



**An tSeirbhís Chúirteanna  
Courts Service**

**Tuarascáil Bhliantúil  
Annual Report  
2015**







An tSeirbhís Chúirteanna  
Courts Service

**OUR VISION:**

- o To develop a world-class organisation that has as its primary objective, meeting the needs of court users.

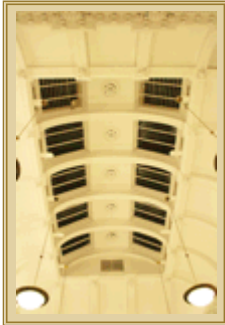
**OUR MISSION:**

- o To manage the courts, support the judiciary and provide a high quality and professional service to all users of the courts.

**OUR VALUES:**

- o Service: customer focus, timely, friendly, competent
- o Integrity: honest, objective, fair, ethical, accountable
- o Respect: courteous, impartial, considerate





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## GLOSSARY

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**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, having been served with a summons to a Circuit Court or High Court civil action, intends to defend the action.

**Appearance and defence** – a document which indicates that a defendant, having been served with a claim notice to a District Court civil action, intends to defend the action.

**Barring order** – an order preventing the person against whom the order is made (the respondent) from entering the family home or using or threatening violence against the person who applied for the order (the applicant) or other family members.

**Care order** – an order placing a child in the care of the Child and Family Agency (Tusla) 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 commence a case in the Circuit Court, it gives details of the parties to the case and details of the claim being made.

**Claim notice** – a document used to commence a civil action in the District 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.

**Debt relief notice** – one of three debt resolution mechanisms introduced by the Personal Insolvency Act 2012 to help mortgage-holders and others with unsustainable debt to reach agreements with their creditors. It allows for the write-off of qualifying debt up to €20,000, subject to a three-year supervision period.

**Debt settlement arrangement** – another of the debt resolution mechanisms to help mortgage-holders and others with unsustainable debt to reach agreements with their creditors. It applies to the agreed settlement of unsecured debts, usually over a period of five years.

**Defence** – a document delivered by the defendant to the plaintiff in response to a civil bill in the Circuit Court or a plenary summons in the High Court.

**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 Child and Family Agency (Tusla) 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.

**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 the person against whom the order is made 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 Child and Family Agency (Tusla).

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

**Judicial review** – a legal remedy available in situations where a body or tribunal is alleged to have acted in excess of legal authority or contrary to its duty.

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**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.

**Liquidated debt** – a claim for a specified amount of money.

**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/she says is the truth, or that what he/she promises to do he/she will do.

**Personal insolvency arrangement** – another of the debt resolution mechanisms to help mortgage-holders and others with unsustainable debt to reach agreements with their creditors. It applies to the agreed settlement and/or restructuring of secured debts up to a total of €3 million (as well as unsecured debts) over a period of six years.

**Petition** – document used to commence certain civil proceedings in the High Court (*e.g.* application to wind up a company, have a person adjudicated bankrupt).

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

**Plenary summons** – document used to commence 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 the person against whom the order is made 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 the person against whom the order is made from committing further acts of violence or threatening to do so. It does not prevent the respondent 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 (*i.e.* not oral evidence).

**Specific performance** – an order of a court which requires a party to perform a specific act, usually what is stated in a contract, *e.g.* contracts for the sale, purchase or lease of land. It is an alternative to awarding damages, and is a discretionary equitable remedy.

**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 Child and Family Agency (Tusla) to monitor a child considered to be at risk. The child is not removed from his/her home environment. A supervision order is for a fixed period of time not longer than 12 months initially.



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

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It has been another busy year for the courts - one in which changes in the circumstances of people, society, law and regulations continued to impact on how, when, and where court business is conducted. The economic growth of the past year has led to increases in various areas and yet the fallout from the fiscal crisis of previous years is not yet consigned to history - its consequences still impact greatly on many businesses, communities, individuals, and families.

It is noteworthy that the Government's debt settlement provisions are settling in, following legislation and ministerial orders over the past number of years. There was an increase of 84% in debt settlement work in 2015 as the Circuit Court brings parties together in real and tangible ways.

