the year, which also saw the appointment of five county registrars as vice chairs of the Employment Appeals Tribunal.

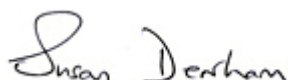
Court venues across the country continued to be reviewed to ensure that, in so far as is possible, they meet the standard that court users are entitled to expect and to allow for the best use of time and resources. Twenty venues were amalgamated in 2011 – freeing up judicial and staff time to hear extra cases, allocate specific family law and children's hearings, and reduce waiting times.

### **Creating the future**

It is inspiring to see, during this time of reduced financial support and decreased staffing levels, the energy and commitment with which the staff of the Courts Service are meeting the challenges. The great creativity and flexibility of the staff is echoed throughout the plans and tasks set out by the CEO, management team and the Board of the Service. I congratulate all involved in this admirable and successful Service.

I am appreciative of the Minister for Justice and Equality and his Department for their continued support, and of the Department of Finance and the Department of Public Expenditure and Reform for taking our needs into account when allocating resources.

The fact that we are managing to provide a vital public service remains a testament to the “can do” approach which is a well recognised trait of the Courts Service. This has seen us meet the current challenges and manage the courts to ensure continued access to justice.



Susan Denham



## INTRODUCTION BY THE CHIEF EXECUTIVE OFFICER



The Courts Service began the year with a reduced budget and decreasing staff numbers. Goals and targets outlined in various plans including our Strategic Plan had to be revisited in light of a changing financial climate. Our Corporate Business Plan 2011 was formulated against a backdrop of busy courts, increased user expectation and a Government modernisation programme which reflected our vision of a modern, streamlined, efficient organisation.

The provision of core court services is at the heart of the Courts Service. The challenge therefore remains the optimisation of the resources available to us to support the judiciary and court sittings. In this Report we outline the efforts we made in 2011 to realise the key initiatives identified in our various plans. We record the continued efforts made to reform the administration and management of the courts in a difficult environment. Reductions in financial and staff allocations continued to affect our capital programmes, in particular the construction or refurbishment of court buildings and the further development of information and communications technology programmes.

### Capital investment producing savings

The investments made in the years to 2010, particularly in capital projects, proved invaluable in our drive to save costs. The increased use of technology in the courtroom has already produced savings not only for the Courts Service but for other agencies and court users including the Irish Prison Service, An Garda Síochána and witnesses. A good example is the use of digital audio recording (DAR) to record criminal cases and produce transcripts which has replaced the traditional resource intensive stenography system. By the end of 2011, DAR facilities were available in 184 courtrooms in Dublin and around the country, with work progressing to install facilities in the remaining 70 non-networked District Courts.

Technology has also reduced back-office tasks and freed up staff to fill posts in frontline services. In this regard, 65% of family law maintenance receipts and 92% of family law maintenance payments were paid electronically in 2011 with over 26% of fines paid online. Our website received over two million visits last year - providing access to an increasing variety of information and facilitating access to a range of online services.

Modern technology facilities and improved accommodation are two of the contributing factors to the continued success of the Criminal Courts of Justice (CCJ). The value and savings accruing from this major investment was further endorsed by our not having to renew leases on other buildings for court accommodation in Dublin.

### Procedural and legislative reform

We continue to be proactive in aiding the introduction of new and streamlined ways to improve court processes. Many of the court rules prepared in support of procedural reform initiatives are a product of the monitoring of legislation by the Service. We also continue to assess the implications of proposed legislation for court operations by providing input into proposed legislation including schemes of bill, bills, draft statutory instruments and draft legal instruments of the European Union.

Our focus is not just internal with the Service represented on a number of external working groups and bodies concerned with the wider reform of aspects of the administration of justice including company law, efficiency of justice, human rights and fundamental freedoms, and medical negligence.

### Combined offices and non duplication of activities

Our efforts to streamline our services while maintaining our focus on service provision were particularly evident with the commencement of our Combined Office Project. This initiative, which combines the work of Circuit and District Court offices, commenced in several counties in 2011 and was a major recommendation of our internal review, Transforming Administration and Structures in the Courts (TASC), in 2010. It will eliminate duplication of activities, facilitate the maintenance of appropriate front line services, allow more flexibility in opening times, allow staff access to an increased range of expertise and allow us meet our obligations in relation to family friendly work and attendance policies. The initial success of the Combined Office Project gives great encouragement for the further roll out during 2012 and is a tribute to the application and commitment of staff around the country.

## **Acknowledgements**

The increases in workload coupled with changes in work practices placed additional strains on staff during the year. I am grateful for the efforts of all staff, those working in the front line in courts and court offices and those behind the scenes providing much valued support. They have demonstrated once again their versatility and adaptability.

The continued support of the Minister for Justice and Equality and his Department is much appreciated and greatly valued. I also acknowledge the support of the legal profession and the many support and other groups who interact with us on various levels.

I thank the Chief Justice, members of the judiciary, and members of the Board for their encouragement to me and the Senior Management Team in the past year. Their support allows us the space to create innovative ways of providing more with less.

We continue to operate in times of great uncertainty and increasing demands. Our success in sustaining the court system is testament to a constructive partnership effort with many people working to make it happen. I greatly appreciate the efforts of all concerned.



Brendan Ryan

## CHAPTER 1 - ABOUT THE COURTS SERVICE

The Courts Service is responsible for the administration and management of the courts in Ireland. Its primary functions are to manage the courts, support the judges, provide information on the courts system to the public, and provide court buildings and facilities for court users.

The Board of the Service consists of a Chairperson and 16 members. Its functions are to consider and determine policy in relation to the Service and to oversee the implementation of that policy by the Chief Executive Officer.

### THE BOARD OF THE COURTS SERVICE



The Hon. Mrs. Justice  
**Susan Denham**,  
*Chairperson, Chief Justice*



The Hon. Mr. Justice  
**Nial Fennelly**, *elected  
by the judges of the  
Supreme Court*



The Hon. Mr. Justice  
**Nicholas Kearns**,  
*President of the High  
Court*



The Hon. Mr. Justice  
**Kevin Feeney**, *elected  
by the judges of the High  
Court*



The Hon. Mr. Justice  
**Matthew Deery**,  
*President of the Circuit  
Court*



His Hon. Judge  
**Rory MacCabe**, *elected by the  
judges of the Circuit Court*



Her Hon. Judge  
**Miriam Malone**,  
*President of the District  
Court*



Judge  
**Gerard Haughton**, *elected by  
the judges of the District  
Court*



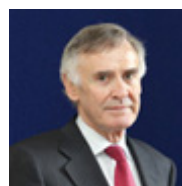
The Hon. Mr. Justice  
**Paul Gilligan**,  
*nominated by the Chief  
Justice*



Mr. **Brendan Ryan**,  
*Chief Executive Officer,  
Courts Service*



Mr. **Eoghan  
Fitzsimons, S.C.**,  
*nominated by the Bar  
Council of Ireland*



Mr. **Gerard Doherty**,  
*solicitor, nominated by the  
President of the Law  
Society of Ireland*



Mr. **John Glennon**,  
*elected by the staff of the  
Service*



Dr. **Deirdre O'Keeffe**,  
*an officer of the Minister,  
nominated by the Minister*



Mr. **Pat Doyle**,  
*nominated by the Minister*



Mr. **Liam Berney**,  
*nominated by the Irish  
Congress of Trade Unions*



Mr. **Shane Browne**,  
*nominated by the Minister*

## **STANDING COMMITTEES OF THE BOARD**

### **FINANCE COMMITTEE**

The Honourable Mrs. Justice Susan Denham - *Chairperson*  
The Honourable Mr. Justice Nicholas Kearns  
The Honourable Mr. Justice Kevin Feeney  
The Honourable Mr. Justice Matthew Deery  
Her Honour Judge Miriam Malone  
Mr. Brendan Ryan  
Dr. Deirdre O’Keeffe

### **AUDIT COMMITTEE**

Mr. Tom O’Higgins, *external member - Chairperson*  
His Honour Judge Ray Fullam, nominee of the President of the Circuit Court  
Judge Patrick McMahon, nominee of the President of the District Court  
Dr. Deirdre O’Keeffe  
Mr. Jim Farrell, *external member*

### **BUILDING COMMITTEE**

The Honourable Mr. Justice Kevin Feeney - *Chairperson*  
The Honourable Mr. Justice Paul Gilligan  
His Honour Judge Gerard Griffin, judge of the Circuit Court  
Judge David McHugh, judge of the District Court  
Mr. Brendan Ryan  
Mr. Liam Berney  
Mr. John Glennon  
Mr. John Coyle, Head of Circuit and District Courts Operations, Courts Service  
Mr. Paul Burns, Head of Infrastructure Services, Courts Service  
Mr. Fergal Foley, the Bar Council of Ireland  
Mr. John O’Connor, the Law Society of Ireland

### **FAMILY LAW COURT DEVELOPMENT COMMITTEE**

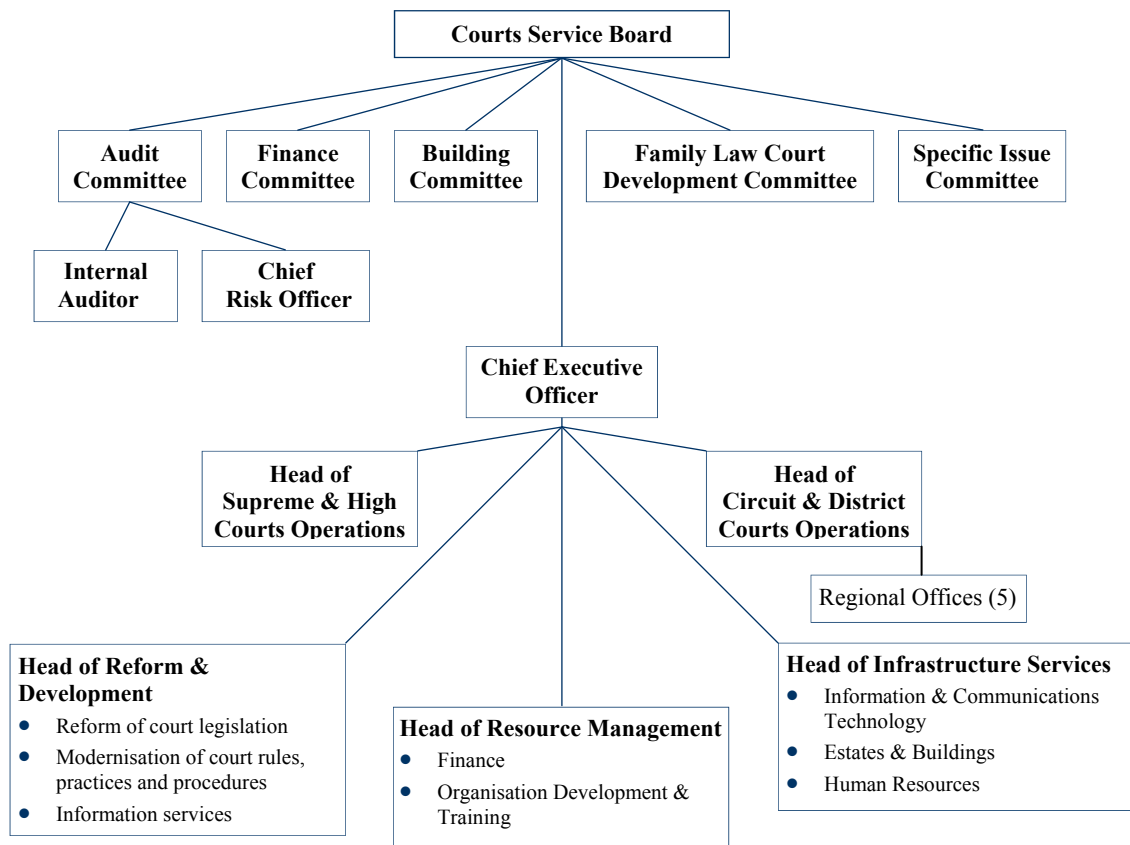
The Honourable Mr. Justice Michael White, judge of the High Court - *Chairperson*  
The Honourable Mr. Justice Henry Abbott, judge of the High Court  
Her Honour Judge Mary Faherty, judge of the Circuit Court  
Judge Gerard Furlong, judge of the District Court  
Mr. Pat Doyle  
Mr. Shane Browne  
Ms. Nuala McLoughlin, Director of Supreme and High Courts Operations, Courts Service  
Mr. John Coyle  
Mr. Tom Ward, Chief Clerk of the Dublin Circuit and District Civil Courts, Courts Service  
Ms. Catherine Forde, the Bar Council of Ireland  
Mr. Donagh McGowan, the Law Society of Ireland

### **BOARD COMMITTEE TO ADDRESS SPECIFIC ISSUE:**

#### **IRISH SENTENCING INFORMATION SYSTEMS (ISIS) COMMITTEE**

The Honourable Mrs. Justice Susan Denham, Chief Justice – *Chairperson*  
The Honourable Mr. Justice Michael Peart, judge of the High Court  
The Honourable Mr. Justice Esmond Smyth, judge of the Circuit Court  
Her Honour Judge Miriam Malone  
Professor Thomas O’Malley, Faculty of Law NUI, Galway

**ORGANISATIONAL STRUCTURE**



**CHIEF EXECUTIVE OFFICER AND SENIOR MANAGEMENT TEAM**

The Chief Executive Officer is responsible for the implementation of policies approved by the Board, the day-to-day management of the staff, administration and business of the Service and is also the Accounting Officer for the Service. (see also page 69)



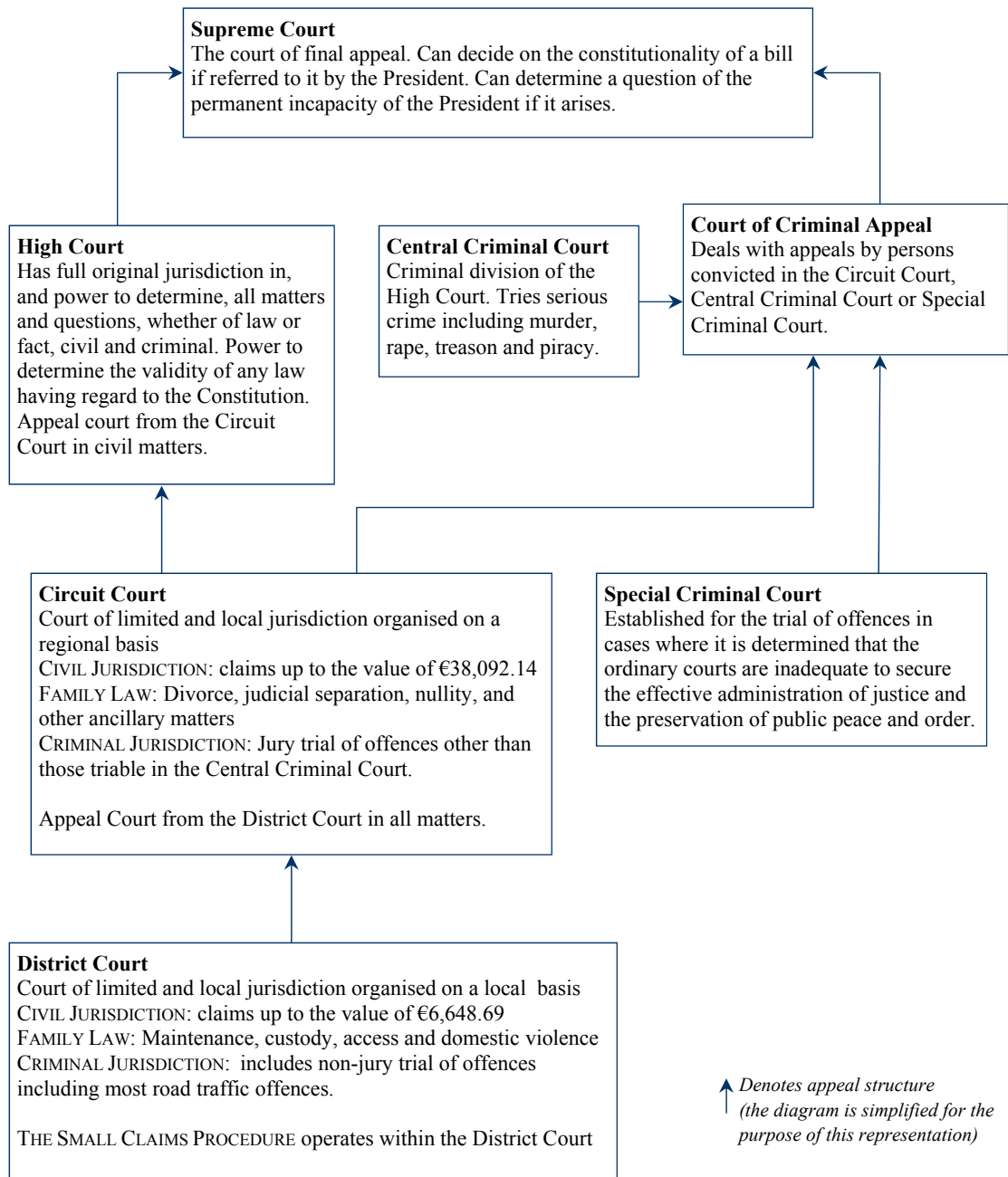
The Chief Executive Officer is supported by the Senior Management Team comprising a Head of Supreme and High Courts Operations, a Head of Circuit and District Courts Operations and three support Heads: Reform and Development, Resource Management and Infrastructure Services.

There are regional support offices in Monaghan, Naas, Tullamore, Cork and Castlebar.

**Funding and staffing of the Service 2011**

Funding provided by the State	€113 million
<b>Budget:</b>	
Current	€102 million
Capital	€ 11 million
Court fees retained	€ 47 million
Staff at 31st December	958

**STRUCTURE OF THE COURTS**



## CHAPTER 2 - OUR ACHIEVEMENTS

The Strategic Plan of the Service 2008-2011 continued to provide the basis for a range of modernisation measures which were further developed in the Corporate Business Plan 2011. However the reduction in resources which had curtailed the modernisation programme in 2010 further impacted in 2011 as funding was further reduced and staff numbers continued to decline. These factors, combined with the continued increase in the range and complexity of cases, hindered development of major parts of the programme, particularly capital investment in information and communications technology (ICT) systems and court buildings, and provided even greater impetus for the restructuring measures commenced in 2010 following the completion of the internal modernisation review, *'Transforming Administration and Structures in the Courts'* (TASC).

The overall objective of TASC was to ensure that resources are deployed to best effect taking account of the needs of a rapidly changing environment. The TASC review informed the Action Plan of the Service under the Public Service Agreement which sets out the specific actions or initiatives to be undertaken by the Service to meet the commitments in the Agreement and the timescale for their implementation. The Action Plan also reflects the initiatives in the Strategic Plan, in particular, the need to change the way the Service delivers services and manages the courts.

The Service submitted a report on progress of the Action Plan for the six month period from April to September 2011 to the National Implementation Body, the body responsible for verifying progress on implementation of the Public Service Agreement. In its overall summary on progress published in November, the Implementation Body made positive reference to several of the modernisation initiatives of the Service.

*"The Action Plan under the Public Service Agreement represents the commitment of the Service to the provision of front line core court services and the optimisation of the resources available to us to support the judiciary and court sittings". Brendan Ryan, CEO Courts Service.*

The key change initiatives identified in the Action Plan include:

- Restructuring of stand alone offices into a unified multi-jurisdictional office structure with rationalisation of stand alone District Court offices and court venues
- Development of the role of the county registrar
- Optimisation of court room technology and ICT support
- Centralisation of functions, and
- Development of cross jurisdictional work practices.

Many of the modernisation initiatives recommended in the TASC review, and included in the Strategic Plan and the Public Service Agreement Action Plan, were identified by the Service at year end for inclusion in the Justice Sector Integrated Reform Plan as part of the Government's revised reform agenda outlined in the Public Service Reform (PSR) Plan published by the Department of Public Expenditure and Reform in November.

The Public Service Reform Plan requires, *inter alia*, that the Public Service Agreement Action Plans of each agency within a Department be replaced with a single integrated Action Plan to include the actions to be taken by the Department and the key actions to be taken by each of the agencies under its remit.