The changing economic situation can be observed in other areas of work. For example, there was a 43% increase in small claims, indicating perhaps an increase in the buying of goods and services. The Circuit Court has experienced a 95% increase in appeals from, or orders seeking to enforce, the decisions of employment tribunals in dismissal cases. Likewise, anecdotal evidence of previous years suggesting that people were remaining together in problematic relationships as they could not afford to separate, was replaced by a 10% increase in applications for divorce and separation in the Circuit Court.

All our courts continue to be very busy. In the Supreme Court we dealt with 447 of the appeals retained by our court following the establishment of the Court of Appeal. We received 96 applications for leave to appeal under the new procedure, of which 43 had been resolved by year end. Likewise, the Court of Appeal - officially opened by the President of Ireland, Michael D. Higgins in November - dealt with 387 appeals transferred from the Supreme Court upon its establishment and 366 appeals under the new procedure. Our new appellate regime settled in during 2015 with streamlined rules and case management initiatives ensuring that appeals will not be left in abeyance - and that results and justice for the parties are expedited at a considered and reasonable pace.

The High Court issued almost 28,000 orders last year during 4,660 sitting days - including weekends and recess periods - helping to alleviate waiting times across many areas. The asylum list has benefited from the efforts of the judges and staff in the High Court. Even given a reduced number of applications, it is commendable that the waiting time for asylum pre-leave to appeal hearings has decreased from 30 months to six months in a two year period.

The Central Criminal Court received 1,579 offences, an increase of 450 on 2014. The Special Criminal Court dealt with several very lengthy trials last year and the previous year, resulting in an increase in waiting times to almost two years. It was therefore a welcome initiative to establish a second court to deal with this backlog.

The District Court remained at the centre of the business of the courts – accounting for over 90% of business. The list of civil cases grew, as evidenced by a 32% increase in personal injury cases. Over the past five years there has been a 35% increase in the number of applications for safety and protection orders, with domestic violence in total increasing year on year. We welcome the decision to allocate the large Hammond Lane site near the Four Courts in Dublin as a venue to accommodate all family law and childcare cases in Dublin. Discussions continued throughout the year to bring this to fruition, and it is hoped the facility will be opened by 2020.

In the area of capital investment, although only two smaller sized refurbishments were undertaken between 2009 and 2015, the economic lift saw the commencement of seven major courthouse refurbishments or new builds last year.

There was a time when all of our capital investment was in buildings, creating a visible and tangible material world. In the past 15 years the world and the Courts Service has changed greatly in this regard. We have much fewer, but greatly improved and quality court venues. This allows for a better use of time, money, resources, staff and judges to hear more cases in facilities worthy of the needs of those who use them.

However in this generation we are relying more on virtual spaces, the world of information and communications technology (ICT), clouds, networks, platforms and communities online. For example, in the coming year in excess of 2,000 journeys from prison to court venues will be negated by the use of video

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conferencing technology; 43% of small claims will be online; the majority of fines are now paid online; an eLicensing system will be initiated to allow 50,000 applications and notices to happen online; and financial activities valued in excess of €1.6 billion, with over 400,000 transactions, will be managed centrally *via* IT infrastructure freeing up staff across offices for frontline and court duties. All this is possible because there has been a significant investment in ICT over the lifetime of the Courts Service.

But investment in ICT has to be ongoing. The monies saved in not keeping open, underused and inadequate physical spaces of yesteryear, must be continually invested in modern information and communications technology. Five year old desktop and office solutions are considered out of date and almost obsolete. By the end of 2015 we were working with desktop products and programs which were 12 years old - so old they are no longer supported.

I thank the Minister and Department of Justice and Equality for alleviating the situation at the end of the year with some investment. I am hopeful that when we come to agree a budget for the next year ICT will feature prominently as part of a renewed investment in credible and responsive public and court services. Many changes require us to be flexible and ready to respond to altered sets of demands and circumstances. Changes have occurred across a wide range of areas - including fines, road traffic, gender recognition, assisted decision making and debt arrangements - and there have been corresponding changes to rules of court. There have been many developments in legislation. However, we must always be aware that these changes impact on the courts and those who work there. It is necessary to fund, provide for, and manage resources in a manner that support both them and the needs of society.

I am grateful to the Board of the Courts Service, to my colleagues on the Bench and to the management and staff of the Courts Service, especially the Chief Executive Officer Brendan Ryan and his Senior Management Team, for their continued efforts, flexibility and support in the great project we undertake each year. Our colleagues across the justice community including the Minister for Justice and Equality and her Department, the Bar of Ireland, the Law Society, An Garda Síochána, the Probation Service, and the broad range of other bodies including victim support organisations and staff representative bodies, all play a vital role in assisting us to deliver modern and efficient management of our court system. We also continue to receive much valued support from the Minister for Finance and the Minister for Public Expenditure and Reform

We will remember 2015 as eventful and busy – a year where the seeds of where we will be in future years were firmly grounded. This Report charts the efforts we continue to make to ensure that we continue to change and develop.



Susan Denham

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## CHAPTER 1 – ABOUT THE COURTS SERVICE

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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.

Ancillary powers given to the Service under the Courts Service Act 1998 include the power to: acquire, hold and dispose of land, enter into contracts, make proposals to the Minister for Justice and Equality in relation to matters (including reform and development, and distribution of jurisdiction and business among the courts), and designate court venues.

The Service, through its offices in the Supreme Court, Court of Appeal, High Court, Circuit Court, and District Court, together with the support Directorates established as part of the management structure for the Service, has responsibility for the management of all aspects of court activities, with the exception of judicial functions which are a matter exclusively for the judiciary.

The Service is governed by a Board consisting of a chairperson and 17 other members. The Courts Service Act provides that the chairperson of the Board will be the Chief Justice and that the Board should contain judicial representatives from each court, a staff representative, a representative of the Minister for Justice and representatives from the legal professions, trade unions and business world. The Court of Appeal Act 2014 amended the membership of the Board to include the President of the Court of Appeal (or his nominee) and an ordinary judge of the Court of Appeal elected by the ordinary judges of that court.

The Board considers and determines policy in relation to the Service and oversees the implementation of that policy by the Chief Executive Officer. The Courts Service Act provides that the Board in the performance of its functions must have regard to

- o the need to secure the most beneficial, effective and efficient use of the resources of the Service and
- o any policy or objective of the Government or a Minister of the Government insofar as it may affect or relate to the functions of the Service.

The Courts Service Act provides that the Board may establish committees to advise it in relation to the performance of its functions and may appoint committee members who are not members of the Board but have a specialist knowledge and experience related to the purposes of the committee. The committees of the Board in 2015 were:

### STANDING COMMITTEES

- o Finance Committee
- o Audit Committee
- o Building Committee
- o Family Law Court Development Committee

### OTHER COMMITTEES

- o Irish Sentencing Committee

## THE BOARD OF THE COURTS SERVICE



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



The Hon. Mr. Justice  
**Sean Ryan**,  
*President of the Court of Appeal*



The Hon. Mr. Justice  
**Peter Kelly**,  
*President of the High Court*



The Hon. Mr. Justice  
**Liam McKechnie**, *elected by  
the judges of the Supreme Court*



The Hon. Mr. Justice  
**Michael Peart**, *elected by the  
judges of the Court of Appeal*



The Hon. Mr. Justice  
**Patrick McCarthy**, *elected by  
the judges of the High Court*



The Hon. Mr. Justice  
**Raymond Groarke**, *President  
of the Circuit Court*



Her Hon. Judge **Doirbhile  
Flanagan**, *elected by the judges  
of the Circuit Court*



Her Hon. Judge **Rosemary  
Horgan**, *President of the District  
Court*



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



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



Mr. **David Barniville**, S.C.,  
*nominated by the Bar  
of Ireland*



Mr. **James McCourt**,  
solicitor, *nominated by the  
President of the Law Society of  
Ireland*