In addition the Service completed its fifth Strategic Plan during the year. The Plan, for the years 2011-2014, focuses on both the operational priorities and on the transformation programme envisaged by the TASC



review. It also provides for the implementation of the modernisation initiatives to be included in the Department of Justice and Equality's PSR Action Plan. The Strategic Plan was approved by the Board of the Service in October 2011. The Service also commenced work on the development of a new ICT Strategy for the years 2012-2014 to complement the Strategic Plan.

The major outputs to be achieved by the Service during 2011 on foot of the funding provided in the annual estimates process were outlined in the Annual Output Statement. The three key outputs were (i) the introduction of an online system for the lodgment of claims for money judgments, (ii) the replacement of the single jurisdictional Circuit & District Court office network with a unified multi jurisdictional office in each county and (iii) the expansion of the role of county registrars.

*"We continue to focus on reforms in the administration and management of the courts as part of the Government's plan for the wider reform of the public service." Brendan Ryan, CEO Courts Service*

Details of the progress made by the Service in 2011 to deliver on the modernisation measures set out in the various strategic documents before referred to are outlined in this Chapter:



## SERVING COURT USERS

The further reduction in resources, staff and financial, continued to pose major challenges, not least in the drive to deliver the best service for court users. The Service continued to work to protect core court services and maintain a high level of service during the year.

### Developing a unified multi-jurisdictional office structure

A key recommendation of the TASC review, and a key output in the Annual Output Statement, was the need to create a single court office in each county town to support the operation of the Circuit and District Courts. Benefits of this project ('the Combined Office Project') include more effective use of staff resources with a resulting improvement in the quality of service for users. It will also provide increased value for money by reducing the number of additional or 'stand alone' District Court offices.

The first phase of the Combined Office Project was implemented in May 2011 when the offices of the Circuit and District Courts in Naas, Monaghan and Ennis were designated as Combined Court Offices by the Chief Executive Officer. At year end planning was underway for the designation of offices in Carlow, Carrick-On-Shannon, Galway, Portlaoise, and Waterford in early 2012 with the remaining offices to be designated later in the year. In addition, the business and staff of the District Court offices in Killarney and Listowel were transferred to Tralee in August. At year end plans were at an advanced stage for a transfer of the business and staff of the District Court office in Ballinasloe to Loughrea.

### Business process improvement exercise

A business process improvement project to streamline activities and standardise processes was implemented as part of the first phase of the Combined Office Project. The project will be extended to additional offices throughout the country during 2012.

### User groups

User groups continued to assist the Service to maintain a customer centred approach to service delivery. They comprise representatives of organisations and others who use the courts or court offices regularly providing a forum for those intimately involved in the courts system to give views and suggestions in respect of a variety of matters including facilities, procedure and the operation of policy and initiatives.

Dublin based user groups continued to meet regularly during 2011. These groups represent users of the civil and family courts generally in addition to users of more specific areas such as insolvency, probate and the Children Court. User groups established during the year included a family law group for the Circuit and District Courts and a group for the District Court in Blanchardstown. A group comprising representatives of organisations using the Criminal Courts of Justice met three times in 2011.

Regional managers or combined office managers chaired meetings of representative groups in a variety of regional locations. Meetings were held during the year as the needs demanded. For example, meetings were convened where offices were combining (as in Naas), or a change of venue occurring (as in Killaloe). In some regions, groups representing victims attended the representative group meetings. In others, separate meetings were held to address issues affecting victims.

### Customer complaints

There were twenty one formal customer complaints during 2011. Eighteen concerned administrative matters which were dealt with through the customer complaints procedure. The remainder related to matters outside the remit of the Service.

### Accessibility

The Access Officer of the Service dealt with queries from two court users with disabilities.

*"The increased use of technology in the courtroom will generate savings not only for the Courts Service but for other agencies and court users including the Irish Prison Service, An Garda Síochána and witnesses."*  
Brendan Ryan, CEO Courts Service.

### Optimising the use of courtroom technology

The Service continued to improve the technology available in courtrooms around the country during the year. This included additional installations of video link, video display, video conferencing, and digital audio recording.

### *Court Technology Group*

A group within the Service continued to develop proposals for the greater use of technology in the courtroom. The Group made recommendations during 2011 in respect of matters including cost savings in the preparation of transcripts in asylum and family law cases in the High Court, the production of transcripts in the Central Criminal Court and Circuit Criminal Court and ways to increase the use of video link for giving evidence.

#### *Video viewing facilities*

Video viewing facilities allow for viewing of evidence including recordings of interviews in Garda stations and security footage. They can be used to display video and data evidence from sources including computers, VHS tapes, DVD discs, digital cameras and camcorders.

By year end, facilities had been installed in 21 courtrooms in Dublin including Blanchardstown, Chancery Street, Cloverhill, Criminal Courts of Justice, Dolphin House, Dun Laoghaire, Four Courts, Swords and Tallaght. They were also available in Bray, Carlow, Castlebar, Cavan, Clonmel, Cork, Dundalk, Galway, Gorey, Kilkenny, Kilmallock, Letterkenny, Limerick, Longford, Monaghan, Naas, Nenagh, Sligo, Tralee, Trim and Tullamore.

#### *Video conferencing facilities*

Video conferencing eliminates the need for witnesses to attend before the court in person. This is of particular benefit when witnesses are abroad and where evidence is being taken from vulnerable (including underage) witnesses. It leads to considerable cost savings particularly in respect of expert witnesses.

The programme to roll out video conferencing facilities to courtrooms throughout the country continued in 2011. Facilities were in place at year end in courtrooms in the following locations: Castlebar, Cavan, Cloverhill, Cork (Circuit and District Courts), Criminal Courts of Justice, Dundalk, Four Courts, Galway, Kilkenny, Letterkenny, Limerick, Monaghan, Nenagh, Sligo and Tullamore.

#### *Video conferencing between the Service and the Prison Service*

A group comprising representatives from the Service and the Prison Service continued to examine the potential for the use of technology between the two agencies.

Video conferencing between Cloverhill Prison and Cloverhill District Court was introduced in 2011 following the successful introduction of the facility between Limerick Prison and Limerick District Court.

Work continued on the provision of video conferencing between Castlerea Prison and Letterkenny, Monaghan, Sligo and Galway District Courts; between Cloverhill Prison and Dundalk District Court; and between Portlaoise Prison and the Four Courts. At year end, plans were at an advanced stage to introduce video conferencing between Cork Prison and Cork District Court; and Limerick Prison and Nenagh District Court.

#### *Digital Audio Recording*

Digital audio recording (DAR) is the standard method of recording criminal cases and producing transcripts and has effectively replaced stenography in the production of court transcripts. By year end, recording facilities were available in 184 courtrooms in Dublin and around the country. Work to install facilities in the remaining 70 non-networked District Court venues commenced during the year following the completion of a successful pilot in Castlerea and Strokestown.



<b>Courtrooms with digital audio recording facilities at end 2011</b>	
Four Courts	32
Criminal Courts of Justice	22
Circuit Court	34
District Court (networked courtrooms)	71
District Court (non-networked courtrooms)	25
<b>Total</b>	<b>184</b>

### **Interpretation services**

The Service continued to provide interpreters to facilitate access to justice for those for whom English is not their first language. Interpretation services were provided in almost 6,800 cases, in 65 languages and in virtually every court venue. A review during the year resulted in additional value for the Service in respect of the quality and cost of the interpretation service being provided.

### **Support for victims and litigants**

The Service continued to liaise with groups providing support for victims in court buildings around the country. Many court venues have dedicated rooms and facilities for victims of crime or vulnerable witnesses.

The Service also continued to liaise with and facilitate organisations providing support for litigants particularly in the area of family law. A number of these organisations developed services, with the support of the Service, for litigants attending at Dublin District Family Court Office as follows:

#### *Family Law Mediation Service*

The Chief Justice launched a service in March to encourage people who would ordinarily seek court remedies in Dublin District Family Court in cases involving the welfare of children to resolve their dispute using mediation. The service, which comprises information sessions followed by mediation sessions, is provided by the Family Mediation Service of the Legal Aid Board.

By year end, almost 1,500 people had attended information sessions. There were 597 mediation sessions and 206 couples had concluded mediated agreements.

#### *Support and Referral Service*

A service for women applying for relief under the domestic violence legislation was provided by three non-governmental organisations (NGOs) supporting female victims of domestic violence on a pilot basis from February. The service provided information on the court process and practical advice on issues such as accommodation. An NGO supporting male victims of domestic violence provided similar assistance for men.

### **Providing information on the courts system to the public**

The Service continued to engage with the public to provide information on a range of topics and in a variety of formats during the year.

#### *Website*

The website continued to provide an important platform for the provision of information to all court users with over 2 million visits recorded to the end of the year of which almost 30% were first time visitors.

Decisions of the Supreme Court, Court of Criminal Appeal and High Court continued to be provided free online. Other online services included details of court hearings (*the Legal Diary*), information on High Court cases (*High Court Search*), and facilities to pay fines (*Online Fine Payment*) and make small claims (*Small Claims Online*).

#### *Social Media*

The Service continued to use Facebook to provide news of initiatives and events during the year.



### Outreach

Groups from Ireland and abroad availed of the Outreach Programme during the year to learn about the court system in Ireland. They included over 5,000 second and third level students, and a variety of community and special interest groups. In addition, the Criminal Courts of Justice and other court buildings were made available for mock trial and other competitions with a legal theme.

The Service also participated in a number of initiatives to encourage the public to visit court buildings. Tours and talks were given in courthouses including Cork Courthouse during *Heritage Week*, Ennis Courthouse as part of *Culture Night*, the Criminal Courts of Justice as part of the Irish Architecture Foundation's *Open House* programme and the Four Courts as part of UNESCO's *City of Literature* initiative.

### Media

The Service continued to provide a dedicated Media Relations Service in 2011. This is a single point of reference and source of information for local, national and international media including television, radio, internet and print. An average of 55 queries were dealt with every day covering a broad range of court related issues with over 95% dealt with on the day of receipt.

The Service also continued to interact with schools of journalism providing lectures to student journalists and accommodating visits to familiarise them with the court system.

### Other information

The Service continued to provide information to the public, government departments and parliamentary representatives following specific requests made during the year.

Material was provided for responses to 109 parliamentary questions tabled by members of the Oireachtas. The Service also dealt with 374 letters/representations from other government departments, TDs, Senators and members of the public.

The Service dealt with 15 formal requests under the Freedom of Information Acts. In addition, 92 written requests were dealt with outside of the Acts with additional queries dealt with by telephone or email. Many of the queries related to information contained in court records not covered by the Freedom of Information legislation. The Freedom of Information Officer continued to participate in the Public Service Users Network, a group of Freedom of Information officers in public service bodies.

The Service dealt with 30 requests under the Data Protection legislation during the year.

Freedom of Information Acts requests	
On hand 01/01	2
Received	13
Dealt with	15
On hand 31/12	0

Outcome of requests dealt with	
Access granted/part granted	10
Refused	1
Transferred/withdrawn	4



## SUPPORTING THE JUDICIARY

The Service continued to resource the courts with skilled and trained staff, and provided administrative and research support for the judiciary during the year. Facilities continued to be provided in other areas including information and communications technology, and buildings.

<b>Judges at 31st December 2011</b>		
	<b>Allowed by legislation</b>	<b>Serving</b>
Supreme Court	8	8
High Court	36	36
Circuit Court	38	34
District Court	64	61
<b>Total</b>	<b>146</b>	<b>139</b>

<b>Judges assigned to non-court functions</b>		
	<b>High</b>	<b>Circuit</b>
Tribunal of Inquiry Into Certain Planning Matters and Payments		3
Tribunal of Inquiry into Payments to Politicians and Related Matters	1*	
Residential Institutions Redress Board		1
Dublin Archdiocese Commission of Inquiry		1**
* Judge returned to the High Court on part time basis on 1st November 2011		
** Judge returned to the Circuit Court on 7th March 2011		

### Assisting judicial initiatives

The Service also continued to support the judiciary in the discharge of their judicial functions. In particular, the Service supported judicial initiatives in matters including rationalisation of procedures, case management and the implementation of procedural solutions for the progression of cases through the courts.

#### *Supreme Court*

The Chief Justice introduced a number of list management initiatives to address the delay in the hearing of cases and the delivery of judgments. These included the categorisation of appeals where common issues of law arose and the convening of the court in two chambers to deal with shorter appeals.

#### *High Court*

The President of the High Court scheduled additional sittings of the High Court during September 2011 which resulted in the disposal of over 300 additional common law matters.

With effect from October 2011 the President increased the allocation of judges to deal with the common law motion list from three to four. This reduced the waiting time for motions for judgment from 20 weeks to nine weeks.

The High Court assumed the hearing of notices of motion seeking an order for discovery, previously dealt with by the Master of the High Court. This measure reduced the waiting time in the Master's court from 26 weeks to eight weeks.

The system for the allocation of trial dates, in place for some time in the Dublin personal injuries list, was introduced for other lists during the year. High Court Registrars deal with certain matters in the chancery, non-jury and judicial review lists, with the consent of the parties, including the allocation of trial dates and the removal of matters where cases are finished. This initiative has removed the need for lengthy lists to fix dates which previously accounted for a considerable amount of judicial time.

### *Circuit Court*

Additional judges were assigned by the President of the Circuit Court to deal with criminal cases in venues including Bray, Castlebar, Clonmel, Donegal, Dundalk, Ennis, Galway, Letterkenny, Mullingar, Naas, Tralee, Tullamore, and Waterford.

### *District Court*

The President of the District Court scheduled additional sittings in Dublin in August and September to further reduce waiting times.

### **Drug Treatment Court**

The catchment area for the Drug Treatment Court (DTC) was extended during the year to include participants from additional areas of Dublin. There were four graduations from the third and final (gold) phase of the DTC programme with others completing the first (bronze) and second (silver) phases.

### **Development of the role of County Registrar**

The development of the role of the county registrar was one of the recommendations contained in the TASC review and a key output in the Annual Output Statement. It is designed to take advantage of the legal qualifications and experience of county registrars by enabling them perform a wider range of quasi judicial functions to enhance their roles and free up judicial time for trial work.

Additional adjudicative functions were transferred by Statute to county registrars during the year under the Civil Law (Miscellaneous Provisions) Act, 2011. A further development was the appointment of five county registrars as vice chairs of the Employment Appeals Tribunal.

### **Rationalisation of sittings of the High Court on Circuit**

The Civil Law (Miscellaneous Provisions) Act, 2011 enabled the President of the High Court to combine the sittings of the High Court on Circuit with sittings outside Dublin prescribed for personal injuries sittings. This initiative, coupled with the transfer by the Service of Donegal County to the Western Circuit of the High Court on Circuit with effect from 1st January 2012, will substantially reduce the annual number of judge sitting days allocated to the High Court on Circuit freeing up High Court judges for other business.

### **Circuit Court Review Committee**

The Service is represented on a committee to review circuits and make recommendations as to revisions so that county town venues are used to maximum advantage. The committee, which includes the President of the Circuit Court and two other judges of the Circuit Court, is also reviewing sitting days in each circuit to ensure optimum use of available time to minimise delays in hearings. Work on the review of the busiest circuits, the Eastern and South Eastern, continued in 2011.

### **Re-organisation of District Court districts and rationalisation of venues**

The re-organisation of District Court districts continued to be an ongoing process in light of developments in relation to matters such as venues, buildings and the requirements of court users. In June 2011 the Board transferred Thurles District Court area from district number 14 to district number 8. In December, following a review of the provision of court services and to maximise the use of court accommodation in Limerick the Board amalgamated district number 14 (Limerick City) with district number 13.

The review of District Court venues was particularly relevant in the reduced funding climate of 2011. Rationalisation ensures that the courts operate where facilities are most suitable and that best value for money is achieved from the estate of courthouses. The Board approved the closure of twenty venues during the year. By year end venues in Dunmanway, Dunshaughlin, Enniscorthy, Rathkeale, and Schull had closed with venues in Athenry, Ballymote, Borrisokane, Boyle, Castlecomer, Castleisland, Castletownbere, Claremorris, Ennistymon, Kiltimagh, New Ross, Portarlington, Roscrea, Shannon and Templemore to close in January 2012.



### **Administrative support**

The Service continued to provide ongoing support for the judiciary through its Judicial Support Unit. The support includes a protocol service when judges attend State functions and events, and arrangements for visitors from abroad. During 2011, the Unit facilitated visiting delegations from Australia, Germany, Kosovo, Poland, Russia, Saudi Arabia, Scotland, Serbia, Slovenia, Switzerland and the United States.

The Service also continued to provide administrative support for the Committee for Judicial Studies and the Judicial Advisory Appointments Board, both of which are independent of the Service.

The Rules Committees Support Unit of the Service continued to provide administrative support, research and drafting resources for the three courts rules committees during the year. The reports of the rules committees for 2011 are in Chapter 7.

### **Library and research facilities**

The Judges' Library continued its service to the judges and to the staff of the Service. Subscriptions were maintained to the core journals, law reports, legislation, text books, though a reduced budget required some cancellations. Staff of the library provided training and assistance in the use of various information resources for readers, including a number of library induction tours during the year, meetings with all newly appointed judges, and provision of detailed training on online databases to several judges and staff. Library personnel availed of opportunities for continuing professional development (CPD) and training to keep abreast of trends and best practices, and also contributed to the profession by involvement in professional bodies.

### **Support for the Chief Justice**

The Executive Legal Officer (ELO) continued to provide legal and administrative support to the Chief Justice during the year. The duties of the ELO include legal research, organisational responsibility for the Chief Justice's itinerary and liaison with national and international State bodies, courts and organisations.

### **Judicial fellows**

Judicial fellows continued to provide support to judges of the High Court comparable to that provided for judges of the Federal Courts of the United States and Australia, and the European Courts in Luxembourg and Strasbourg. The fellows, law graduates qualified to practise as either solicitors or barristers, are assigned by the President of the High Court to a particular area of court business and work alongside an individual judge. In 2011 ten fellows supported judges in the asylum, chancery, commercial, competition and judicial review lists. A key element of the fellow's role is in the provision of assistance with the researching and drafting of written judgments.

### **Judicial researchers**

The Judicial Research Office continued to provide research assistance to the judiciary of all courts. Additional tasks undertaken by the six judicial researchers, all of whom are law graduates, included the compilation of a digest of reported and unreported judgments for District Court judges, the updating and expansion of judicial bench books, the proof reading of Supreme Court and High Court judgments, and the provision of assistance with conference papers and other articles.

### **Accommodation**

While additional development of the building stock was limited in 2011 the Service continued to maintain court buildings around the country. The new courthouses constructed and court venues refurbished under the Capital Building Programme in the period to 2010 include modern accommodation and other facilities for judges. The many smaller venues refurbished under the Programme were also maintained during the year.



## **DEVELOPING OUR STAFF**

The importance of staff to the success of the Service becomes ever more apparent in a changing environment and a challenging economic climate. The Workforce Strategy of the Service 2010-2012 continued to provide a framework to enable the Service support staff through the development and application of people management policies, practices and activities. However, the impact of reducing numbers of staff continued to pose challenges in 2011.

### **Employment Control Framework**

The Service continues to operate under the staffing levels set by the Employment Control Framework (ECF) of the Department of Finance. The ECF required the Service to meet an authorised staffing level of 972 by the end of 2011 as part of the Government's drive to bring about a permanent, structural reduction in the number of staff in the public service. At year end the Service had 958 staff.

The moratorium on the filling of staff vacancies by recruitment or promotion continued with the Service unable to fill vacancies without the prior sanction of the Department of Public Expenditure and Reform. During 2011 the Service applied for sanction to fill key posts to the limits of the ECF ceiling.

### **Staff relations**

The Service continued to engage with the staff trade unions through the Conciliation and Arbitration process to deal with a range of staff issues during the year.

### **Partnership**

The Central Partnership Committee chaired by the Chief Executive Officer considered a number of key issues in 2011. These included the new Strategic Plan of the Service, the Combined Office Project and an employee recognition and reward scheme. Regional Partnership Committees continued to meet during the year affording staff and management the opportunity to deal with a range of local issues.

### **Performance Management and Development**

The Service continued to operate a system of performance management and development (PMDS) which includes the completion of a role profile and two performance reviews – an interim review in June and an annual review in December. During 2011 87% of staff engaged in the PMDS cycle.

### **Staff accreditation**

The staff of the Resource Management Directorate were awarded a FÁS 'Excellence Through People' accreditation in 2011. This quality standard, dedicated to the role of people and their impact on business, helps organisations improve performance and achieve business goals through their employees.