Ms. **Elaine Jones**  
*elected by the staff of the Service*



Mr. **Conan McKenna**,  
*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 Hon. Mrs. Justice Susan Denham – *Chairperson*  
The Hon. Mr. Justice Sean Ryan  
The Hon. Mr. Justice Peter Kelly  
The Hon. Mr. Justice Liam McKechnie  
The Hon. Mr. Justice Raymond Groarke  
Her Hon. Judge Rosemary Horgan  
Mr. Brendan Ryan  
Mr. Conan McKenna

### Audit Committee

Mr. Shane Browne – *Chairperson*  
The Hon. Mr. Justice Michael Peart  
Her Hon. Judge Elma Sheahan, nominee of the President of the Circuit Court  
Judge Michael Coghlan, nominee of the President of the District Court  
Mr. Conan McKenna  
Mr. Pat Doyle

### Building Committee

The Hon. Mr. Justice Patrick McCarthy – *Chairperson*  
The Hon. Mr. Justice John Hedigan, judge of the High Court  
His Hon. Judge Martin Nolan, nominee of the President of the Circuit Court  
Judge Hugh O'Donnell, nominee of the President of the District Court  
Mr. Brendan Ryan  
Mr. Liam Berney  
Ms. Elaine Jones  
Mr. John Coyle, Head of Circuit and District Courts Operations, Courts Service  
Mr. Paul Burns, Head of Infrastructure Services, Courts Service  
Mr. Ciaran O'Connor, Office of Public Works  
Ms. Elaine Power, the Bar of Ireland \*  
Mr. James McCourt  
\* Mr. Will Reidy nominated to act as an alternate

### Family Law Court Development Committee

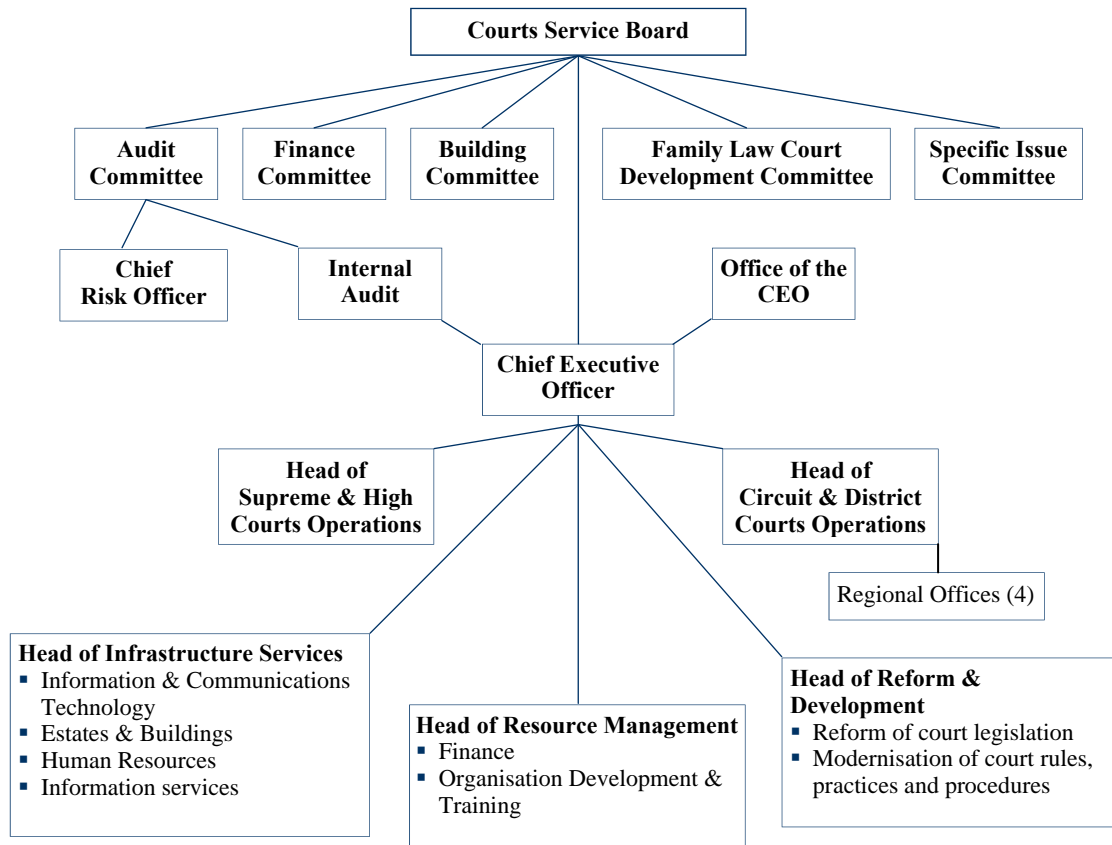
The Hon. Mr. Justice Michael White, judge of the High Court – *Chairperson*  
The Hon. Mr. Justice Henry Abbott, judge of the High Court  
Her Hon. Judge Petria McDonnell, judge of the Circuit Court  
Her Hon. Judge Doirbhile Flanagan  
Judge Gerard Furlong, judge of the District Court  
Mr. Shane Browne  
Ms. Nuala McLoughlin, Director of Supreme and High Courts Operations, Courts Service  
Mr. John Coyle  
Mr. Tom Ward, Chief Clerk, Dublin Circuit and District Civil Courts, Courts Service  
Ms. Rita Considine, nominee of the County Registrars' Association  
Ms. Catherine Forde, the Bar of Ireland  
Mr. Donagh McGowan, the Law Society of Ireland

## OTHER COMMITTEES:

### Irish Sentencing Committee

The Hon. Mrs. Justice Susan Denham, Chief Justice – *Chairperson*  
The Hon. Mr. Justice Michael Peart  
The Hon. Mr. Justice Patrick McCarthy  
Her Hon. Judge Mary Ellen Ring, judge of the Circuit Court  
Her Hon. Judge Rosemary Horgan  
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 page 73 )

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.



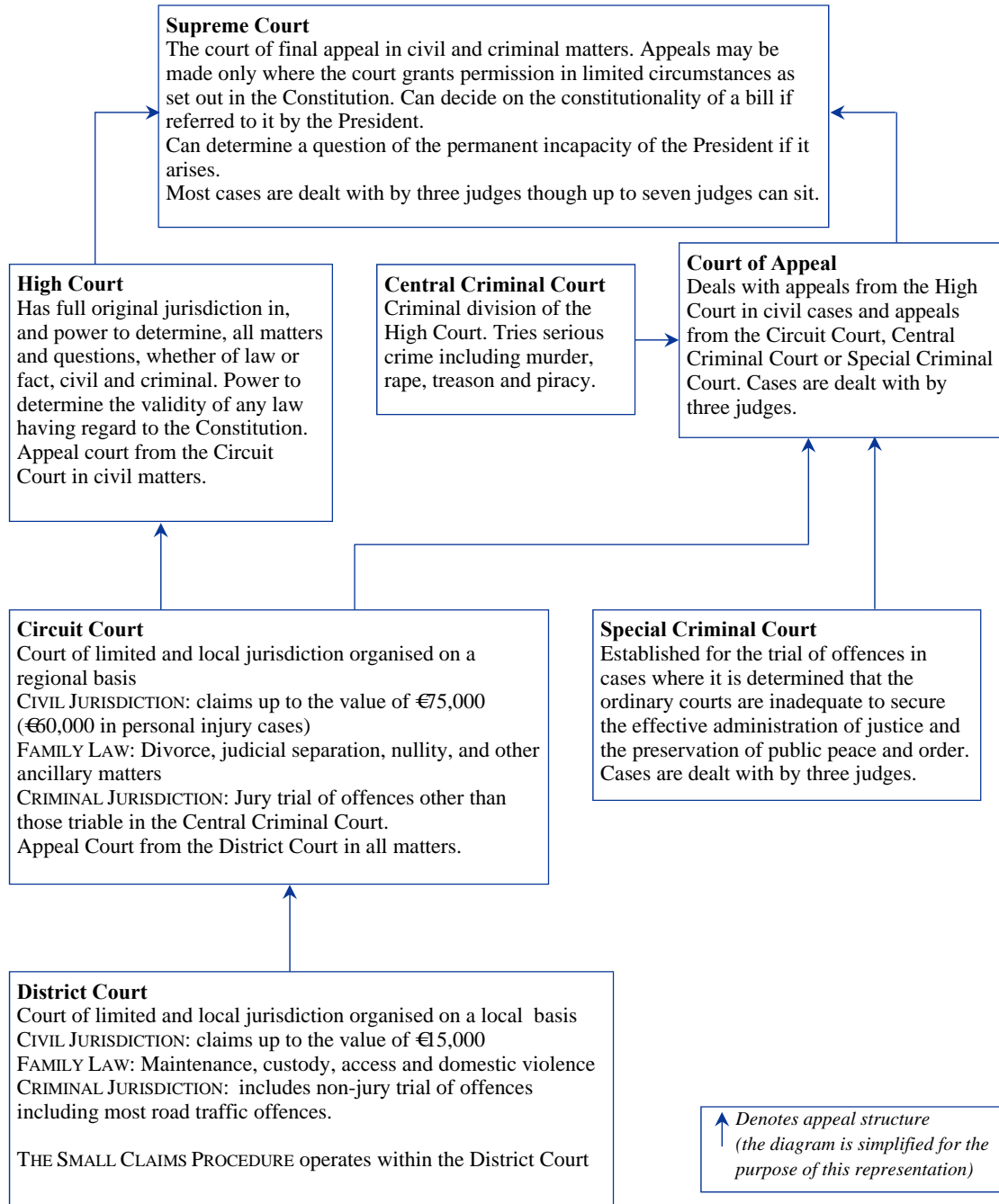
Senior Management Team

The Service has regional support offices in Naas, Dundalk, Cork and Castlebar. The position of NorthMidlands Regional Manager was vacant at 31st December 2015.



Regional managers

**STRUCTURE OF THE COURTS**







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## CHAPTER 2 – THE YEAR IN REVIEW

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### FROM THE CHIEF EXECUTIVE OFFICER



The signs of economic recovery evident towards the end of 2014 continued in 2015 giving us reason to be cautiously optimistic, at least for the foreseeable future. We welcomed the easing of the major funding and staffing reductions experienced in the preceding years and the consequential improvement in our budgetary allocation. Our allocation for 2015 was an increase of 3% on our 2014 allocation and represented the first such increase since 2008.

We also welcomed the replacement of the Employee Control Framework process for the management of staff numbers (which had been in place since 2009) with delegated sanction for the filling of posts up to and including Principal Officer. This gave us greater flexibility in the area of staff replacement and, coupled with the additional staff funding allocated in the 2016 Estimates, meant that we could begin filling some staff vacancies.

The foresight of embarking on our own modernisation and efficiency programme some years ago continued to pay dividends. In particular the development of combined court offices and the rationalising of offices around the country helped us deal with the reduced staff complement and provided a solid basis on which to plan for the future.

Our plans, insofar as they relate to the next three years, are identified in our new Strategic Plan. We are focusing on three key areas in particular: People, Technology and Processes, as they offer significant potential for further improvements in service delivery and value for money.

Our people remain our greatest asset so it was important to place a renewed focus on staff training, an area that had been adversely impacted by funding reductions. Our new *Learning and Development Strategy* represents a renewed commitment to, and focus on, meeting the learning and development needs of our staff. Given the staff reductions of recent years and the age profile of our remaining staff it provides a vital platform as we seek to make a meaningful investment in the learning and development of our staff and the development of a learning culture.

We also continue to pursue our capital building programme. Following the significant rationalisation of our estate of courthouses we look forward to the completion of seven major courthouse projects now underway around the country using the Public Private Partnership (PPP) approach. We completed work on new accommodation for the Court of Appeal revitalising the historic Public Records building in the Four Courts complex in the process.