*"The 'Excellence Through People' exercise was a valuable learning exercise for us and has contributed to improved communication, engagement and performance management."  
Seán Quigley, Head of Resource Management Directorate.*

### **Staff support**

The Service continued to provide an Employee Assistance Service (EAS) in 2011. The EAS is an in-house counselling, information, support and referral service for all staff. The Employee Assistance Officer is an accredited psychotherapist and group therapist who provides support to staff and also consults with and provides support to managers dealing with sensitive staff welfare issues.

The Disability Officer of the Service provides information and advice regarding disability matters, and assistance and support to staff with disabilities, their colleagues and supervisors. At year end, 3.25% of staff had a disability as defined in the Disability Act, 2005.

The Service continued to adhere to the Civil Service policy on anti-harassment, sexual harassment and bullying. Designated persons were available to provide information to members of staff who had concerns about being bullied or harassed, or being accused of bullying or harassment.

### **Health and Safety**

The Service remained committed to providing a healthy and safe working environment where the welfare of staff is protected and valued and which meets the requirements of the Safety, Health and Welfare at Work Act, 2005. The Service continued to maintain a Corporate Safety Statement in accordance with the Act. The Safety Monitoring Committee considered a variety of matters relating to health and safety across the organisation during the year.

### **Work/Life Balance**

The Service continued to offer staff a range of flexible working arrangements including term-time and flexi-time during the year. One hundred and seventy five staff availed of work share arrangements with 64 staff availing of the shorter working year scheme.



## **OPTIMISING THE USE OF TECHNOLOGY**

The further reduction in funding for capital investment continued to adversely affect information and communications technology (ICT) development in 2011. The potential for development was limited with available funds applied towards maintaining existing systems, finalising the development of courtroom technology projects and progressing infrastructural and case management systems.

### **Communications infrastructure**

Following an upgrade in the Wide Area Network (WAN) which links locations around the country to a data centre in Dublin the Service awarded a contract for the implementation of a new VoIP (Voice over IP) telephone system. The new system was installed on a pilot basis in offices in Kilkenny, Monaghan and Cork in 2011 and will be rolled out to offices nationwide during 2012.

The relocation of the central ICT data centre of the Service to the Revenue Commissioner's purpose built data centre was completed in August 2011 in line with the Government's policy on increasing the use of shared ICT services.

### **Case Management Systems**

#### *Integrated Case Management System*

The roll out of a system to provide a single integrated case management system for criminal court cases in Circuit Court offices commenced in 2011 following the successful implementation of the system in the office of the Circuit Court, Central Criminal Court, Special Criminal Court and Court of Criminal Appeal in the Criminal Courts of Justice. This system was identified in the Public Service Agreement Action Plan as assisting in the development of combined offices and simplifying the ICT systems used by staff. At year end plans were underway for the roll out of the system to offices in Carlow, Clare, Galway and Waterford.

#### *Criminal Case Management System (CCTS)*

A project to modernise the technology underlying the Criminal Case Management System continued. The system application software was updated during the year facilitating web based developments of the system in the future and leading, in due course, to a fully web enabled system.

#### *Civil Case Management System*

An open-source based strategic platform was established in 2011 to facilitate, in the first instance, the development of the first module of the Civil Case Management System. The new platform will support the development of the system generally in future years.

The first module of the system will facilitate the online processing of summary proceedings for liquidated debt by enabling users to initiate proceedings, monitor progress, apply for judgment in default of appearance and receive judgment online. The development of this system was a key output in the Annual Output Statement. It will form a key element of a centralised office to manage the processing of summary proceedings across all jurisdictions. By year end work on the development of the system had commenced with amendments to legislation required before the project can be completed.

### **Integrated service across the criminal justice system**

The Criminal Justice Interoperability Project (CJIP) continued to deliver considerable savings in 2011. The project supports the electronic exchange of data between An Garda Síochána and the District Court nationally. This includes summons applications made by An Garda Síochána to the District Court and all subsequent court documentation including schedules, outcomes, bails and warrants. The system has eliminated 75% of the administrative process steps and replaced a paper based information exchange with an integrated electronic information exchange. In 2011, over two million messages were exchanged with a daily success rate of 99.7%.

The CJIP project was the 'Overall Winner' across nine categories at the Irish eGovernment awards in March 2011. The project also won the 'Best Cross Agency' category as part of the awards held annually to acknowledge significant achievement in the delivery of public services electronically.

*"The Criminal Justice Operability Project is a clear example of two divisions working together to deliver major productivity gains and achieve better results in the area of justice for the public" eGovernment Awards 2011 judges.*

The Service continued to plan for the future of the CJIP project by developing a business case with An Garda Síochána for the electronic transmission of charge sheets between the two agencies.

### **External support**

In line with commitments in the Public Service Agreement Action Plan the Service reduced dependence on external service providers during the year by carrying out several functions in-house which were traditionally outsourced. They included the areas of business process analysis, re-design, and training and project management in relation to projects such as digital audio recording, video and telephony systems.

### **Encouraging the use of technology**

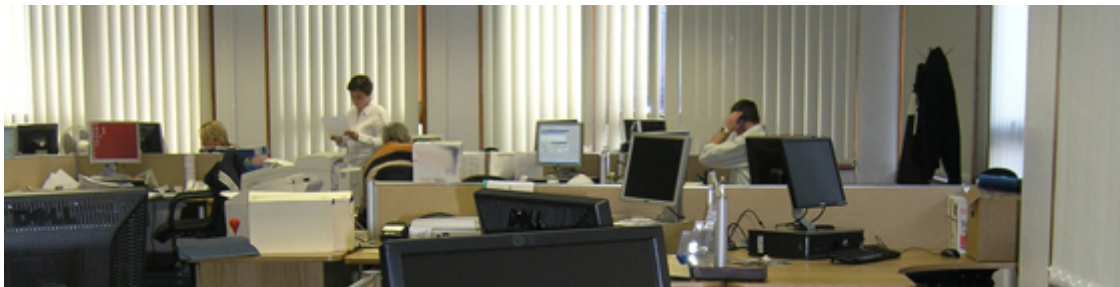
The Service continued to encourage users to avail of advancements in technology, including electronic funds transfers (EFT) and the online fines payment facility, to improve service delivery:

#### *Courts Accounting System*

The Courts Accounts Office (CAO) system operates as a shared services centre for the financial transactions generated by District Court offices. During 2011, it managed the processing of over €90 million associated with family law, fines, fees, bail and poor box. An average of 65% of family law maintenance receipts were paid by EFT. This was an increase of 1% on the total amount paid in 2010 and of 13% on the total amount paid in 2009. In addition, 92% of family law maintenance payments were paid by EFT directly into the maintenance creditor's bank account, an increase on the 88% in 2010.

#### *Online payment of fines*

There was an increase in the number of fines paid using the online payment method. Over 26% of fines were paid online in 2011, an increase on the 21% rate in 2010.



## **PROCEDURAL REFORM**

The Service, through its Reform and Development Directorate and its representation on the courts rules committees, continued to develop initiatives with the judiciary for the reform and development of court practice and procedure.

### **Procedural reform**

Court rules prepared in support of procedural reform initiatives during the year included rules to:

- facilitate the operation of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act, 2010 in all jurisdictions
- facilitate proceedings under the Protection of Children (Hague Convention) Act, 2000 and the Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-Operation in respect of Parental Responsibility and Measures for the Protection of Children 1996 in the Circuit Court and District Court and
- facilitate proceedings under the Multi-Development Act, 2011 in the Circuit Court.

### **Legislative reform**

#### *Assessing the implications of proposed legislation for court operations*

The Service continued to review the content of and provide input to proposed legislation including schemes of bill, bills, draft statutory instruments and draft legal instruments of the European Union to ascertain whether provisions affect court operations or impact on or require new court procedures.

Many of the court rules prepared in support of procedural reform initiatives are a product of the monitoring of legislation by the Service. Bills or schemes being considered at the end of 2011 included the Mental Capacity Bill, the Legal Costs Bill, the Criminal Justice (Forensic Evidence & DNA Database System) Bill, the Criminal Justice (Miscellaneous Provisions) Bill, the Property Services (Regulation) Bill, the Company Law Consolidation & Reform Bill, the Criminal Justice Bill, and the Scheme of Trusts Bill.

#### *Preparing proposals for modernising legislation on court operations*

During 2011 the Service proposed that various measures be considered for inclusion in a Courts Bill including:

- amendment of the Petty Sessions (Ireland) Act, 1851 in respect of bail monies and committal warrants
- introduction of a pre-action protocol to allow the Rules Committees prescribe procedures to be followed prior to the initiation of proceedings
- amendment of the Prisons Act, 2007 on the subject of the hearing of bail applications by video link and
- establishment of a centralised office to perform certain functions, such as online judgments and jury lists.

### **Participation in initiatives relevant to reform of the administration of justice**

The Service continued to participate and be represented on a number of working groups and bodies concerned with the reform of aspects of the administration of justice including the Company Law Review Group, European Commission for the Efficiency of Justice, Expert Group on Effective Remedies under Article 13 European Convention on Human Rights and Fundamental Freedoms, Working Group to Identify and Report on Efficiencies in the Criminal Justice System of the Courts, and Working Group on Medical Negligence and Periodic Payments.



## PROVIDING COURT ACCOMMODATION AND FACILITIES

### Capital Building Programme

The implementation of the Capital Building Programme continues to be overseen by the Building Committee.

The continued reduction in funding for courthouse capital projects had a significant impact on development in 2011 with the majority of funding applied towards maintaining the extensive building stock around the country. One development project, at **Macroom** courthouse, was completed during the year. The refurbishment work undertaken resulted in modern accommodation for practitioners, judges, staff and other court users in this 19th century building. In addition, **Monaghan** courthouse was officially opened in February following a major refurbishment project completed in 2010.

The Service continued the planning and consultation exercises in respect of several major projects, in particular those in **Waterford**, **Wexford** and **Mullingar**. At year end planning permission was in place for **Wexford** and **Mullingar** with **Waterford** at design stage. Further development of these projects is unlikely without additional funding.

The lease on **Richmond** Courthouse in Dublin was not renewed. Final court sittings took place in July 2011 with business of the District Court transferred mainly to the Criminal Courts of Justice and Chancery Street Courthouse.

### Awards

Two courthouses won architectural awards in 2011. **Monaghan Courthouse** won the *Public Building Project of the Year* award at the CMG Building and Design Awards and **Sligo Courthouse** was awarded a Silver Medal by the Royal Institute of Architects of Ireland.

### Managing Energy Usage

The main energy users in the Service are courthouse buildings and office accommodation. The Service occupies over 100 buildings throughout the country. Some are used infrequently (once or twice per month), others are shared with other organisations (*e.g.* local authorities) while others are rented on court days. It is accordingly not feasible to provide precise figures in relation to all buildings occupied by the Service. In 2011, the Service consumed 17,591MWh of energy consisting of 9,223 MWh of electricity and 8,368 MWh of fossil fuels.

#### *Actions undertaken in 2011*

The Service undertook a range of initiatives to improve energy performance including moving the central information and communications technology data centre to the data centre of the Revenue Commissioners (see page 24) and extending the Office of Public Works 'Optimising Power at Work' scheme to six additional locations.

#### *Actions planned for 2012*

The Service intends to further improve energy performance as follows:

- establish 'energy teams' at offices with twenty or more staff
- rationalise the courthouse network and concentrate activities in more energy efficient buildings
- seek grant aid from the Sustainable Energy Authority of Ireland for a variety of energy efficient initiatives.





## CHAPTER 3 - THE YEAR IN FOCUS

This chapter contains a summary of the major areas of work of the courts in 2011 and complements the statistics contained in Chapter 4.

The challenges posed by factors including reduced funding, reduced staff numbers, judicial vacancies, and increases in the range and complexity of cases had the potential to impact adversely on court sittings in 2011. However the Service worked with the judiciary to reorganise sittings and reallocate staff to ensure that sittings continued to schedule throughout the country with no short notice cancellations.

In the criminal courts, there were increases in rape cases, and theft/fraud/robbery cases, and decreases in murder cases, drugs cases and road traffic cases. In the civil courts, applications relating to the recovery of debt increased in all jurisdictions although there were decreases in applications for possession in the High Court and applications for committal in the District Court. In the family courts there was little change in the numbers applying for judicial separation and divorce with wives applying for the majority of both reliefs.

### OUTLINE OF COURT BUSINESS 2011

<b>Court</b>	<b>Matters</b>
<b>Supreme Court</b>	<b>499</b>
<b>Court of Criminal Appeal</b>	<b>314</b>
<b>High Court</b>	
Civil	36,274
Criminal	3,473
<b>Total</b>	<b>39,747</b>
<b>Special Criminal Court</b>	<b>68</b>
<b>Circuit Court</b>	
Civil	51,859
Criminal	18,685
<b>Total</b>	<b>70,544</b>
<b>District Court</b>	
Civil	183,868
Criminal	431,921
<b>Total</b>	<b>615,789</b>
<b>Total all jurisdictions</b>	<b>726,961</b>

## HIGHLIGHTS OF 2011

### CRIMINAL CASES -

- 39 murder cases in Central Criminal Court - an 8% increase on 2010 and a 26% decrease on 2009
- 80 rape cases in Central Criminal Court - a 27% increase on 2010 and a 63% increase on 2009
- 414 European Arrest Warrant applications in High Court - a 9% decrease on 2010
- 32 defendants before the Special Criminal Court - a 52% increase on 2010
- 50 sentences of 10 years or more in Circuit Criminal Court - mostly for theft/fraud/robbery cases
- 481 sentences of between five and ten years in Circuit Criminal Court - 41% for theft/fraud/robbery cases
- over 1,800 sentences of between two and five years in Circuit Criminal Court - 44% for theft/fraud/robbery offences
- 59% of orders in summary cases disposed of in District Court relate to road traffic offences
- Dangerous driving offence orders in District Court decrease by 7% on 2010 figures and 13% on 2009 figures
- Drink driving offence orders in District Court decrease by 12% on 2010 figures and 24% on 2009 figures.

### CIVIL CASES

- 16,060 personal injury actions in the High Court and Circuit Court - a 5% increase on 2010
- 305 applications to wind up companies in the High Court - a 12% increase on 2010
- 33 new bankruptcies in High Court - a 14% increase on 2010
- 634 orders for possession made - 281 in the High Court, a 14% decrease on 2010 and 353 in the Circuit Court, a 15% increase on 2010
- 7,549 judgment mortgage certificates issued in High Court and Circuit Court - a 16% increase on 2010
- 21,741 cases for breach of contract and recovery of debt in Circuit Court - a 21% decrease on 2010 - remains the highest category of civil claims at 50%
- 3,783 judgments for recovery of debt in High Court - a 35% increase on 2010 and a 70% increase on 2009
- 4,443 execution orders issued in the High Court - a 38% increase on 2010 and a 77% increase on 2009
- 7,795 judgments registered across all jurisdictions - a 42% increase on 2010
- 1,051 committal orders for non payment of debt in District Court - a 63% decrease on 2010
- 1,193 applications for judicial review in High Court - a 24% decrease on 2010 - 59% of applications relate to asylum
- 1,379 applications for judicial separation - a 3% decrease on 2010 - majority by wives (74% in High Court; 75% in Circuit Court)
- 3,358 applications for divorce - slight reduction on 2010 - majority by husbands in High Court (54%) and by wives in Circuit Court (54%)
- 2,287 care orders granted to the Health Service Executive in the District Court - an increase of 119% on 2010

### The Supreme Court

There were 258 Supreme Court appeals disposed of in 2011 - 190 by the Court and 68 withdrawn by letter to the Supreme Court Office. This compares with 309 in 2010 – of which 233 were disposed of by the Court and 76 withdrawn by letter. Of the 499 appeals lodged, 17.6% were by appellants in person.

### Criminal business

The courts dealt with 452,113 criminal matters involving 174,138 defendants in 2011. There were 290 appeals disposed of in the Court of Criminal Appeal; 1,149 offences dealt with in the Central Criminal Court; 68 offences dealt with in the Special Criminal Court; 12,248 offences dealt with in the Circuit Court; and 431,921 offences dealt with in the District Court.

In addition, there were 1,593 orders made in *habeas corpus* and European Arrest Warrant cases in the High Court, 1,757 orders in bail cases and 14,476 offences sent forward for trial to higher courts from the District Court.

### **The Court of Criminal Appeal**

Appeals lodged in the Court of Criminal Appeal decreased from 326 in 2010 to 314. The majority (227 or 72%) were against sentence only. There were 41 appeals (13%) against conviction and sentence with 39 (12%) against conviction only.

The Court disposed of 290 appeals compared with 267 in 2010. More than 65% (189) related to Circuit Court cases with 46 (16%) relating to Central Criminal Court cases. There were 129 appeals refused. The Director of Public Prosecutions appealed 55 cases on grounds of undue leniency in the original sentence.

### **Central Criminal Court / High Court**

There were 66 trials in the Central Criminal Court– 23 in respect of murder and 43 in respect of rape and sexual assault.

#### *Murder*

The Court received 39 new cases and disposed of 39. This compares to 36 new cases with 41 disposed of in 2010. Pleas of guilty were entered in 16 cases while 23 went to trial. One defendant was found not guilty by reason of insanity, and the remainder were convicted. There were 20 convictions for murder and 18 convictions for offences other than murder *e.g.* manslaughter. Eighteen life sentences were imposed with a further four sentences for periods of more than 10 years.

#### *Rape*

There was a significant increase in the number of new rape and sexual assault cases. Eighty new cases were received, an increase of 27% on the 63 cases received in 2010. Twenty one guilty pleas were entered and there were 43 jury trials. One life sentence was imposed with eight sentences of more than 12 years and 27 sentences of between five and twelve years.

#### *European Arrest Warrant applications*

There was a decrease in applications in European Arrest Warrants in the High Court with 414 applications made, a 9% decrease on the 457 applications made in 2010. There were 1,368 orders made, a 21% increase on the 1,130 orders made in 2010.

#### *Bail*

Only the High Court has jurisdiction to deal with bail applications where a person is charged with murder. Applications may also be made to the High Court to vary the terms of a bail order made by a District Court judge. In 2011 the High Court made 1,205 orders granting bail, a 13% increase on the 1,069 such orders made in 2010. There were 491 orders refusing bail, a 10% increase on the 447 made in 2010.

The Service received €4.2 million in bail lodgments in the District Court during the year, a reduction on the €5.1 million lodged in 2010.

### **Special Criminal Court**

There were 13 trials in the Special Criminal Court – a decrease from 16 in 2010 although the number of defendants increased - from 21 to 32.

Of the 32 defendants, 26 were convicted – eighteen pleaded guilty with eight found guilty by the Court. The most common offence was possession of firearms, ammunition or an explosive substance, with membership of an illegal organisation, false imprisonment and violent disorder accounting for the other offences.

### **Circuit Court**

There were 772 trials in the Circuit Court involving 3,839 defendants. Theft and robbery remained the largest category of offence with 3,805 offences dealt with. There were 2,333 drug offences and 1,573 assault offences.

Theft and robbery offences attracted the highest sentences with 25 sentences of 10 years or more imposed and 197 sentences of between five and ten years imposed. Of the 1,830 sentences of between two and five years imposed – 44% were for theft and robbery offences with 13% for drug offences. Over 1,600 suspended sentences were imposed. The majority of criminal trials were disposed of in five days or less.

### *Appeals*

Appeals from the District Court to the Circuit Court in criminal cases increased by 18% - from 5,521 in 2010 to 6,499. Appeals disposed of increased by 7% from 5,991 in 2010 to 6,437.

### **District Court**

There were 468,525 orders made in respect of offences before the Court compared to 498,672 in 2010 – a decrease of 6%. A further 14,476 offences were sent forward for trial to higher courts, an increase of 16% on the 12,475 in 2010. The Court dealt with 169,857 defendants. Orders made in respect of summary offences disposed of decreased by 8% from 428,472 to 395,279. Indictable offences dealt with summarily increased to 73,246 from 70,200 in 2010.

Orders made in respect of offences under the road traffic legislation continued to be the highest category accounting for 59% of orders made in respect of summary offences. The number of people prosecuted and convicted for drink driving and dangerous driving decreased again in 2011. There were 4,961 orders made in respect of dangerous driving prosecutions, a decrease of 7% on the 5,362 orders in 2010 and of 13% on the 5,704 orders in 2009. There were 18,669 orders made in respect of drink driving prosecutions, a decrease of 13% on the 21,153 orders in 2010 and of 24% on the 24,467 orders made in 2009.

Orders made in respect of drugs offences increased by 5% to 17,715 from 16,939 in 2010. The number of people prosecuted for drug offences increased from 11,707 in 2010 to 11,852. There were 61,652 orders made in respect of public order and assault offences a decrease of 3% on the 63,550 offences in 2010.



### *Juvenile crime*

Orders made in respect of offences before the Children Court decreased by 11% to 8,093 from 9,162 in 2010. There were 3,731 defendants prosecuted as compared to 3,221 in 2010. Almost half of all offences were struck out or taken into consideration with other offences. 260 offences were returned to a higher court for trial.

## **CIVIL**

### **Cases issued**

There were 186,572 civil cases issued in 2011 – 26,378 in the High Court (compared to 27,125 in 2010); 42,696 in the Circuit Court (compared to 49,148 in 2010); and 117,498 in the District Court (compared to 115,074 in 2010). There was a 2% decrease overall on the 191,437 civil cases issued in 2010.

### **Personal injury**

There were 16,060 personal injury suits filed – 8,179 in the High Court (a 5% increase on the 7,739 in 2010) and 7,881 in the Circuit Court (a 4% increase on the 7,567 in 2010).

### **Corporate insolvency (companies)**

There were 305 applications to the High Court for an order to wind up a company, a 12% increase on the 272 such applications in 2010. Winding up orders were made in respect of 98 companies, a 15% decrease on the 116 orders made in 2010. Applications were made to restrict the directors of 51 companies, a 26% decrease on 2010. Restriction orders were made in respect of directors of 54 companies, a 44% decrease on the 97 such orders made in 2010. Disqualification orders were made in respect of the directors of four companies, a decrease on the five such orders made in 2010.

## **Personal insolvency (bankruptcy)**

Bankruptcy applications have not continued to increase. There were 76 applications (petitions) for adjudication compared with 84 in 2010. There were 33 people adjudicated bankrupt (adjudications), compared with 29 in 2010 and 17 in 2009. At year end, the Office of the Official Assignee in Bankruptcy had a caseload of 106 bankruptcies and 36 arranging debtors. The reduction in the number of bankrupts was due to the commencement of section 30 of the Civil Law (Miscellaneous Provisions) Act, 2011 which provides for the automatic discharge of a person from bankruptcy on the twelfth anniversary of the adjudication order.

## **Commercial List**

There were 249 new cases admitted to the High Court Commercial List, a decrease of 15% on the 293 admitted in 2010. There were 324 cases disposed of, a 25% increase on the 258 disposed of in 2010. By year end, 1,604 cases had been admitted to the list and 1,441 disposed of since the inception of this List in 2004. The average time for disposal remained at 21 weeks, with 25% of all cases being disposed of/concluded in less than 4 weeks, and 90% of all cases being disposed of in less than 49 weeks.

## **Chancery/Equity**

In the High Court, cases based on equitable relief including injunctions, company law matters, specific performance or rescission of contracts, administration of estates of deceased persons or trust actions are dealt with in the Chancery List. Similar cases in the Circuit Court are called equity actions.

In 2011, the High Court made orders in or disposed of 2,151 chancery actions, an increase of 13% on the 1,903 cases in 2010. In the Circuit Court there were 1,493 equity cases, a decrease of 9% on the 1,650 in 2010.

## **Possession and mortgage suit cases**

Possession cases include all cases in which the plaintiff is seeking possession of lands and/or premises including family homes. Applications for possession may also form part of mortgage suits. These are cases where the creditor has a mortgage on the property in which the defendant has an interest but does not have power to sell that property unless the court declares the mortgage well-charged on the debtor's interest.

Cases for the recovery of possession of lands and/or premises in the High Court continued to decrease. There were 480 cases in 2011 – a decrease of 18% on the 583 cases in 2010 and 51% on the 985 cases in 2009. Orders for possession also decreased by 14% from 327 in 2010 to 281. In the Circuit Court there were 353 orders for possession compared with 306 in 2010, an increase of 15%.

There were 78 mortgage suit cases issued in the High Court, a slight decrease on the 81 issued in 2010. There were 25 declaratory well charging orders made, a decrease of 36% on the 39 made in 2010.

Ejectment proceedings may be brought in the Circuit Court or District Court for possession resulting from matters including non-payment of rent or overholding. There were 1,567 applications for ejectment in the District Court virtually unchanged from the 1,564 in 2010.

## **Breach of contract and recovery of debt**

In the Circuit Court, breach of contract (which includes recovery of debt) continued to be the main cause of action accounting for 21,741 (50%) of cases. In the High Court, claims for the recovery of debt (summary summonses) decreased by 13% - from 6,103 in 2010 to 5,282. Over 35% (89) of all cases admitted to the Commercial List commenced as a liquidated demand on a summary summons.

Applications for judgment in the High Court increased with judgment marked in the Central Office in 3,783 cases, an increase of 35% on the 2,792 in 2010. In the other jurisdictions there was a decrease of 22% in judgment marked in Circuit Court offices (to 13,249 from 17,009 in 2010) and a decrease of 15% in District Court offices (to 25,261 from 29,771 in 2010).

## **Enforcement of judgments**

### *Execution orders*

The High Court issued 4,443 execution orders in 2011, a 38% increase on the 3,207 in 2010 and a 77% increase on the 2,514 issued in 2009. The Circuit Court issued 9,491 execution orders, a decrease of 10% on the 10,597 issued in 2010.



### *Committal and instalment orders*

Committal orders for non payment of debts decreased by 63% from 2,818 in 2010 to 1,051. Summonses for attendance by a debtor increased by 16% to 15,350 from 13,229 in 2010 while instalment orders increased by 7% from 9,676 to 10,400.

### *Registration of judgments*

Judgments obtained in the District Court, Circuit Court and High Court can be registered in the High Court. Registrations remained high in 2011 with the 7,795 judgments registered representing a 42% increase on the 5,473 in 2010.

### *Judgment mortgage certificates*

There were 2,844 judgment mortgage certificates signed in the High Court, an increase of 12% on the 2,533 certificates and affidavits dealt with in 2010. There was an increase in the Circuit Court also with 4,705 certificates signed, a 19% increase on the 3,961 certificates signed in 2010.

### *Judicial review*

There were 1,193 applications for judicial review to the High Court in 2011, a 24% decrease on the 1,581 in 2010. There was a 25% decrease in asylum-related applications - 703 compared with 936 in 2010. Asylum-related applications represented 59% of all judicial review applications. Applications in asylum related cases generally seek an order quashing the decision of a body such as the Refugee Appeals Tribunal, or an injunction restraining the Minister for Justice and Equality from deporting them.

### **Small claims**

Applications under the Small Claims procedure decreased by 19% from 4,718 in 2010 to 3,836 in 2011.

The largest category of claims related to electrical goods, followed by furniture. Other categories included damage to private property, and claims relating to mobile phones and audio/computers. 901 applications could not be dealt with under the Small Claims procedure. Of the claims dealt with, Small Claims registrars settled 1,269, there were 369 decrees by default (granted where the person against whom the claim is made does not respond or take any part in the case), 235 applications were not proceeded with and 682 were referred to the District Court.

In court, decrees were granted in 286 cases, 86 cases were dismissed and the remaining 310 were struck out or withdrawn.

## **FAMILY LAW**

The High Court and the Circuit Court have concurrent jurisdiction in family law matters. However, the majority of judicial separation, divorce and nullity applications are made to the Circuit Court. There is a right of appeal from the Circuit Court to the High Court.

### **Judicial separation**

There were 1,379 applications for judicial separation in 2011 – 27 in the High Court and 1,352 in the Circuit Court - a 3% decrease on 2010. The majority of applications in both jurisdictions (74% in the High Court; 75% in the Circuit Court) were by wives. There were 1,029 orders granted – 23 in the High Court and 1,006 in the Circuit Court.

### **Divorce**

There was little change in the number of applications for divorce - 3,358 as compared to 3,381 in 2010. There were 28 applications in the High Court and 3,330 in the Circuit Court - the majority in the High Court were by husbands (54%) while the majority in the Circuit Court were by wives (54%). There were 2,815 orders granted - 38 in the High Court and 2,777 in the Circuit Court.

### **Nullity**

As in 2010 there were 39 applications for nullity in the Circuit Court – the majority (59%) by husbands. Decrees granted increased from 16 to 34. There were no applications in the High Court.

### Appeals in family law

Appeals from the Circuit Court to the High Court were in line with 2010 – 146 as compared to 145. There were 1,064 appeals from the District Court to the Circuit Court, a 10% increase on the 968 appeals in 2010.

### Supervision and care orders

The courts deal with applications for orders in respect of the care or supervision of minors, or on behalf of minors concerning the arrangements made by the Health Service Executive (HSE) for their care. The majority of applications are made by the HSE in the District Court. In 2011, supervision orders increased by 33% to 972 from 731 in 2010 while care orders increased by 119% to 2,287 from 1,046 in 2010.

### Child abduction

There were 30 applications to the High Court under the Hague Convention on Child Abduction compared to 41 in 2010, with 153 orders made.

### Notice/age of marriage

The Circuit Court can exempt persons wishing to marry from the requirement to give three months notice to the Registrar of Marriages. It can also exempt persons from the age requirements for marriage. There was a 12% increase in applications received - 677 compared to 602 in 2010 - with 462 applications granted compared to 441 in 2010.

### Guardianship, custody, access

There were 2,761 applications by unmarried applicants for guardianship in the District Court. Applications for custody (including custody and access) decreased by 12% to 2,135 while applications for access only increased by 7% from 4,784 in 2010 to 5,122.

### Domestic Violence

Applications to the District Court under the domestic violence legislation increased to 10,652 from 9,743 in 2010. There were 3,755 applications for safety orders compared to 3,561 in 2010. Applications for interim barring orders increased from 530 in 2010 to 731. Applications for barring orders increased from 2,726 in 2010 to 2,763 while applications for protection orders increased from 2,926 to 3,403.

Spouses remained the primary applicants for relief representing 55% of applicants for barring orders, 57% of applicants for interim barring orders, 50% of applicants for safety orders and 47% of applicants for protection orders.

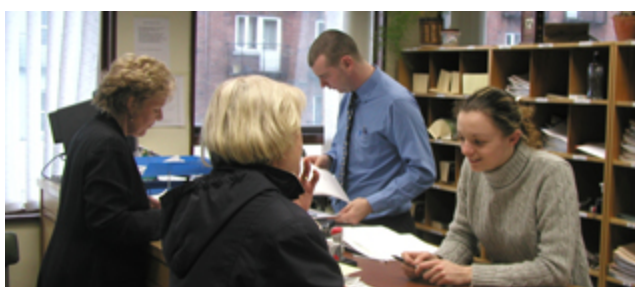
## LICENSING

### Circuit Court

There was a decrease in applications received and licences granted by the Circuit Court in 2011. Applications decreased by 20% to 308 from 387 in 2010 while licences granted decreased by 12% to 274 from 312 in 2010. Pub license applications decreased by 22%, to 189 from 244 in 2010 while licences granted decreased by 18%, to 168 from 206 in 2010. There were 42 restaurant licenses granted compared with 33 in 2010. Hotel licenses granted decreased, to 26 from 32 in 2010.

### District Court

There was a 16% decrease in licensing applications in the District Court in 2011. There were 66,370 applications made compared with 78,930 in 2010. Special exemption order applications decreased by 17%, from 64,878 in 2010 to 53,837. Lottery licences decreased by 14% to 1,340 from 1,552 in 2010 with restaurant certificate applications almost unchanged at 768.





## CHAPTER 4 - COURT STATISTICS



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### INTRODUCTION

The statistics in this chapter are for the period from 1st January 2011 to 31st December 2011. They are presented by reference to specific categories of law: criminal, civil (including family) and licensing. In some instances statistics for 2010 and previous years are provided for comparison purposes. A focus on the work of the courts in 2010 is contained in Chapter 3.

The statistics provide information about the major areas of work of the courts. Additional information and statistics providing more detailed analysis are available on the website of the Service ([www.courts.ie](http://www.courts.ie)).

The classification and categorisation used by the Service to produce the statistics in this chapter may differ from those of other agencies such as An Garda Síochána, the Director of Public Prosecutions and the Office of the Director of Corporate Enforcement.

### Law Terms 2011

Hilary	11th January to 15th April
Easter	3rd May to 9th June
Trinity	22nd June to 29th July
Michaelmas	3rd October to 21st December

A glossary of terms is contained in Chapter 8.

**SECTION 1: SUPREME COURT**

Trends: Appeals				
Year	Received	Disposed of by the court	Withdrawn in the office by letter	Total disposed of
2011	499	190	68	258
2010	466	233	76	309
2009	499	228	113	341
2008	443	229	105	334
2007	373	229	47	276

Trends: Appeals from appellants in person*		
Year	Received	Percentage of total
2011	88	17.6%
2010	70	15%
2009	76	15%
2008	71	16%
2007	49	13.1%

\* persons not legally represented

Outcome of appeals disposed of by the Court	2011	2010
Appeal dismissed: High Court order affirmed	75	122
Appeal allowed: High Court order set aside	31	18
Appeal allowed: High Court order varied	10	22
Appeal struck out	68	66
Cases stated determined	5	1
Referred to Europe	1	2
No jurisdiction	0	2
<b>Total</b>	<b>190</b>	<b>233</b>

Written judgments	2011	2010
Reserved at 01/01	23	19
Delivered	73	89
Reserved at 31/12	20	23

Length of appeal hearing	2011	2010
One day or less	188	207
Two days or more	28	26

Other documents filed	2011	2010
Commissioners appointed	21	13
Notaries Public appointed	16	25
Certificates of authentication issued	555	1,559
Persons called to the Inner Bar	16	16
Persons called to the Outer Bar	191	206
Declarations made by newly appointed judges	7	8
Extensions of service granted to County Registrars / District Judges	12	12

**SECTION 2: CRIMINAL****CRIMINAL BUSINESS: OVERVIEW OF MATTERS DISPOSED OF**

	Appeals	Offences	Defendants	Trials
Court of Criminal Appeal	290	n/a	290	n/a
High Court: Central Criminal Court	n/a	1,149	120	66
Special Criminal Court	n/a	68	32	13
Circuit Criminal Court	6,437	12,248	3,839	772
District Criminal Court	n/a	431,921	169,857	n/a
<b>Total</b>	<b>6,727</b>	<b>445,386</b>	<b>174,138</b>	<b>851</b>

Other:	Bail	Habeas Corpus	European Arrest Warrant
High Court	1,757	225	1,368

**CRIMINAL BUSINESS: BY COURT****COURT OF CRIMINAL APPEAL**

Trends: Appeals					
Year	2011	2010	2009	2008	2007
Received	314	326	324	305	267
Disposed of	290	267	229	279	232

2011	On hand 01/01	Received	Disposed of	On hand 31/12
Appeals from Circuit Criminal Court	260	199	189	270
Appeals from Central Criminal Court	73	44	46	71
Appeals from Special Criminal Court	9	13	7	15
Appeals from Courts-Martial Appeal Court	3	0	2	1

Appeals against sentence by Director of Public Prosecutions (undue leniency)	64	55	43	76
Appeals against dismissal of charges by Director of Public Prosecutions	2	2	1	3
Appeals alleging miscarriage of justice	3	1	2	2
<b>Total</b>	<b>414</b>	<b>314</b>	<b>290</b>	<b>438</b>



Nature of appeal	On hand 01/01	Received	Disposed of	On hand 31/12
Against conviction and sentence	83	41	56	68
Against conviction only	56	39	34	61
Against sentence only	261	227	193	295
Against dismissal of charges	2	2	1	3
Against costs order	11	0	2	9
Activation of sentence	0	5	3	2
Against confiscation order	1	0	1	0
<b>Total</b>	<b>414</b>	<b>314</b>	<b>290</b>	<b>438</b>

Outcome of appeals against conviction and sentence	2011	2010
Refused	27	19
Conviction affirmed, sentence varied	14	6
Conviction quashed, re-trial directed	5	1
Conviction quashed, no re-trial	6	0
Appeal struck out/adjourned generally/withdrawn	4	2
<b>Total</b>	<b>56</b>	<b>28</b>

Outcome of appeals against conviction only	2011	2010
Refused	27	12
Conviction quashed, re-trial directed	1	6
Conviction quashed, re-trial directed and admit to bail	3	0
Conviction quashed, no re-trial	2	2
Liberty to withdraw granted	1	1
<b>Total</b>	<b>34</b>	<b>21</b>

Outcome of appeals against sentence only (severity)	2011	2010
Refused	57	39
Original sentence quashed and sentence imposed in lieu	40	53
Appeal struck out/liberty to withdraw granted/withdrawn	16	21
<b>Total</b>	<b>113*</b>	<b>113</b>

Outcome of appeals against sentence only (leniency)	2011	2010
Refused	18	27
Original sentence quashed and sentence imposed in lieu	23	27
Appeal struck out/liberty to withdraw granted	2	3
<b>Total</b>	<b>43*</b>	<b>57</b>

\* some appeals were withdrawn in the office

Appeals withdrawn in the office	2011	2010
	39	46

**HIGH COURT : CENTRAL CRIMINAL COURT***Offence: Murder*

Trends: Cases		
Year	Received	Disposed of
2011	39*	39
2010	36	41
2009	53	49
2008	51	35
2007	39	44

\* includes one case of attempted murder

Method of disposal	2011	2010
Guilty pleas	16	12
Jury trials	23	28

Cases disposed of	2011	2010
Convicted of murder	20	16
Convicted of offences other than murder	18	20
Found not guilty by reason of insanity	1	2
Acquitted	0	2
Other	0	1
<b>Total</b>	<b>39</b>	<b>41</b>

Sentences imposed	2011	2010
Life imprisonment	18	16
Imprisonment over ten years	4	5
Imprisonment over five years to ten years	8	11
Imprisonment over three years to five years	3	2
Other	6	3
Not guilty by reason of insanity	1	2

*Offence: Rape and sexual assault*

Trends: Cases		
Year	Received	Disposed of
2011	80	71
2010	63	69
2009	49	52
2008	78	72
2007	73	76

Method of disposal	2011	2010
Guilty pleas	21	35
Jury trials	43	38
Accused deceased	3	0
Nolle prosequi entered	4	0

Cases disposed of	2011	2010
Convicted of rape	9	5
Convicted of rape and other offences	26	32
Convicted of other sexual offences	12	8
Acquitted	10	16
Other (including nolle prosequi)	14	8
<b>Total</b>	<b>71</b>	<b>69</b>

Sentences imposed	2011	2010
Life imprisonment	1	2
Imprisonment over 12 years	8	14
Imprisonment over five years to 12 years	27	13
Imprisonment up to five years	11	10
Other*	0	6

\* Includes suspended sentences, bench warrants

*Offence: Breach of Section 4 of Competition Act, 2002*

Received	Disposed of
0	1

**HIGH COURT:**

*Bail*

Only the High Court has jurisdiction to deal with bail applications where a person is charged with murder. Application may also be made to vary the terms of a bail order made by a District Court judge.