The omission of additional capital funding from the 2016 Estimates published in October and in particular, funding in relation to critical existing operational information and communications technology (ICT) systems and the development of new systems, was the cause of very grave concern. We rely on ICT to help us meet the challenges of maintaining services to judiciary, staff, the legal profession and the public, and to meet legislative requirements and the demand for more eGovernment and online services.

I briefed the Joint Oireachtas Committee on Justice, Defence and Equality in November on the work of the Service including the modernisation and reform initiatives undertaken over the past six years, the challenges faced and the measures implemented to deal with those challenges. In particular, I highlighted the significant underfunding of ICT. Following additional submissions regarding the critical nature of our ICT position, I was pleased to note the allocation of an additional €1 million for ICT development in the Revised Estimates Volume in December. This additional funding will assist us to continue to develop the infrastructure necessary for several major projects including the Fines Act and our eLicensing project. Ongoing increased additional funding will be essential in the coming years so as to ensure that our ICT infrastructure and systems are fit for purpose.

Our support for the judiciary manifests in a variety of ways including court sittings and initiatives such as the Drug Treatment Court and mediation. We completed another year where scheduled court sittings were maintained across all jurisdictions around the country. In addition, our support for the Court of Appeal in its first full year of operation contributed in no small way to the success of that historic initiative. An award from the Mediator's Institute of Ireland and the short listing for a Civil Service Excellence and Innovation Award was well deserved recognition of our work in the area of mediation.

We continue to place significant emphasis on the provision of information for the public. Our website received over 2.7m visits during the year with the significant increase in visits *via* mobile devices reminding us of the changing nature of communication in the modern world. Staff around the country facilitated visits to court buildings by thousands of students and other visitors.

The operation of the justice system is a co-operation between a wide variety of groups comprising many people. I am indebted to the staff of the Service around the country for their continued dedication and commitment. I am grateful for the support of the Chief Justice, other members of the Board, and other members of the judiciary for our work. We are also supported in our efforts by the Minister for Justice and Equality and the staff of her Department, members of the legal profession and members of many other organisations including An Garda Síochána, Prison Service, Probation Service, and those supporting victims. I extend my thanks to all who have supported our user groups, consultation groups and made suggestions in other ways as to how we might improve our service.

We will continue to ensure that we fulfil our mandates of managing the courts and supporting the judiciary and will work with the judiciary and the wider justice sector to further improve the management of cases coming before the courts.

Our Annual Report outlines the efforts we made in 2015 to fulfil our mandates and deliver on commitments we made in various strategic plans. It also provides information on the types of cases that came before the courts and the work involved in dealing with them.

## **DEVELOPMENTS DURING 2015**

### **PUBLIC SERVICE AGREEMENTS AND INITIATIVES**

The Service continued to support Public Service agreements and initiatives aimed at improving efficiencies and value for money in the services provided.

#### **Civil Service reform**

##### *Public Sector reform*

The Public Sector Reform Plan 2014-2016, published by the Department of Public Expenditure and Reform, promotes the need to reduce costs and increase efficiencies, and places increased emphasis on the need to deliver the best possible outcomes across Government departments and agencies.

The Service combines with the various agencies in the Justice and Equality sector to undertake reforms as part of the overall Public Service Reform Programme. The agencies contribute to annual integrated reform delivery plans compiled by the Department of Justice and Equality.

During 2015, the Service contributed to the Department's Integrated Reform Delivery Plan which outlines reforms under three headings: (i) sector and department specific reforms; (ii) cross-departmental actions; and (iii) implementation of measures under the Public Service Stability Agreement 2013-2016 (the Haddington Road Agreement). The contribution contains delivery timelines up to end 2016 and is informed by principles in the Strategic Plan of the Service reflective of those in the Public Sector Reform Plan.

##### *Civil Service renewal*

The Civil Service Renewal Plan represents a fundamental new vision and direction for the Civil Service. It was launched in late 2014 by the Taoiseach and the Minister for Public Expenditure and Reform with a three year action plan for the Civil Service.