Outcome of applications made	2011	2010
Orders made on own surety (including cash lodgment)	<b>785</b>	686
Orders made on third party surety	<b>420</b>	443
Application refused	<b>491</b>	447
Bail revoked	<b>58</b>	75
Application withdrawn/struck out	<b>3</b>	19

*Habeas Corpus*

	2011	2010
Cases issued	<b>153</b>	150
Orders made	<b>225</b>	208

*European arrest warrants*

	2011	2010
Cases issued	<b>414</b>	457
Orders made	<b>1,368</b>	1,130

**SPECIAL CRIMINAL COURT**

Trends: Cases					
	Trials	Defendants	Convicted on plea of not guilty	Convicted on plea of guilty	Struck out / nolle prosequi / acquitted
<b>2011</b>	<b>13</b>	<b>32</b>	<b>8</b>	<b>18</b>	<b>6</b>
2010	16	21	7	10	4
2009	10	31	10	17	4
2008	10	22	6	10	6
2007	7	10	3	7	0

Offence	Convicted
Membership of an illegal organisation	4
Possession of firearms/ammunition/explosive substance	15
False imprisonment	2
Violent disorder	4
Other	1

## CIRCUIT COURT

	Road traffic	Drug offences	Sexual offences	Firearms offences	Theft Fraud Robbery	Assault	Child Abuse	Man-slaughter	Other	Total
<b>Cases disposed of</b>										
Offences*	937	2,333	753	776	3,805	1,573	50	20	2,001	<b>12,248</b>
Defendants	261	692	226	217	1,187	655	11	15	575	<b>3,839</b>

### Method

Guilty pleas	363	829	145	291	1,980	780	18	5	951	<b>5,362</b>
Trials	20	53	222	30	133	197	8	5	104	<b>772</b>

### Outcome of trials

Convicted	8	14	6	11	21	31	8	1	15	<b>115</b>
Acquitted	11	26	202	15	76	135	0	4	58	<b>527</b>
Nolle prosequi	1	13	14	4	36	31	0	0	31	<b>130</b>

### Sentences

Community Service	6	13	0	5	30	46	1	0	33	<b>134</b>
Suspended sentence	73	335	39	104	523	339	5	1	270	<b>1,689</b>
Fine	33	11	0	0	14	11	0	0	52	<b>121</b>
Imprisonment up to 2 years	55	88	22	48	348	106	4	0	117	<b>788</b>
Imprisonment over 2 years to 5 years	104	238	62	107	810	234	8	2	265	<b>1,830</b>
Imprisonment over 5 years to 10 years	35	79	15	25	197	51	6	3	70	<b>481</b>
Imprisonment over 10 years	3	6	1	3	25	5	0	0	7	<b>50</b>
Other	12	11	10	2	40	68	0	0	39	<b>182</b>

\* includes offences in lieu of defendants in respect of Dublin Circuit Criminal Court

**DISTRICT COURT**

Cases disposed of	2011	2010
Orders made in respect of summary offences *	<b>395,279</b>	428,472
Orders made in respect of indictable offences dealt with summarily *	<b>73,246</b>	70,200
<b>Total</b>	<b>468,525</b>	<b>498,672</b>

\* more than one order may be made in respect of a particular offence

Sent forward for trial	<b>14,476</b>	12,475
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Orders made: nature of offences	2011	2010
Public Order/Assault	<b>61,652</b>	63,550
Drugs	<b>17,715</b>	16,939
Theft	<b>33,225</b>	32,275
Road traffic	<b>280,257</b>	313,565
Sexual	<b>1,903</b>	1,815
Other **	<b>73,773</b>	70,528
<b>Total</b>	<b>468,525</b>	<b>498,672</b>

\*\* includes offences such as breach of bail, litter offences, street trading and offences prosecuted by government departments and other State agencies such as the Health and Safety Authority.

Specific Road Traffic	Dangerous Driving		Drink Driving		Unauthorised taking of motor vehicles	
	Offences	Defendants	Offences	Defendants	Offences	Defendants
Imprisonment / Detention (including part suspended)	320	187	454	372	292	230
Imprisonment suspended	124	86	352	329	91	87
Fine	714	608	6,800	6,530	55	54
Community Service Order	52	45	151	139	28	27
Probation/ Dismiss under Probation of Offenders Act	69	45	93	86	96	86
Dismiss/struck out	1,340	889	1,848	1,754	293	261
Taken into consideration ***	750	426	969	883	309	229
Other	518	354	301	289	253	209
Peace Bond	31	20	95	89	36	34
Disqualification	1,043	752	7,606	7,163	212	181
<b>Total</b>	<b>4,961</b>	<b>3,412</b>	<b>18,669</b>	<b>17,634</b>	<b>1,665</b>	<b>1,398</b>

Sentences	Public Order / Assault		Drugs		Theft		Sexual Offences		All Road Traffic	
	Offences	Defendants	Offences	Defendants	Offences	Defendants	Offences	Defendants	Offences	Defendants
Imprisonment / Detention	5,384	3,915	1,544	1,193	6,241	3,415	80	61	5,108	3,853
Fine	10,343	7,147	3,224	2,824	2,660	2,184	78	73	56,283	45,375
Community service / Probation / Dismiss under Probation of Offenders Act	8,238	5,170	2,415	1,848	3,908	2,465	82	64	5,399	3,915
Dismiss	1,628	1,216	332	253	479	392	16	14	4,832	3,572
Struck out	13,759	9,026	3,641	2,687	6,144	3,845	161	84	126,201	62,868
Taken into consideration ***	14,737	5,661	2,859	1,273	6,315	2,164	41	25	50,252	19,659
Other	6,102	4,301	3,430	1,554	6,525	2,428	1,421	261	31,576	24,101
Peace bond	1,461	1,174	270	220	953	749	24	14	606	517
<b>Total</b>	<b>61,652</b>	<b>37,610</b>	<b>17,715</b>	<b>11,852</b>	<b>33,225</b>	<b>17,642</b>	<b>1,903</b>	<b>596</b>	<b>280,257</b>	<b>163,860</b>



Juvenile crime		
Sentences	Offences	Defendants
Community service	67	43
Detention	477	263
Detention suspended/part suspended	241	158
Dismiss	281	167
Probation/Dismiss under Probation of Offenders Act	1,533	727
Disqualification	150	109
Fine	515	288
Peace Bond	155	101
Poor Box	19	8
Strike out	1,861	906
Taken into consideration ***	2,022	557
Other	512	296
Returned to higher court for trial	260	108
<b>Total</b>	<b>8,093</b>	<b>3,731</b>

Appeals: District Court to Circuit Court	
Received	6,499
Disposed of	6,437

\*\*\* The Criminal Justice Act, 1951 section 8 provides that where a person, on being convicted of an offence, admits himself guilty of any other offence and asks to have it taken into consideration in awarding punishment, the court may take it into consideration accordingly. If the Court takes an offence into consideration, a note of that fact is made and filed with the record of the sentence, and the accused cannot be prosecuted for that offence, unless his conviction is reversed on appeal.

**SECTION 3: CIVIL****CIVIL BUSINESS: OVERVIEW**

New cases issued			
Jurisdiction	Case type	2011	2010
High Court	Summonses, petitions, originating motions	<b>26,378</b>	27,215
Circuit Court	Civil bills	<b>42,696</b>	49,148
District Court	Civil summonses	<b>117,498</b>	115,074
<b>Total</b>		<b>186,572</b>	<b>191,437</b>

Appeals lodged		
	2011	2010
District Court to Circuit Court	<b>1,559</b>	1,419
Circuit Court to High Court	<b>599</b>	516

**CIVIL BUSINESS: DISPOSAL OF CASES****High Court:**

- (i) Cases initiated by plenary summons (*e.g.* in contract, tort or equity cases) are tried on pleadings exchanged between the parties and/or on oral evidence
- (ii) Cases initiated by summary summons (*e.g.* in actions for liquidated demand) may be disposed of in the office or, where the claim is disputed, may be tried either on oral evidence or on affidavit
- (iii) Cases initiated by special summons (*e.g.* mortgage suits and administration suits) are usually tried on affidavit
- (iv) Cases initiated by petition (*e.g.* in company liquidation and wardship cases) or originating notices of motion are usually supported by affidavit evidence.

Some types of cases (*e.g.* petitions, originating notices of motion, special summonses) are given return dates before the High Court or Master of the High Court at the time of issue. Other cases, including those commenced by plenary summons, require the parties to bring the case back before the court (by setting the case down for hearing). Many cases are not proceeded with, for reasons including settlement between the parties, and may not be brought back before the court after issue. There may therefore be no order of the court indicating the outcome of the case.

**Circuit Court:**

Cases are usually initiated by civil bill (*e.g.* in contract, tort, equity, family law, tax appeal, land dispute, landlord and tenant cases). They are generally heard on oral evidence and in some cases, on affidavit). As in the High Court many cases are not automatically listed before the court and require the parties to set them down for hearing. Likewise cases may be settled between the parties or otherwise not proceeded with after issue and are not therefore brought back before the court.

**District Court:**

Cases are usually initiated by civil summons (*e.g.* in contract, tort, family law cases). Summonses are issued by the court and a date given for hearing. Proceedings are generally heard on oral evidence.

Details of the major areas of work in the civil courts during 2011 are provided in this chapter. They include cases initiated, orders made and cases withdrawn and/or struck out.

**CIVIL BUSINESS: BY CATEGORY**

1. *Personal Injury*

Cases issued		
	2011	2010
High Court	8,179*	7,739*
Circuit Court	7,881	7,567
<b>Total</b>	<b>16,060</b>	<b>15,306</b>

\* includes medical negligence cases

Cases disposed of*	High Court	Circuit Court
Orders made (includes settled cases)	4,218	1,477
Cases settled (approved by the court)	4,155	1,819
Cases withdrawn/struck out (by letter)/settled out of court	126	418

\* Cases where orders are made by the courts. Many cases do not come back before the courts after issue. Others are settled between the parties without further recourse to the courts.

Personal injury awards		
	High Court	Circuit Court*
Lowest amount awarded	€5,000	€829
Highest amount awarded	€7,000,000	€199,322
<b>Total amount awarded</b>	<b>€73,995,478</b>	<b>€14,955,472</b>

\* to persons under 18 years

Personal injury awards: High Court	
Amount	Cases
€0 to €37,999	77
€38,000 to €99,999	166
€100,000 to €199,999	42
€200,000 to €999,999	45
€1m+	13
<b>Total</b>	<b>343</b>

Personal injury awards: Circuit Court	
Amount	Cases
€0 to €9,999	557
€10,000 to €19,999	470
€20,000 to €29,999	146
€30,000 +	30
<b>Total</b>	<b>1,213</b>

2. *Insolvency (corporate)*

Examinership:		
High Court	2011	2010
Received	22	22

Orders made:		
o Appoint interim examiner	19	22
o Appoint examiner	20	18

Wind up company (compulsory liquidations):		
High Court	2011	2010
Received	305	272
Orders made	98	116
Proceeded in Examiner's Office	106	121

Trends: Compulsory liquidations in High Court Examiner's Office					
Year	2011	2010	2009	2008	2007
	106	121	111	56	15

Restrict directors from acting as directors:		
High Court	2011	2010
Received	51	69

**Orders made\*:**

o Restriction order granted	54	97
o Restriction order refused	4	5
* orders may restrict a number of directors		

Disqualify Directors:		
High Court	2011	2010
Received	12	8

**Orders made\*:**

o Disqualify directors	4	5
o Disqualification order refused	0	1
* each order may restrict a number of directors		

*3. Insolvency (personal)*

Trends: Bankruptcy: High Court					
Year	2011	2010	2009	2008	2007
Petitions issued	76	84	42	17	30
Adjudicated bankrupt	33	29	17	8	4

Bankruptcy: High Court	2011	2010
Summonses issued	150	78
Petitions issued	76	84
Adjudicated bankrupt	33	29
Discharged	339*	4
Annulled	2	2

Arrangements with debtors: High Court	2011	2010
Petitions issued	6	11
Protection granted	4	10
Disposed of in court	7	5

\* Civil Law (Miscellaneous provisions) Act, 2011 provides for automatic discharge of a person from bankruptcy on the twelfth anniversary of the order of adjudication.

	On hand 01/01	Received	Disposed of	On hand 31/12
Bankruptcies	474	33	401	106
Arrangements with debtors	36	4	7	33

European Communities (Personal Insolvency) Regulations 2002	
Entries on 01/01	46
Entered during 2009	30
Entries on 31/12	76

Office of the Official Assignee: High Court: Financial overview		
	Amounts	Cases
Funds received	€3,006,627	67
Total payments out	€2,493,542	402

#### 4. Commercial list

**Types of cases** Commercial proceedings are defined in Rule 1 of Order 63a of the Rules of the Superior Courts. In short, they include claims in contract or tort arising out of business transactions where the value of the claim is not less than €1 million, intellectual property cases (including passing off), certain types of arbitration claims and appeals from, or judicial review applications in respect of, any statutory body where the judge in charge of the list considers that, having regard to the commercial or any other aspect of such an application, it is one appropriate for entry into the commercial list.

High Court	2011	2010
On hands 01/01	<b>238</b>	203
Entered into list	<b>249</b>	293
Disposed of	<b>324</b>	258
On hands 31/12	<b>163</b>	238

Analysis of cases disposed of	2011	2010
Motion to dismiss	<b>4</b>	0
Settled after entry	<b>37</b>	25
Settled after directions hearing	<b>53</b>	39
Settled after hearing date set	<b>48</b>	46
Settled after pre-hearing conference	<b>0</b>	0
Settled at hearing	<b>69</b>	36
Full hearing	<b>113</b>	111
Other	<b>0</b>	1

#### 5. Chancery

**Types of cases:** Injunction applications, company law matters, specific performance / rescission of contracts, administration of estates of deceased persons, trust actions

High Court: Received	2011	2010
Specific performance	<b>319</b>	303
Injunction	<b>356</b>	328
Declaration	<b>506</b>	539
European Communities (Cross Border Mergers) Regulations, 2008*	<b>13</b>	7
* S.I. No. 157 of 2008		

Orders made/cases disposed of	2011	2010
	<b>2,151</b>	1,903

#### 6. Equity

**Types of cases** Cases relating to disputes over ownership of land under statutory provisions including the County Officers and Courts (Ireland) Act, 1877, the Settled Land Acts, the Trustee Relief Acts and the Trustee Acts.

Circuit Court	2011	2010
Received	<b>1,493</b>	1,650
Disposed of	<b>1,088</b>	1,153

## 7. Possession, mortgage suits and ejectment

**Possession - Types of cases:** Cases in which the plaintiff is seeking possession of lands and / or premises including family homes.

High Court	2011	2010
Received	480	583
Orders made	281	327

Circuit Court	2011	2010
Orders made	353	306

**Mortgage suits - Types of cases:** Cases where the creditor has a mortgage on the property in which the debtor has an interest but does not have power to sell that property unless the court declares the mortgage well-charged on the debtor's interest.

High Court	2011	2010
Received	78	81
Orders made	25	39

**Ejectment - Types of cases:** Cases where there is a claim for possession resulting from matters including non-payment of rent or over holding.

District Court	2011	2010
Received	1,567	1,564

## 8. Employment law

**Types of cases:** Enforcement of, and appeals relating to, decisions of the Employment Appeals Tribunal brought under legislative provision relating to matters such as unfair dismissal, payment of wages, adoption leave, parental leave and organisation of working time.

Circuit Court	2011	2010
Received	291	207
Disposed of	222	123

## 9. European order for payment

**Nature of procedure:** Procedure for cross border debt recovery, where a person or a company in one EU Member State claims to be owed a liquidated debt by a person or a company in another EU Member State.

High Court	2011	2010
Received	129	106



10. Breach of contract and recovery of debt

High Court	2011	2010
Received	<b>1,539</b>	1,811
Orders made	<b>819</b>	754

Circuit Court	2011	2010
Received	<b>21,741</b>	27,629
Orders made	<b>1,526</b>	1,326

High Court	2011	2010
Summary Summonses issued	<b>5,282</b>	6,103
Revenue Summonses issued	<b>1,120</b>	1,350

11. Judgment marked in the office/summary judgment

	2011	2010
High Court	<b>3,783</b>	2,792
Circuit Court	<b>13,249</b>	17,009
District Court	<b>25,261</b>	29,771

12. Filings to assist recovery of debt

High Court	2011	2010
Execution orders	<b>4,443</b>	3,207
Renew execution order	<b>252</b>	101
Judgment mortgage certificate	<b>2,844</b>	2,533
Satisfaction piece	<b>28</b>	37
High, Circuit, District Court judgments registered	<b>7,795</b>	5,473

Circuit Court	2011	2010
Execution orders	<b>9,491</b>	10,597
Judgment mortgage certificate	<b>4,705</b>	3,961
Satisfaction piece	<b>82</b>	103

District Court	2011	2010
Summons for attendance of debtor	<b>15,350</b>	13,229
Instalment orders	<b>10,400</b>	9,676
Committal orders	<b>1,051</b>	2,818

13. Appeals

Circuit Court to High Court	2011	2010
Received	<b>453</b>	371
Orders made	<b>359</b>	351

District Court to Circuit Court	2011	2010
Received	<b>495</b>	451
Orders made	<b>578</b>	488

## 14. Written judgments delivered

High Court	2011	2010
Reserved at 01/01	29	106
Delivered	518	479
Reserved at 31/12	66	29

## 15. Regulation of professions

High Court:								
Medical Council matters	2011	2010	Nurses Acts	2011	2010	Solicitors Acts	2011	2010
Received	18	21	Received	18	18	Received	105	99
Orders made	25	12	Orders made	31	26	Orders made	214	253

## 16. Judicial Review – Asylum related

**Types of cases** All judicial review applications brought under legislative provisions relating to asylum, immigration and refugees. Respondents include the Office of the Refugee Appeals Commissioner, the Refugee Appeals Tribunal and the Minister for Justice and Equality.

High Court	2011	2010
Received	703	936

Orders made:		
Liberty to apply for judicial review granted	129	135
Liberty to apply for judicial review refused	40	120
Interim asylum related orders	147	146
Final orders – relief granted	29	42
Final orders – relief refused	21	49
Final orders – miscellaneous	117	109
Final orders – struck out (no order)	73	163

## 17. Judicial Review – Other

High Court	2011	2010
Received	490	645

Orders made:		
Liberty to apply for judicial review granted	400	566
Liberty to apply for judicial review refused	44	59
Interim orders	173	169
Final orders – judicial review granted	173	144
Final orders – judicial review refused	104	113
Final orders – struck out (no order)	121	88

18. Jury

High Court:		
Received	2011	2010
Defamation	128	90
False imprisonment	11	11
Assault	171	138

Disposed of		
	2011	2010
Final orders	9	17
Actions settled	29	42

19. Cases Stated

District Court to High Court		
	2011	2010
Received	24	18
Orders made	13	21

Revenue (District Court) to High Court		
	2011	2010
Received	0	0
Orders made	1	1

Circuit Court to Supreme Court		
	2011	2010
Received	1	2
Orders made	1	2

Case stated appeals High Court to Supreme Court		
	2011	2010
Received	7	7
Orders made	4	4

20. Other

High Court: Garda Compensation Act		
	2011	2010
Received	94	146
Orders made	200	186

High Court: Hepatitis C appeals		
	2011	2010
Received	14	14
Orders made	10	14

High Court: Proceeds of Crime Act		
	2011	2010
Received	21	16
Orders made	126	106

High Court: Masters Court		
	2011	2010
Orders made	4,411	4,763

## 21. Wards of Court

High Court	
Wardship cases	2,277
Applications awaiting hearing *	84
Declaration orders **	313
Dismissed/discharged	199
Orders signed	1,405
Enduring Powers of Attorney registered	440
* number of cases pending with inquiry order signed at 31st December	
** number of adults and minors taken into wardship	

## 22. General Solicitor for Minors and Wards of Court

High Court: Wardship cases	
Active	380
Pending	9
Dismissal	120

Sub cases	241
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Reason person admitted to wardship	
Acquired brain injury	48
Elderly mental infirm	105
Learning or intellectual disability	114
Minor	3
Psychiatric illness	108
Residential abuse	2
<b>Total</b>	<b>380</b>

## 23. Estates of deceased persons (Probate)

Probates (and administrations with wills annexed)	2011		2010	
High Court: Principal Registry	6,945	5,825		
Circuit Court: Local registries	5,575	5,801		
<b>Total</b>	<b>12,520</b>	<b>11,626</b>		

Intestacies (no valid will)	2011		2010	
High Court: Principal Registry	1,963	1,645		
Circuit Court: Local registries	1,867	1,995		
<b>Total</b>	<b>3,830</b>	<b>3,640</b>		

## 24. Taxation of costs

High Court	2011	2010
Summonses issued	1,820	1,891
Certificates issued	796	842

Outcomes	2011	2010
Costs claimed	€58,591,775	€66,674,740
Costs allowed	€41,317,752	€45,658,240
Total fees collected	€2,646,891	€2,766,445
Duty on summonses (included in total fees)	€458,000	€430,750

25. Small Claims Procedure

District Court: Applications received	2011	2010
	<b>3,836</b>	<b>4,718*</b>
* increase of 771 on figure published in 2010 Annual Report		

Disposed of	2011	2010
Cases not covered by procedure	<b>901</b>	1,323
Cases not proceeded with	<b>235</b>	290
Decrees by default	<b>369</b>	345
Settled by Registrar	<b>1,269</b>	1,251
Referred to court	<b>682</b>	731
<b>Total</b>	<b>3,456</b>	<b>3,940</b>

Adjudicated by court	2011	2010
Decrees granted	<b>286</b>	322
Cases dismissed	<b>86</b>	77
Cases struck out/withdrawn	<b>310</b>	332
<b>Total</b>	<b>682</b>	<b>731</b>

**SECTION 4 FAMILY LAW**

The High Court and the Circuit Court have concurrent jurisdiction in family law matters. However, there is a right of appeal from the Circuit Court to the High Court.

*1. Judicial separation, divorce, nullity*

<b>Trends: Applications received</b>						
	<b>Judicial separation</b>		<b>Divorce</b>		<b>Nullity</b>	
<b>Year</b>	<b>High</b>	<b>Circuit</b>	<b>High</b>	<b>Circuit</b>	<b>High</b>	<b>Circuit</b>
<b>2011</b>	<b>27</b>	<b>1,352</b>	<b>28</b>	<b>3,330</b>	<b>0</b>	<b>39</b>
2010	27	1,393	24	3,357	2	39
2009	35	1,592	33	3,683	0	55
2008	42	1,966	43	4,214	0	61
2007	52	1,689	28	4,081	0	60

<b>Trends: Orders granted</b>						
	<b>Judicial separation</b>		<b>Divorce</b>		<b>Nullity</b>	
<b>Year</b>	<b>High</b>	<b>Circuit</b>	<b>High</b>	<b>Circuit</b>	<b>High</b>	<b>Circuit</b>
<b>2011</b>	<b>23</b>	<b>1,006</b>	<b>38</b>	<b>2,777</b>	<b>0</b>	<b>34</b>
2010	25	965	20	3,093	1	16
2009	20	1,080	39	3,302	1	19
2008	45	1,180	42	3,588	0	48
2007	18	1,167	26	3,658	1	27

<b>Trends: Judicial separation - applicants</b>				
	<b>Wife</b>		<b>Husband</b>	
<b>Year</b>	<b>High</b>	<b>Circuit</b>	<b>High</b>	<b>Circuit</b>
<b>2011</b>	<b>20</b>	<b>1,013</b>	<b>7</b>	<b>339</b>
2010	24	1,030	3	363
2009	29	1,159	6	433

<b>Trends: Divorce - applicants</b>				
	<b>Wife</b>		<b>Husband</b>	
<b>Year</b>	<b>High</b>	<b>Circuit</b>	<b>High</b>	<b>Circuit</b>
<b>2011</b>	<b>13</b>	<b>1,796</b>	<b>15</b>	<b>1,534</b>
2010	11	1,825	13	1,532
2009	12	1,994	21	1,689

<b>Trends: Nullity - applicants</b>				
	<b>Wife</b>		<b>Husband</b>	
<b>Year</b>	<b>High</b>	<b>Circuit</b>	<b>High</b>	<b>Circuit</b>
<b>2011</b>	<b>0</b>	<b>16</b>	<b>0</b>	<b>23</b>
2010	0	23	2	16
2009	0	22	0	33

<b>Cases disposed of: Outcomes</b>						
	<b>Judicial separation</b>		<b>Divorce</b>		<b>Nullity</b>	<b>District Court appeals</b>
	<b>High</b>	<b>Circuit</b>	<b>High</b>	<b>Circuit</b>	<b>Circuit</b>	<b>Circuit</b>
Settled prior to hearing*	8	69	12	232	0	15
Settled during hearing**	2	322	6	978	8	107
Full hearing	13	253	20	614	22	170
* Settled after date fixed but before full hearing begins						
** Full hearing underway when settlement reached						

<b>Circuit Court: Specific orders made</b>						
	<b>Judicial separation</b>		<b>Divorce</b>		<b>Nullity</b>	
	<b>2011</b>	<b>2010</b>	<b>2011</b>	<b>2010</b>	<b>2011</b>	<b>2010</b>
Pension adjustment	<b>562</b>	494	1,183	1,270	0	2
Transfer of family home	<b>415</b>	453	526	525	2	3
Sale of family home	<b>233</b>	180	219	209	0	1
Residence in family home	<b>253</b>	265	220	235	2	0
Other property order	<b>311</b>	235	314	307	0	0
Extinguish succession rights	<b>895</b>	939	2,628	2,841	8	5

2. Maintenance

<b>Circuit Court: Outcome of applications made</b>		
	<b>Judicial separation</b>	<b>Divorce</b>
Periodic payment to spouse	<b>221</b>	<b>272</b>
Periodic payment to child	<b>367</b>	<b>504</b>
Lump sum payment to spouse	<b>213</b>	<b>308</b>
Lump sum payment to child	<b>8</b>	<b>23</b>

<b>District Court: Outcome of applications made (by applicant)</b>		
	<b>Married</b>	<b>Unmarried</b>
Granted	<b>1,165</b>	<b>2,366</b>
Refused	<b>44</b>	<b>68</b>
Withdrawn/struck out	<b>392</b>	<b>690</b>

3. Guardianship

<b>High Court</b>	<b>2011</b>	<b>2010</b>
Received	<b>39</b>	32
Orders made	<b>214</b>	176

<b>District Court: Unmarried applicants*</b>	<b>2011</b>	<b>2010</b>
Granted	<b>2,059</b>	2,072
Refused	<b>52</b>	68
Withdrawn/struck out	<b>650</b>	643
* Section 6(a) Guardianship of Infants Act, 1964		



4. Custody & access

Circuit Court: Outcomes			
	Judicial separation	Divorce	Nullity
Orders made	535	675	3

District Court: Outcomes						
	Custody & access		Custody only		Access only	
	2011	2010	2011	2010	2011	2010
Granted	528	760	735	767	3,899	3,697
Refused	20	46	39	39	103	92
Withdrawn/struck out	250	251	563	574	1,120	995

5. Domestic violence

Circuit Court: Outcomes		
	2011	2010
Orders made	203	170

District Court: Trends		2011	2010	2009	2008	2007
Barring order applications		2,763	2,726	2,855	3,096	3,355
Barring orders granted		1,043	1,064	1,106	1,251	1,420

Protection order applications		3,403	2,926	3,134	3,354	3,794
Protection orders granted		3,085	2,672	2,867	2,960	3,235

Safety order applications		3,755	3,561	3,322	3,328	3,553
Safety orders granted		1,513	1,457	1,339	1,502	1,556

Interim barring order applications		731	530	545	623	692
Interim barring orders granted		569	431	451	445	586

\* Some interim barring orders were granted on foot of applications for protection orders. Likewise some protection orders were granted on foot of interim barring orders

District Court: Applicants								
	Barring orders		Interim barring orders		Safety orders		Protection orders	
	2011	2010	2011	2010	2011	2010	2011	2010
Spouse	1,514	1,515	418	302	1,888	1,836	1,615	1,552
Common law partner	853	842	214	150	1,302	1,195	1,296	1,004
Parent	386	360	95	72	471	460	417	321
Other	7	5	4	2	77	69	70	45
Health Board	3	4	0	4	17	1	5	4

6. Childcare

**Types of cases** Applications by the Health Service Executive (HSE) in relation to care of children, mainly applications to have children placed in the care of or under the supervision of the HSE temporarily or permanently.

District Court	2011	2010
Supervision orders granted	972	731
Care orders granted*	2,287	1,046
* The court may also grant interim care orders.		

7. Appeals

District Court to Circuit Court		
	2011	2010
Received	1,064	968
Orders made	840	618

Circuit Court to High Court		
	2011	2010
Received	146	145
Orders made	91	83

8. Other

High Court: Adoption	2011	2010
Cases issued	5	5
Orders made	6	4

High Court: Hague Luxembourg Convention (child abduction)	2011	2010
Cases issued	30	41
Orders made	153	148

Circuit Court: Section 47 Civil Registration Act, 2004*	2011	2010
Received	677	602
Orders granted	462	441
* Section 47 Civil Registration Act, 2004 allows the court dispense with the necessity to give three months notice of intention to marry and/or allow people under the age of eighteen to marry		

**SECTION 5: LICENSING**

<b>Circuit Court: Applications dealt with</b>	<b>2011</b>	<b>2010</b>
Public house	<b>168</b>	206
Hotel	<b>26</b>	32
Restaurant	<b>42</b>	33
Club	<b>9</b>	16
District Court Appeals	<b>11</b>	11
Other	<b>18</b>	14
<b>Total</b>	<b>274</b>	<b>312</b>

<b>District Court: Applications dealt with</b>	<b>2011</b>	<b>2010</b>
Renewal of publican licences	<b>751</b>	988
Temporary transfer of licence	<b>771</b>	813
Annual dance licence	<b>1,094</b>	1,233
Temporary dance licence	<b>197</b>	274
Restaurant certificate	<b>768</b>	765
Special exemption orders	<b>53,837</b>	64,878
Lottery licence	<b>1,340</b>	1,552
Other	<b>7,612</b>	8,427
<b>Total</b>	<b>66,370</b>	<b>78,930</b>

**SECTION 6: WAITING TIMES**

*Supreme Court*

<b>Waiting time</b>	This is the time between the lodgment of the certificate of readiness and the hearing date. Waiting times are governed by the availability of court time, the number of priority cases and the degree of urgency necessitated by the circumstances of particular appeals. The waiting time is also affected by the fact that, in addition to sittings in the Supreme Court, the judges of the Supreme Court are required to sit in the Court of Criminal Appeal. The availability of court time is also dependent on the preparation time required in advance of the hearing and the time required after the hearing for judgment conferences.
<b>Priority list:</b>	<p>The list is under constant review and actively managed to prioritise those appeals which necessitate an expedited hearing. The Chief Justice has a management list each Thursday at which she gives directions for the efficient management of the hearing of appeals for which, increasingly, multiple sitting days are sought.</p> <p>Priority is given to Child Abduction and Enforcement of Custody Orders Act, 1991 (Hague Convention) matters and European Arrest Warrant Act 2003 matters, which appeals are case managed until their hearing. Application can also be made at the management list for priority in other matters where the particular circumstances dictate, including appeals in criminal matters, that might hold up a trial, and appeals from the High Court commercial, family law or asylum lists. Hearing dates are allocated, depending on the degree of urgency and the availability of dates. The average waiting time in this list during 2011 was 8 months.</p>
<b>General list:</b>	These appeals comprise the general waiting list. The average waiting time for appeals in this list during 2011 was 39 months.

*Court of Criminal Appeal*

<b>Waiting time</b>	The time from the issue of a notice of appeal to the time the appeal is disposed of in the Court of Criminal Appeal.
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Conviction cases	12 months
Sentence appeals	9 months

*High Court: Crime*

<b>Waiting time</b>	<p><b>Murder and rape trials:</b> The time from the first listing of case before the Central Criminal Court on return for trial from District Court, to the trial date</p> <p><b>Bail applications:</b> The date from the issue of a notice of motion to the date the matter is first listed before the High Court</p>
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Murder and rape trials	12 months
Bail	date immediately available

*High Court: Civil*

**Waiting time** The time from when a case is ready for listing/hearing to the allocation of the first date for hearing before the High Court.

<b>Personal injury</b>	
Cork	24 months
Dublin	Cases less than two days in duration: following term
	Other cases: 6 months
Dundalk	9 months
Galway	9 months
Kilkenny/Waterford	10 months
Limerick	18 months
Sligo	7 months

<b>Asylum</b>	
Pre-leave	30 months
Post-leave	5 months

<b>Chancery</b>	
Monday motions list	3 weeks
Certified cases	3 months
Special summonses	5 weeks
Miscellaneous	Motions that require more time than they can be given in the Monday list: 3 months
	Cases less than 2 hours in duration: dealt with sooner

<b>Family</b>	
Cases for hearing	Within 3 months
Urgent cases	Within 2 weeks
Hague Luxembourg Convention	Within 6 weeks as required by Convention

<b>Non jury</b>	
Monday list	4 weeks
Certified cases - less than 1 week in duration	4 months
Certified cases - longer than 1 week in duration	9 months

<b>Other</b>	
Commercial list	Date immediately available
Common law motions	8 weeks
Competition list	2 weeks
Garda compensation	5 weeks
Circuit Court appeals - less than 2 hours in duration	6 weeks
Circuit Court appeals - more than 2 hours in duration	4 months
Hepatitis C Tribunal appeals	Within 3 months
Jury list	8 months (priority given to wardship applications)
Judicial review	3 months
Judicial review - less than 2 hours in duration	Within 2 weeks
Master's list	5 weeks
Master's list - family law cases	3 weeks
Proceeds of Crime	Date immediately available
Restrict directors (section 150 Cos Act 1990)	4 weeks
Rulings	1 week

## Circuit Court

<b>Waiting time</b>	
<b>Criminal</b>	<b>Trials:</b> The time from receipt of return for trial to hearing date <b>Sentences:</b> The time from receipt of return for trial to sentence hearing
<b>Family Law</b>	The time from receipt of notice of trial/notice of motion to listing for hearing
<b>Appeals</b>	The time from receipt of District Court Appeal to date of appeal hearing

Circuit Court								
Waiting times shown in months (unless otherwise stated)								
Office	Criminal			Civil		Family law		
	Trials	Sentences	Appeals	Trials	Appeals	Contested	Non-contested	Appeals
Carlow	6	N.S.*	12	12	N.S.	12	N.S.	12
Carrick on Shannon	9	6	3	6	6	6	N.S.	N.S.
Castlebar	3-6	3-6	3-6	N.S.	N.S.	N.S.	N.S.	N.S.
Cavan	9	9	9	18-24	6-9	12	N.S.	N.S.
Clonmel	36	6	18-24	6-9	6-9	18-24	N.S.	N.S.
Cork	N.S.	N.S.	6-12	6-9	9-12	3-6	N.S.	3-6
Dublin	8	3	4	6-10 weeks	6 weeks	4	3 weeks	9
Dundalk	24	3-6	12	18	6	9-12	3	6
Ennis	3-6	N.S.	3	6	3	6	N.S.	N.S.
Galway	9-11	3	2-3	9-11	3	2	3	N.S.
Kilkenny	18	6	12	18	18	18	N.S.	N.S.
Letterkenny	9-12	9-12	N.S.	12-18	12	18	N.S.	12
Limerick	3-6	6-9	3	6	6	N.S.	N.S.	N.S.
Longford	6-9	3	3	24-30	9-12	9-12	N.S.	3-6
Monaghan	4	6-12	4	4	N.S.	N.S.	N.S.	N.S.
Mullingar	18-24	3-6	3-6	15	12-15	15	N.S.	3-6
Naas	18	6	6	36	3	24	N.S.	N.S.
Portlaoise	6	6	12	18-24	12	12-18	N.S.	3-6
Roscommon	9-12	3-6	3	18-24	6-9	12	N.S.	3-6
Sligo	9	3	6	18	12	9	N.S.	6
Tralee	3	3	3	3-6	3-6	3	N.S.	3
Trim	12-18	3	6	24-36	3	12	6	3
Tullamore	12-18	6-12	N.S.	12-18	6-9	N.S.	N.S.	3
Waterford	12-15	6-12	N.S.	12-18	N.S.	12	N.S.	N.S.
Wexford	18-24	4-6	30-36	30-36	6	27-30	N.S.	6-10
Wicklow	12	6	12	12	9	9	6	9

\* N.S. = Next Sitting.  
Details of the next sittings of the Circuit Court in specified locations are available on the website of the Service ([www.courts.ie](http://www.courts.ie))



District Court

**Waiting time**

**Criminal:** The time from receipt of summons application to scheduled date for hearing

**Civil:** The time from receipt of application to date of listing for hearing

**Family law:** The time from receipt of application to scheduled date for hearing

<b>District Court</b>					
Waiting times shown in weeks (unless otherwise stated)					
Office	Criminal		Civil	Family Law	
	Summonses	Charge Sheets	Applications	Domestic Violence Applications**	Maintenance Guardianship Application
Athlone	12-14	N.S.	4-8	2	4
Ballina	10-12	N.S.	6-8	N.S.	N.S.
Ballinasloe	12-15	N.S.	4	1	4
Bray	16	N.S.	8	1-3	3-6
Carlow	12	N.S.	8	8	8
Carrick-on-Shannon	12-15	N.S.	8-12	N.S.	N.S.
Castlebar	12	N.S.	8-12	N.S.	6
Cavan	16	N.S.	12	N.S.	8
Clonakilty	12	N.S.	8	N.S.	N.S.
Clonmel	12	N.S.	N.S.	4-8	8-12
Cork	14	N.S.	6	10	10-12
Derrynea	14-16	N.S.	4-6	N.S.	3
Donegal	11-18	N.S.	8	2-5	4-6
Drogheda	13	N.S.	8	N.S.	4
Dublin	Section 49*: 9 Other: 21	N.S.	30	8	8
Dundalk	14	N.S.	4	1	3
Ennis	12-15	N.S.	8-12	2	4
Galway	10-12	N.S.	16	1	3
Kilkenny	20-26	N.S.	4	2-4	4-6
Letterkenny	20-24	N.S.	16-20	4	8
Limerick	12	N.S.	8-10	3-5	6-8
Longford	12	N.S.	4	1	4
Loughrea	12	N.S.	4	N.S.	8
Mallow	12	N.S.	3-4	N.S.	N.S.
Monaghan	12-15	N.S.	8-10	N.S.	N.S.
Mullingar	15-16	N.S.	4-8	2	4
Naas	12-16	N.S.	8	2	8
Nenagh	16-20	N.S.	1	N.S.	N.S.
Portlaoise	14-18	N.S.	12-16	N.S.	8-12
Roscommon	12-15	N.S.	4	N.S.	N.S.

Sligo	13-15	N.S.	8	2	4
Tralee	12	N.S.	8	4	4
Trim	14	N.S.	8-12	5-8	4
Tullamore	12	N.S.	4	N.S.	4
Waterford	16	N.S.	12	12	12
Wexford	16	N.S.	24	N.S.	4
Youghal	14	N.S.	12	8	8
<p>* drink driving prosecutions  ** urgent interim applications are dealt with immediately (that is on next sitting day in every district)</p>					



## CHAPTER 5 - CORPORATE GOVERNANCE

This chapter outlines key elements of corporate governance in the Service including how it complies with the Code of Practice for the Governance of State Bodies (CPGSB) published by the Department of Finance.

The CPGSB provides a framework for the application of best practice in corporate governance by both commercial and non-commercial bodies. While not all of the requirements of the Code are applicable to the Service it has, nevertheless, adopted a best practice approach to governance. The Service has adopted and translated the Code, as appropriate, through the updating of the governance framework already in place. Furthermore the governance arrangements are reviewed regularly and have been the subject of satisfactory external audit and review, most recently in 2009.

### GOVERNANCE FRAMEWORK

The Courts Service Act, 1998 (as amended) is the legislative basis for the establishment of the Service. A range of governance arrangements are in place throughout the Service at organisational and Board level. These arrangements are designed to ensure compliance with the Courts Service Act, 1998 (as amended), the Governance Framework document (which defines the functions of the Board, the Board Standing Orders, the terms of reference and accountability of committees), policy statements on major areas of activity and a strong internal control environment.

### COURTS SERVICE BOARD

The Board considers and determines policy in relation to the Service, and oversees the implementation of that policy by the Chief Executive Officer. The term of the Board is three years. A new Board was elected in November 2011. The Board operates to best practice corporate governance principles in line with the Courts Service Act 1998 and where applicable the guidelines as set out in the CPGSB. It performs its functions directly and through the operation of focused committees. Responsibility for the implementation of policy rests with the Chief Executive Officer and the Senior Management Team.

The Board approves the strategic plan of the Service and oversees and supports its implementation through the annual planning and budgeting cycle. The Board considered progress reports on the implementation of the Strategic Plan 2008-2011 in June and December 2011 and noted that despite the difficult economic climate significant progress was made in implementation of the goals set out in the Plan.

To ensure a focussed approach to the implementation of the objectives outlined in the strategic plan the Chief Executive Officer and the Senior Management Team prepare a Corporate Business Plan. The Board approved the Strategic Plan for 2011 – 2014 in October and the Annual Corporate Business Plan for 2012 in December. In addition, the Board received a progress report on the Public Service Agreement Action Plan at each meeting.

The Board held five meetings during 2011 with an overall attendance of 90% at the meetings.

An annual fee was payable to non judicial members of the Board (with the exception of the Chief Executive Officer) in the sum of €11,970 together with travel and subsistence expenses at rates sanctioned by the Department of Finance. In accordance with Department of Finance regulations fees were not paid to Board members who were public servants with effect from 1st November 2011.

### CHIEF EXECUTIVE OFFICER

The Chief Executive Officer is responsible for the implementation of policies approved by the Board, and the day-to-day management of the staff, administration and business of the Service. The Chief Executive Officer is also the Accounting Officer and is responsible to the Oireachtas for the proper expenditure of money provided by the Exchequer for the management and administration of the Service.

The Chief Executive Officer is supported by the Senior Management Team.

### AUDIT COMMITTEE

The Audit Committee oversees and advises the Board and the Chief Executive Officer on matters relating to financial and operational risks, internal controls, internal and external audit functions, and value for money issues. The Committee, which includes persons with significant business expertise and experience within the

public, semi state and private sectors, met four times during the year. The Audit Committee is supported by the Internal Audit function and reports annually to the Board.

Following the composition of a new Board the Audit Committee was re-established in December 2011. The membership of the Committee is on page 10.

The Audit Committee is fundamental to ensuring that the Service operates according to good governance and accounting and auditing standards, and adopts appropriate risk management arrangements.

### **INTERNAL AUDIT FUNCTION**

Internal audit is an independent appraisal function charged with reviewing operations across all areas of the Service, as a service to the Board, the Audit Committee and to all levels of management. The Internal Audit Unit operates in accordance with an audit charter approved by the Board and an annual audit plan approved by the Chief Executive Officer and the Audit Committee. All audit reports are submitted directly to the Chief Executive Officer and to the Audit Committee who also receive periodic reports showing progress against plan. The Unit completed 33 audits during the year.

The Unit is assisted by external service providers who are engaged as required to provide expertise in specialised areas including information and communications technology, and risk management.

### **BUDGET MANAGEMENT**

An annual budget is prepared by the Chief Executive Officer and the Senior Management Team and approved by the Finance Committee and the Board. The budget reflects the funding allocation contained in the annual estimates approved by the Government. Day to day responsibility for managing expenditure within budget limits is assigned to Heads of Directorate. Budgets are monitored closely with monthly reports furnished to the Chief Executive Officer and the Senior Management Team. Quarterly financial reports are submitted to the Finance Committee and the Board.

### **RISK MANAGEMENT**

The risk management framework and policy of the Service is approved by the Board. It provides for a planned and systematic approach to identifying and managing a wide range of strategic, operational, reputational and financial risks. The Chief Risk Officer is a member of the Senior Management Team and reports directly to the Audit Committee and the Board.

The embedding of risk management across the organisation is an ongoing process. Risks are identified at corporate and business unit level and managed accordingly by assigning responsibility to the relevant directorate and office manager. Through this system the Service is satisfied that all reasonable steps are being taken to mitigate and manage known risks.

### **PROCUREMENT**

The Service has a comprehensive procurement policy to ensure that all procurements are conducted honestly, fairly and in a manner which secures best value for money while complying with national and European Union guidelines.

During 2011, the Service continued to increase awareness of procurement using a number of measures including updating of its Procurement Portal (which provides quick and easy access to procurement guidelines and procedures) and circulation of information to staff regarding their roles and responsibilities in the area of procurement. New contracts are reported to the Board on a quarterly basis with non compliance with procurement regulations reported to the Comptroller and Auditor General.

## CHAPTER 6 - ANNUAL FINANCIAL STATEMENTS

### FINANCIAL HIGHLIGHTS

Voted funds	2011	2010
	€'000	€'000
Current expenditure	101,587	105,751
Capital expenditure	11,137	42,844*
Income	50,085	50,447
<b>Net expenditure</b>	<b>62,639</b>	<b>98,148</b>
* included a once off VAT payment of €17.882m regarding the Criminal Courts of Justice		

Court funds	2011	2010
	€'000'000	€'000'000
Funds managed on behalf of wards of court, minors and other beneficiaries	<b>1,178</b>	1,137

Court Financial Operations	2011	2010
	€'000	€'000
Fines collected	16,464	22,827
Family law receipts	21,000	21,087
Bail receipted	4,248	5,123
Court fees collected (and retained)	47,014	47,353
Poor box receipted	1,734	1,689
Civil court and small claims receipts	335	275
<b>Total</b>	<b>90,795</b>	<b>98,354</b>
% fines paid on-line	26.4%	21.3%
% family law paid via electronic funds transfer (% volume)	92%	88%
% family law received via electronic funds transfer	65%	64%

## **ACCOUNTABILITY**

The Service is accountable to the Minister for Justice and Equality and through the Minister to the Government. The Chief Executive Officer is the Accounting Officer and in that capacity attends Public Accounts Committee and other Oireachtas committee meetings as required.

## **FINANCIAL CONTROLS**

The Service operates a range of internal control measures to support the achievement of its strategic policies and objectives while safeguarding the public funds and assets for which it is responsible. Financial controls and procedures are reviewed regularly with compliance verified by the work of the Internal Audit Unit of the Service and the Office of the Comptroller and Auditor General. While the system is designed to ensure that all known risks are managed it cannot ensure the elimination of all risks and therefore provides reasonable but not absolute assurance of effectiveness.

## **APPROPRIATION ACCOUNT**

The appropriation account is the annual financial account of the Service and is furnished to the Comptroller and Auditor General on or before 31st March each year. It is compiled on foot of the approved Estimates by the Oireachtas and is prepared by the Accounting Officer to meet his statutory requirements. For the purposes of the appropriation account the Chief Executive Officer is the Accounting Officer to whom the Minister for Finance has assigned responsibility, in accordance with section 22 of the Exchequer and Audit Department Act 1866, to prepare the annual account for the Vote under his charge. An extract from the Appropriation Account 2011 submitted to the Comptroller and Auditor General is on page 73.

As Accounting Officer, the Chief Executive Officer prepares a statement of internal financial controls to accompany the appropriation account. The statement (see page 74) addresses the internal control environment within the Service with particular regard to the financial control environment, the framework of administration, management reporting and internal control. The effectiveness of the system of internal financial controls is kept under ongoing review. Financial responsibilities are assigned at management level with corresponding accountability. There are reporting arrangements in place with responsibility for financial management assigned and formal procedures for reporting significant control failures and ensuring appropriate corrective action.

## **COURT FUNDS**

Independently audited financial statements dealing with court funds held in trust by the courts, are submitted to the Minister for Finance and the Minister for Justice and Equality in accordance with the Rules of the Superior Courts every year (see page 76).



**EXTRACT FROM APPROPRIATION ACCOUNT 2011****EXPENDITURE AND INCOME**

	2011	2010
	€ '000	€ '000
Current Expenditure		
Salaries and Wages	51,358	51,834
Travel and Subsistence	2,759	2,941
Staff and judicial training	409	458
Stenography and other fees	3,942	4,923
Legal services	480	697
Postal services	1,241	1,287
Telecommunications	1,115	1,526
Office equipment and materials	638	847
Courthouse maintenance	8,172	8,565
Heat, light and fuel costs	2,622	2,598
Furniture and fittings	130	204
Leases	5,133	5,213
Consultancy ( Non I.T related)	213	212
Incidental/ miscellaneous costs	3,875	3,167
PPP – Unitary Payment	19,500	21,279
<b>Total Current Expenditure</b>	<b>101,587</b>	<b>105,751</b>
<b>Capital Expenditure</b>		
Telecommunications systems	310	12
Computer systems	6,148	7,678
Courthouses and other buildings	4,679	17,272
PPP – VAT Payment	0	17,882
<b>Total Capital Expenditure</b>	<b>11,137</b>	<b>42,844</b>
<b>Total Expenditure</b>	<b>112,724</b>	<b>148,595</b>
<b>Income ( Appropriations - in -Aid)</b>		
Fees	45,156	46,025
Miscellaneous	1,858	1,328
Pension Levy	3,071	3,094
<b>Total Income</b>	<b>50,085</b>	<b>50,447</b>
<b>Net Expenditure</b>	<b>62,639</b>	<b>98,148</b>

Note: These figures for 2011 are provisional and subject to audit by the Comptroller and Auditor General.



## **EXTRACT FROM APPROPRIATION ACCOUNT 2011**

### **STATEMENT BY ACCOUNTING OFFICER ON INTERNAL FINANCIAL CONTROLS**

#### **Responsibility for system of Internal Financial Control**

As Accounting Officer I acknowledge my responsibility for ensuring that an effective system of internal financial control is maintained and operated by the Courts Service. This responsibility is exercised in the context of the resources available to me and my other obligations as Chief Executive Officer. Also, any system of internal financial control can provide only reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded, and that material errors or irregularities are either prevented or would be detected in a timely manner. Maintaining the system of internal financial controls is a continuous process and the system and its effectiveness are kept under ongoing review.

The position in regard to the financial control environment, the framework of administrative procedures, management reporting and internal audit is as follows:

#### **Financial Control Environment**

I confirm that a control environment containing the following elements is in place:

- financial responsibilities have been assigned at management level with corresponding accountability
- reporting arrangements have been established at all levels where responsibility for financial management has been assigned
- formal procedures have been established for reporting significant control failures and ensuring appropriate corrective action
- there is an audit committee to advise me in discharging my responsibility for the internal financial control system

#### **Administrative Controls and Management Reporting**

I confirm that a framework of administrative procedures and regular management reporting is in place including segregation of duties and a system of delegation and accountability and, in particular, that

- there is an appropriate budgeting system with an annual budget which is kept under review by senior management
- there are regular reviews by senior management of periodic and annual financial reports which indicate financial performance against forecasts
- a risk management system operates within the Courts Service
- there are systems aimed at ensuring the security of the ICT systems
- there are appropriate capital investment control guidelines and formal project management disciplines.

#### **Internal Audit**

I confirm that the Office has an internal audit function with appropriately trained personnel, which operates in accordance with a charter which I have approved. Its work is informed by analysis of the financial risks to which the Service is exposed and its annual internal plans, approved by me, are based on this analysis. These plans aim to cover the key controls on a rolling basis over a reasonable period. The internal audit function is reviewed periodically by me and the Audit Committee. I have put procedures in place to ensure that the reports of the internal audit function are followed up.

Signed:



Brendan Ryan  
Accounting Officer  
31<sup>st</sup> March 2012

## INCOME (COURT FEES)

Court fees are charged in respect of legal documents lodged and services provided in court offices. The Service also collects fees on behalf of the Revenue Commissioners and the Property Registration Authority.

The fees collected on behalf of the Revenue Commissioners include excise duties on certain licensing applications. The Property Registration Authority fees relate to access to documents held locally in court offices.

Court fees		
	2011 (000's)	2010 (000's)
Retained by the Courts Service	47,014	47,353
Revenue Commissioners	7,523	7,286
Property Registration Authority	3	10
<b>Total</b>	<b>54,540</b>	<b>54,649</b>

## FINES

The Service has a role in the collection of fines imposed by the courts. These are transferred to the Exchequer and government departments and agencies.

The compliance rate for the payment of fines was 67% in 2011. The Service continued to engage in initiatives including the issue of fines reminder notices and the appointment of a service provider to pursue unpaid fines as part of the collection process.

Court fines collected and transferred		
	2011 (€000's)	2010 (€000's)
Exchequer (motor fines)	9,488	11,372
Exchequer (general)	4,730	9,315
Revenue Commissioners	1,974	1,863
Department of Communications, Marine and Natural Resources	272	277
<b>Total</b>	<b>16,464</b>	<b>22,827</b>

## POOR BOX

The court may direct that money be paid into the court poor box in lieu of, or in conjunction with, another penalty. Payments can be made via the Service for onward payment to a charity as directed by the court.

<b>Poor Box receipts through court offices 2011</b>				
	<b>Opening balance at 01/01/2011</b>	<b>Receipts</b>	<b>Payments</b>	<b>Closing balance at 31/12/2011</b>
High Court	Nil	Nil	Nil	Nil
Circuit Court	€6,267	Nil	Nil	€6,291*
District Court	€683,958	€1,733,642	€1,529,308	€888,292
<b>Total</b>	<b>€690,225</b>	<b>€1,733,642</b>	<b>€1,529,308</b>	<b>€894,583</b>
* €24.61 interest accrued				

## COURT FUNDS

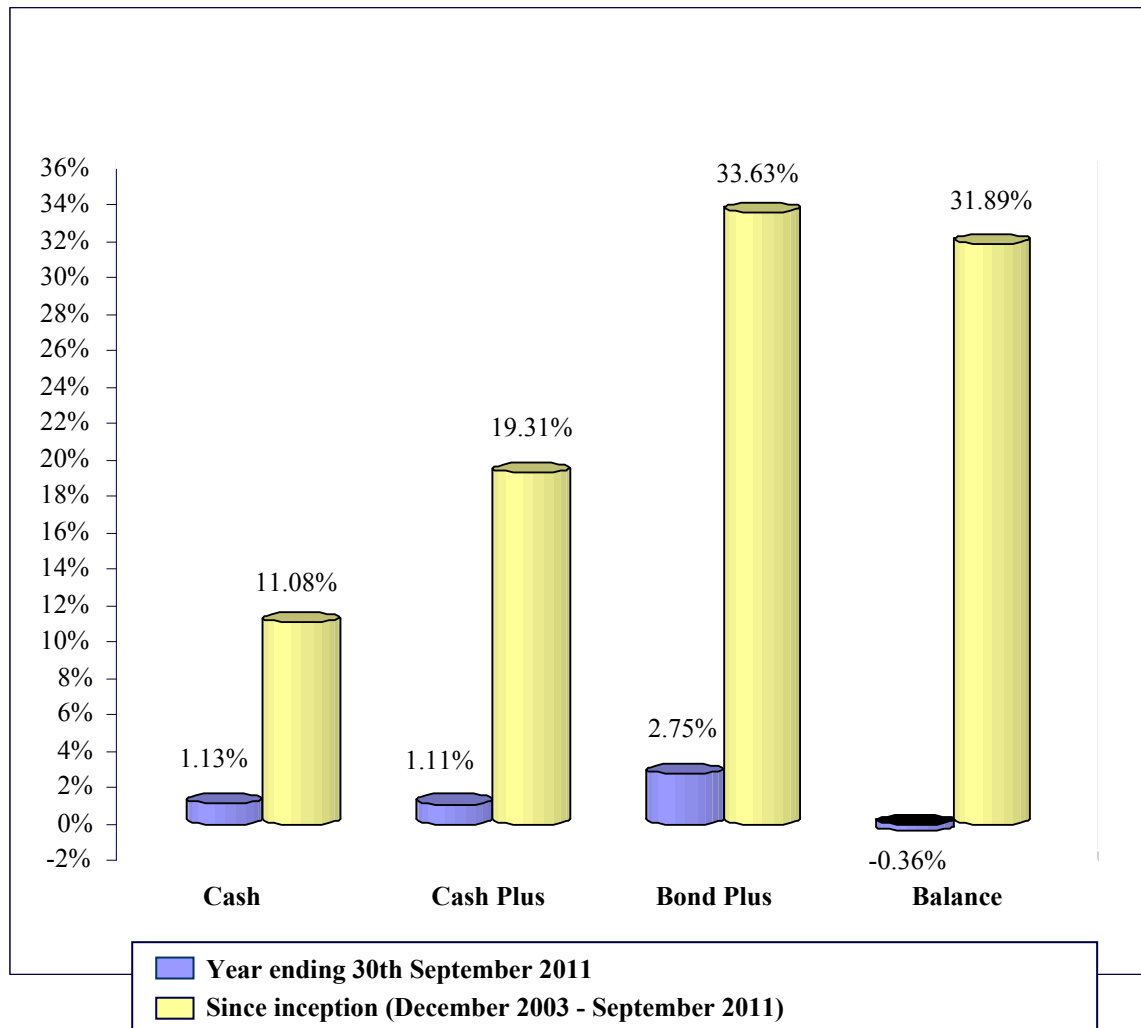
The courts have a custodial role in relation to funds lodged in court following the making of court orders or in compliance with legislative requirements. The funds principally relate to wards of court, minors (persons under 18 years), and lodgments by parties to court proceedings. Funds lodged in court are managed by the Office of the Accountant of the Courts of Justice ('the Accountant's Office').

### *Details of funds*

Funds managed by the Accountant's Office were €1.178 billion at the end of the financial year to September 2011, an increase of €41 million on 2010. The increase was attributable to an increase in capital transactions of €36 million (*i.e.* net excess receipts over disbursements) and a net increase from investment activities of €5 million. The Service operates a conservative investment policy with the vast majority held in cash based assets and bonds.

Overall strong investment performance has been exhibited by court funds since new investment strategies were established in 2003 (the Cash Fund was established in 2006). The cumulative investment performance during the period to 30th September 2011 ranged from 11.08% for the Cash Fund to 33.63% for the Bond Plus Fund. *See table on page 77.*

**SPECTRUM FUND INVESTMENT PERFORMANCE (NET OF FEES)**



Note: The Cash Fund only commenced in June 2006

*Management of funds*

The Investment Committee, chaired by the President of the High Court, continued to monitor the investment performance of court funds and related matters and the Service continued to retain the services of independent investment advisors, fund managers and custodians.

In addition, the annual financial statements for the Accountant’s Office continued to be externally audited. The Statements for 2011 were audited by Grant Thornton, who provided an unqualified audit report. They were considered by the Audit Committee in December and submitted to the Minister for Finance and the Minister for Justice and Equality. *Extracts are on pages 78 - 80.*

The management of court funds is also subject to audit by the Internal Audit Unit of the Service. The Unit completed an audit of the controls and procedures in the Accountant’s Office in 2011 and no significant issues arose.

As part of the risk management policy and framework implemented by the Service the management of court funds is subject to regular monitoring and review to ensure that all major risks are adequately managed.

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**THE OFFICE OF THE ACCOUNTANT OF THE COURTS OF JUSTICE**

**EXTRACT FROM THE AUDITED FINANCIAL STATEMENTS AS AT 30TH SEPTEMBER 2011**

**STATEMENT OF ASSETS AND LIABILITIES AT 30TH SEPTEMBER 2011**

	<b>30/9/2011</b>	<b>30/9/2010</b>
	<b>€</b>	<b>€</b>
<b>INVESTMENT ASSETS</b>		
Investments	<u>1,160,877,930</u>	<u>1,122,846,654</u>
<b>CURRENT ASSETS</b>		
Debtors	17,239,885	11,594,769
Bank	<u>1,189,366</u>	<u>3,192,979</u>
<b>TOTAL CURRENT ASSETS</b>	18,429,252	14,787,748
<b>CURRENT LIABILITIES</b>		
Creditors	<u>(787,145)</u>	<u>(646,029)</u>
<b>TOTAL CURRENT LIABILITIES</b>	<u>(787,145)</u>	<u>(646,029)</u>
<b>NET CURRENT ASSETS</b>	<u><b>17,642,106</b></u>	<u>14,141,719</u>
<b>TOTAL NET ASSETS</b>	<u>1,178,520,036</u>	<u>1,136,988,373</u>
<b>Represented by:</b>		
Funds held for beneficiaries	<u>1,178,520,036</u>	<u>1,136,988,373</u>

The financial statements were approved by the Accountant on 21st December 2011.

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**THE OFFICE OF THE ACCOUNTANT OF THE COURTS OF JUSTICE**
**EXTRACT FROM THE AUDITED FINANCIAL STATEMENTS AS AT 30TH SEPTEMBER 2011****STATEMENT OF OPERATIONS FOR THE YEAR ENDED 30 SEPTEMBER 2011**

	<b>30/9/2011</b>	<b>30/9/2010</b>
	€	€
<b>NET REALISED AND UNREALISED GAINS</b>		
Net realised gains on investments disposed of during the year	11,454,262	7,252,749
Net change in unrealised gains on investments	(4,981,471)	20,081,168
Net losses realised on transfers of assets	<u>(1,657)</u>	<u>(845,381)</u>
<b>NET REALISED AND CHANGE IN UNREALISED GAINS</b>	<b>6,471,134</b>	26,488,536
Investment income	<u>255,156</u>	<u>2,468,735</u>
	<b>6,726,290</b>	28,957,271
Expenses	(1,476,920)	(1,400,045)
<b>INCREASE IN NET ASSETS FROM OPERATIONS</b>	<b><u>5,249,370</u></b>	<u>27,557,226</u>

The financial statements were approved by the Accountant on 21st December 2011.

**THE OFFICE OF THE ACCOUNTANT OF THE COURTS OF JUSTICE**

**EXTRACT FROM THE AUDITED FINANCIAL STATEMENTS AS AT 30TH SEPTEMBER 2011**

**STATEMENT OF CHANGES IN NET ASSETS FOR THE YEAR ENDED 30 SEPTEMBER 2011**

	<b>30/9/2011</b>	<b>30/9/2010</b>
	€	€
INCREASE IN NET ASSETS RESULTING FROM OPERATIONS		
Investment income less expenses	(1,221,764)	1,068,691
Net realised gains on investments	11,454,262	7,252,749
Net change in unrealised gains on investments	(4,981,471)	20,081,168
Net losses realised on transfers of assets	<u>(1,657)</u>	<u>(845,381)</u>
INCREASE IN NET ASSETS FROM OPERATIONS	<b>5,249,370</b>	27,557,227
CAPITAL TRANSACTIONS		
Receipts	220,027,529	230,825,502
Disbursements	<u>(183,745,236)</u>	<u>(174,903,579)</u>
INCREASE IN NET ASSETS FROM CAPITAL TRANSACTIONS	<b>36,282,293</b>	55,921,923
Increase in net assets	41,531,663	83,479,150
Net assets at beginning of year	<u>1,136,988,373</u>	<u>1,053,509,223</u>
NET ASSETS AT END OF YEAR	<u>1,178,520,036</u>	<u>1,136,988,373</u>

The Report and Financial Statements are available from the Office of the Accountant of the Courts of Justice, Phoenix House, 15/24 Phoenix Street North, Dublin 7 and on the website of the Service at [www.courts.ie](http://www.courts.ie).

## PROMPT PAYMENT OF ACCOUNTS ACT, 1997

### *Prompt Payment Interest*

Prompt payment interest provides for the payment of interest to suppliers for invoices not paid within 30 days from receipt of an invoice. The Service has procedures in place to ensure that all invoices are paid within the time limits identified on these invoices or, if no time limit is specified, within the statutory time limit. While the procedures have been designed to ensure compliance with the Act, they only provide reasonable and not absolute assurance against material non compliance with the Act.

These procedures operated in the financial period under review and, in the case of late payments, the relevant suppliers were notified and the interest due was paid to them.

In accordance with the Prompt Payments of Account Act, 1997, the following information is provided in respect of the financial period ending 31st December 2011:

#### (a) Payment practices

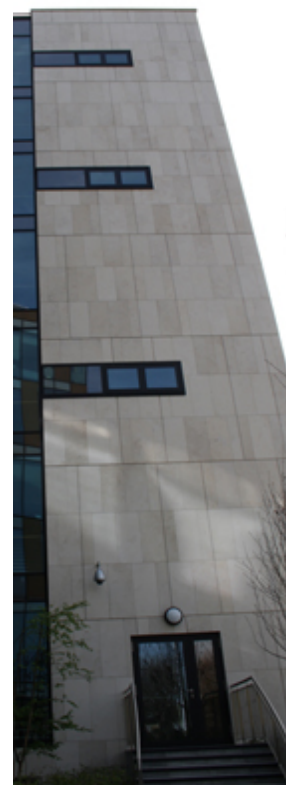
The Service makes payments to suppliers in accordance with the terms specified on the respective invoices or the conditions specified in individual contracts, if appropriate. Since 2002, the standard terms are 30 days.

#### (b) Late payments

Invoice amount	No. of invoices	Amount of interest paid in €
Under €100	104	1,155.99
Over €100	1	100.66
<b>Total</b>	<b>105</b>	<b>1,256.65</b>

### *Prompt Payment of Accounts*

In July 2011 the Service commenced reporting on prompt payment of accounts. This requires reporting on invoices which are paid outside a 15 day period from the date of receipt of an invoice. There was a 69% compliance rate for the fourth quarter of 2011.







## CHAPTER 7 - REPORTS OF THE COURTS RULES COMMITTEES

### SUPERIOR COURTS RULES COMMITTEE

The Superior Courts Rules Committee was established by section 67 of the Courts of Justice Act 1936. Under section 68 of the 1936 Act the power to make, annul or alter rules of court is exercisable by the Committee with the concurrence of the Minister for Justice and Equality.

#### MEMBERSHIP OF THE COMMITTEE AT YEAR ENDING 31ST DECEMBER 2011:

- The Chief Justice, the Hon. Mrs. Justice Susan Denham (Chairperson)
- The President of the High Court, the Hon. Mr. Justice Nicholas Kearns (Vice Chairman)
- The Hon. Mr. Justice Joseph Finnegan, judge of the Supreme Court
- The Hon. Mr. Justice Donal O'Donnell, judge of the Supreme Court
- The Hon. Miss Justice Elizabeth Dunne, judge of the High Court
- The Hon. Mr. Justice John Edwards, judge of the High Court
- The Master of the High Court, Mr. Edmund W. Honohan S.C.
- Mr. Paul McGarry S.C., nominated by the Council of the Bar of Ireland
- Mr. Gerard Meehan B.L., nominated by the Council of the Bar of Ireland
- Mr. Patrick Groarke, solicitor, nominated by the Council of the Law Society of Ireland
- Mr. Patrick O'Connor, solicitor, nominated by the Council of the Law Society of Ireland
- Mr. Noel Rubotham, Director of Reform and Development, Courts Service, to whom membership has been delegated by the Chief Executive Officer of the Courts Service under section 30(2) of the Courts Service Act 1998
- Ms. Mary Cummins, Office of the Chief State Solicitor – appointed to act in place of the Attorney General under section 36(4) of the Courts and Court Officers Act 2002
- Ms. Geraldine Manners, Registrar of the Supreme Court

*Secretary:* Ms. Liz Hughes, Directorate of Reform and Development, Courts Service

*Drafting Services:* Mr. Sean Barton of McCann Fitzgerald Solicitors

On the completion of the term of office of the Hon. Mr. Justice John L. Murray chairmanship of the Committee passed to the Hon. Mrs. Justice Susan Denham, Chief Justice.

The Committee met on five occasions during 2011. The following rules of the Superior Courts were signed by the Minister for Justice and Equality between the 1st January 2011 and the 31st December 2011:-

S.I. number	Title	Date signed by Committee	Operative date
2 of 2011	RSC (Examiner) 2011	15th December 2010	1st February 2011
348 of 2011	RSC (Civil Partnership and Cohabitation) 2011	15th December 2010	31st July 2011
524 of 2011	RSC (Robes of Bench) 2011	13th October 2011	14th October 2011
691 of 2011	RSC (Judicial Review) 2011	28th November 2011	1st January 2012
692 of 2011	RSC (Lodgment of Documents) 2011	28th November 2011	11th January 2012
693 of 2011	RSC (Courts-Martial Appeal Courts) 2011	28th November 2011	1st January 2012

At year end the following rules signed by the Committee are awaiting the concurrence of the Minister:-

Title	Date signed by Committee
RSC (Criminal Procedure Act 2010) 2011	25th May 2011
RSC (Service) 2011	25th May 2011
RSC (Arbitration) 2011	30th June 2011
RSC (Order 75) 2011	13th October 2011
RSC (Maintenance) 2011	13th October 2011
RSC (European Communities (Mediation) Regulations 2011) 2011	13th October 2011
RSC (Bankruptcy) 2011	28th November 2011
RSC (Winding-Up of Companies and Examinership) 2011	28th November 2011

Rules relating to the following were under consideration by the Committee at year end:

- International Criminal Court Act 2006;
- Personal injuries trial venues;
- Address for service within jurisdiction

Liz Hughes  
Secretary

### **CIRCUIT COURT RULES COMMITTEE**

The rule-making authority for the Circuit Court is the Circuit Court Rules Committee established under section 69 of the Courts of Justice Act 1936. The remit of the Committee is fixed partly by section 66 of The Courts of Justice Act 1924 which empowers it to annul or alter rules and make new rules with the concurrence of the Minister for Justice and Equality, including rules for regulating the sessions, vacations and circuits of the Circuit Court judges and the practice, pleading and procedure generally (including liability of parties as to costs and also the entering-up of judgement and granting of summary judgement in appropriate cases) of the Circuit Court and the use of the national language therein amongst other things.

### **MEMBERSHIP OF THE COMMITTEE AT YEAR ENDING 31ST DECEMBER, 2011:**

- The Hon. Mr. Justice Matthew Deery, President of the Circuit Court (Chairman)
- Her Honour Judge Alison Lindsay, judge of the Circuit Court
- His Honour Judge Tony Hunt, judge of the Circuit Court
- Mr. Shane Murphy S.C., nominated by the Council of the Bar of Ireland
- Mr. Fergal Foley B.L., nominated by the Council of the Bar of Ireland
- Mr. Gerard J. Doherty, solicitor, nominated by the Law Society of Ireland
- Ms. Fiona Duffy Coady, solicitor, nominated by the Law Society of Ireland
- Mr. Ronan Boylan, Office of the Chief State Solicitor – appointed to act in place of the Attorney General under Section 36(4) of the Courts and Court Officers Act 2002
- Mr. Noel Rubotham, Director of Reform and Development, Courts Service, to whom membership has been delegated by the Chief Executive Officer of the Courts Service under Section 30(2) of the Courts Service Act 1998
- Ms. Susan Ryan, County Registrar, Dublin
- Ms. Patricia Casey, County Registrar, Carlow, nominated by the Chief Executive Officer of the Courts Service under Section 69(4)(d) of the Courts of Justice Act 1936 as amended.

*Secretary:* Ms. Liz Hughes, Directorate of Reform and Development, Courts Service

*Drafting Services:* Mr. Sean Barton of McCann Fitzgerald Solicitors

The Committee met on six occasions in 2011. The following Rules of the Circuit Court were signed by the Minister for Justice and Equality between the 1st January 2011 and the 31st December 2011:

S.I. No.	Title	Date signed by Committee	Operative date
121 of 2011	Circuit Court Rules (Hague Convention 1996) 2011	22nd February 2011	18th April 2011
122 of 2011	Circuit Court Rules (Discovery) 2011	7th December 2010	21 March 2011
153 of 2011	Circuit Court Rules (Multi-Unit Development Act) 2011	22nd February 2011	14th April 2011
385 of 2011	Circuit Court Rules (Civil Partnership and Cohabitation) 2011	29th March 2011	13th August 2011
523 of 2011	Circuit Court Rules (Judges' Robes) 2011	19th July 2011	14th October 2011

At year end the following rules signed by the Committee were awaiting the concurrence of the Minister:-

- Circuit Court Rules (Enforcement of Certain Decisions of Rights Commissioners and Determinations of the Labour Court or Employment Appeals Tribunal) 2011
- Circuit Court Rules (Employment Equality) 2011
- Circuit Court Rules (Maintenance Regulation) 2011

Rules relating to the following were under consideration by the Committee at year end:

- Circuit Court Rules (Taking of Evidence for EU Courts)

Liz Hughes  
Secretary

### **DISTRICT COURT RULES COMMITTEE**

The rule making authority for the District Court is the District Court Rules Committee established under section 71 of the Courts of Justice Act, 1936. The Committee may annul or alter rules and make new rules with the concurrence of the Minister for Justice and Equality.

Members of the Committee at year ending 31st December, 2011:

- The President of the District Court, Her Honour Judge Miriam Malone (Chairperson)
- Judge Mary Devins, judge of the District Court
- Judge Brian Sheridan, judge of the District Court
- Judge David Riordan, judge of the District Court
- Judge Conal Gibbons, judge of the District Court
- Ms. Fiona Twomey, solicitor, nominated by the Law Society of Ireland
- Ms. Shalom Binchy, solicitor, nominated by the Law Society of Ireland
- Mr. Mark Harty, B.L., nominated by the Council of the Bar of Ireland
- Mr. Roy Pearson, Chief State Solicitor's Office, appointed to act in place of the Attorney General under section 36(4) of the Courts and Court Officers Act, 2002
- Mr. Noel A. Doherty, Directorate of Reform and Development, Courts Service, to whom membership has been delegated by the Chief Executive Officer under section 30(2) of the Courts Service Act, 1998
- Ms. Michelle Johnston, Deputy Chief Clerk, Dublin Metropolitan District Court

*Secretary:* Ms. Liz Hughes, Directorate of Reform and Development, Courts Service.

*Drafting Services:* Mr. Sean Barton, Solicitor, McCann Fitzgerald Solicitors.

The Committee met on four occasions during 2011. The following Rules of the District Court were signed by the Minister for Justice and Equality between the 1st January 2011 and the 31st December 2011:

S.I. No.	Title	Date signed by Committee	Operative date
1 of 2011	District Court (Intoxicating Liquor) Rules 2011	29th November 2010	9th February 2011
154 of 2011	District Court (Criminal Law (Insanity) Act 2010) Rules 2011	7th February 2011	28th April 2011
301 of 2011	District Court (Hague Convention 1996) Rules 2011	4th April 2011	18th July 2011
414 of 2011	District Court (Civil Partnership and Cohabitation) Rules 2011	4th April 2011	31st August 2011
536 of 2011	District Court (Criminal Justice (Psychoactive Substances) Act 2010) Rules 2011	4th April 2011	11th January 2011
585 of 2011	District Court (Criminal Procedure Act 2010) Rules 2011	4th April 2011	10th December 2011
653 of 2011	District Court (Criminal Justice (Money Laundering and Terrorist Financing) Act 2010) Rules 2010	7th February 2011	4th January 2012

At year end the following rules signed by the Committee were awaiting the concurrence of the Minister:-

- o District Court (Fines) Rules 2011
- o District Court (Domestic Violence) Rules 2011
- o District Court (Service) Rules 2011

Rules relating to the following were under consideration by the Committee at year end:

- o District Court (Maintenance) Rules 2011
- o District Court (Enforcement of Maintenance Orders) Rules 2011
- o Rationalisation of District Court Civil Forms

Liz Hughes  
Secretary

## CHAPTER 8 - GLOSSARY OF TERMS

**Affidavit** - a written statement made on oath

**Appeal** - a proceeding taken by a party to a case who is dissatisfied with a decision made, to a court having authority to review or set aside that decision.

**Appearance** - a document which indicates that a defendant, after being served with a summons to a Circuit or High Court action, intends to defend the action.

**Barring order** - an order preventing a spouse from entering the family home or using or threatening violence against the other spouse or family members.

**Care order** - an order placing a child in the care of the Health Service Executive until he or she reaches the age of eighteen or a shorter period as determined by the court.

**Certified list** - a list of cases certified by counsel as being ready for hearing.

**Civil Bill** - a document used to start a case in the Circuit Court, it gives details of the parties to the case and details of the claim being made.

**Commissioner for Oaths** - a person entitled to administer oaths and take affidavits.

**Courts-Martial Appeal Court** - the name applied to the Court of Criminal Appeal when hearing appeals from courts martial (military tribunals for the trial of members of the defence forces on active service).

**Defence** - a document delivered by the defendant to the plaintiff in response to a civil bill or a plenary summons.

**Defendant** - a person against whom an action is brought; a person charged with a criminal offence.

**Emergency care order** - an order placing a child under the care of the health board for a maximum period of eight days if the court considers that there is a serious risk to the health or welfare of a child.

**Ex officio** - by virtue of his/her office.

**Indictment** – (a) a formal document setting out certain kinds of charges against an accused person or (b) the process by which those charges are presented against the accused.

**Indictable offence** - an offence which, if committed by an adult, is triable on indictment.

**Injunction** - an order of the court directing a party to an action to do, or to refrain from doing, something.

**Interim barring order** - an immediate order requiring a violent person to leave the family home, pending the hearing of an application for a barring order.

**Interim care order** - an order, granted when an application for a care order has been, or is about to be, made requiring that the child named in the order be placed in the care of the health board.

**Intestate** - dying without making a valid will.

**Judicial review** - a legal remedy available in situations where a body or tribunal has acted in excess of legal authority or contrary to its duty.

**Judicial separation** - a decree granted by the court relieving spouses to a marriage of the obligation to cohabit.

**Jurisdiction** - (a) the power of a court or judge to hear an action, petition or other proceeding, or (b) the geographical area within which such power may be exercised.

**Mortgage suit** - a form of proceeding to recover a debt owed to the holder of security on property - by forcing the sale of the property (usually on foot of a judgment mortgage or an equitable mortgage).

**Nolle prosequi** - the entering by the prosecution of a stay on criminal proceedings (not to be confused with an acquittal).

**Notary public** - a legal practitioner, usually a solicitor, who witnesses the signing of documents or makes copies of them in order to verify their authenticity, especially for use abroad.

**Oath** - a form of words by which a person calls his/her god to witness that what he says is the truth, or that what he/she promises to do he will do.

**Original actions** - actions commenced in the court of hearing (as opposed to cases appealed from a lower court).

**Plaintiff** - a person who brings a legal action against another.

**Plenary summons** - document used to begin certain civil proceedings (*e.g.* claims for non-specific damages, libel, nuisance) in the High Court where pleadings and oral evidence are required.

**Protection order** - an interim order, granted when an application for a safety/barring order has been made, prohibiting a person from committing further acts of violence or threatening violence.

**Revenue summons** - a form of summary summons heard on affidavit, used by the Revenue Commissioners to commence civil proceedings in the High Court to recover sums due (*e.g.* unpaid taxes).

**Safety order** - an order prohibiting a person from committing further acts of violence or threatening to do so. It does not prevent the person from entering the family home.

**Setting down for trial** - a request that an action be allocated a date for hearing.

**Special exemption order** - an order allowing a licensee to sell alcohol outside the normal licensing hours subject to certain conditions.

**Special summons** - document used to begin certain civil proceedings (*e.g.* equity claims, mortgage enforcement, administration of trusts) in the High Court to be heard on affidavit (that is, not oral evidence).

**Summary judgment** - judgment for a claim in respect of a debt or specific monetary demand. The judgment is given to the plaintiff against the defendant in a court office without the need to bring the claim to court

**Summary summons** - document used to commence certain civil proceedings (*e.g.* claims for a specific amount of money, recovery of possession by a landlord) in the High Court, to be heard on affidavit

**Supervision order** – an order allowing the HSE to monitor a child considered to be at risk. The child is not removed from his or her home environment. A supervision order is for a fixed period of time not longer than 12 months initially.

## CHAPTER 9 - ADDITIONAL INFORMATION

### CONTACTING OFFICES OF THE SERVICE

Contact details for the main offices of the Service are on the website [www.courts.ie](http://www.courts.ie).

Details may also be obtained from the Information Office, Courts Service, Phoenix House, 15/24 Phoenix Street North, Smithfield, Dublin 7. Telephone: 01-8886459.

### EIRCOM TELEPHONE DIRECTORIES

Telephone numbers for the main offices of the Service are in the green pages section of the Eircom telephone directories and online in eircom PhonebookOnline ([www.eircomphonebook.ie](http://www.eircomphonebook.ie)) and [www.goldenpages.ie](http://www.goldenpages.ie).

### OTHER INFORMATION

Information about court hearings is displayed on electronic boards in the Four Courts and Criminal Courts of Justice in Dublin and in the courthouses in Washington Street, Cork and Ennis.

The Legal Diary with details of cases listed in the Supreme Court, the Court of Criminal Appeal, the High Court (including the Central Criminal Court) and the Circuit Court is on the website.

Annual reports of the Service together with strategic plans, customer service action plan, customer charter and other publications are on the website.

### WEBSITE

The website can be accessed at [www.courts.ie](http://www.courts.ie)

### SOLICITORS

Matheson Ormsby & Prentice, solicitors,  
70 Sir John Rogerson's Quay,  
Dublin 2.

McCann Fitzgerald, solicitors,  
Riverside One,  
Sir John Rogerson's Quay,  
Dublin 2.

### AUDITORS

The Office of the Comptroller and Auditor General,  
Treasury Block,  
Lower Yard,  
Dublin Castle,  
Dublin 2.  
*(Appropriation Accounts)*

Grant Thornton,  
Chartered Accountants,  
24-26 City Quay,  
Dublin 2.  
*(Financial Statements of the Office of the Accountant of the Courts of Justice)*







*An tSeirbhís Chúirteanna*  
*Courts Service*

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