The Plan focuses on driving practical change through 25 specific actions in four key areas: unified (managing the civil service as a single unified organisation); professional (maximising the performance and potential of all civil service employees and organisations); responsive (changing our culture, structure and processes so that we become more agile, flexible and responsive), and open and accountable (continuously learning and improving by being open to external ideas, challenge and debate).

Staff of the Service contributed to the progress of the actions during the year by participating in the development of new guidelines on staff underperformance and the development of a new disciplinary code. Staff also attended workshops on subjects including mobility in the Civil Service and the development of a HR strategy.

By way of additional support, the Service submitted its Workforce Plan for the period 2015-2017 to the Department of Public Expenditure and Reform. Workforce planning assists the Service to make critical decisions related to its workforce over the short to medium term. The process involves measuring and comparing the workforce (supply) with future workforce requirements (demand), relative to the strategy of

the Service, planning process and overall pay budget. This ensures that the Service has the capability and capacity required to deliver on its objective in the years ahead.

The Service encouraged staff to attend ‘town hall’ meetings which continue to be organised by the Department of Public Service and Reform. These meetings provided a forum for public servants to join in the reform and renewal initiative by sharing views about issues of concern to them in carrying out their work.

### **Courts Service strategic documents**

Strategic documents developed by the Service complement the objectives of the Public Service agreements and initiatives and highlight areas that offer potential for further improvements in service delivery and value for money. During 2015 these documents provided guidelines for staff in the drive to maximise the potential of the resources of the Service.

#### *Strategic Plan*

The Strategic Plan 2014-2017 sets out six key priorities, which seek to build on the progress made in implementing change initiatives identified in the previous strategic plan. The Plan focuses on three key areas in particular: People, Technology and Processes.

#### *Corporate Business Plan*

The Corporate Business Plan, complements the Strategic Plan by setting out the priorities and actions for the Service in 2015 in meeting the objectives of the Strategic Plan.

#### *Performance budgeting targets*

Performance budgeting requires the identification of key outputs, context and impact indicators for the business units of the Service as part of the Estimates process.

The output targets for the Service were set out in the Revised Estimates Volume for 2015. They complemented the actions set out in the Corporate Business Plan and other strategic documents providing further measure of achievements during the year.

### **KEY PRIORITY 1: DELIVERING HIGH QUALITY SERVICE**

The maintenance of front line services is critical to the success of the Service. Every effort continued during the year to ensure that office services were maintained at 2014 levels or above. The changes made to office structures in recent years as part of the modernisation programme facilitated the maintenance of high levels of support for all court sittings notwithstanding resource issues.

#### **Improving services**

##### *Fines (Payment and Recovery) Act 2014*

The Fines (Payment and Recovery) Act 2014 introduced a number of new features including the ability to pay a fine by instalment. It also introduced other measures including attachment of earnings for unpaid fines, community service and the appointment of receivers.

Considerable work had to be undertaken by the Service to provide for the new payment regime envisaged by the Act, including ICT systems development and testing and the appointment of An Post to provide payments channels and printing services. (*see also page 27*)

##### *eLicensing system*

Work commenced during the year to develop an eLicensing system to incorporate the online filing of licensing applications in the Circuit Court and District Court, the payment of court fees online and the provision of access to an electronic licensing register. Development of the new system was undertaken during the year end with a target date to launch the application in 2016. (*see also page 26*)

##### *Improving the delivery of probate services*

Work on a review of probate services commenced during the year. The ultimate project will enable the Service deliver a more efficient and cost effective service to next of kin of deceased persons including the provision of on-line access to a range of information.

### *Central Office of the High Court*

A change management review of procedures in the Central Office of the High Court resulted in further reductions in queuing times for customers.

### **Support and user groups**

User groups continued to provide much valued input into the work of the Service during the year. Group participants include members of An Garda Síochána, the Probation Service, the Prison Service, the Bar of Ireland, the Law Society, and a variety of support and interest groups.

Specific user groups continued to deal with different areas of court business. They include the Criminal Courts of Justice, a combined user group for family law in the Circuit Court and District Court, Probate Service users, civil law in the High Court, the Court of Appeal and the Supreme Court, and users of the Examiner's Office. Regional and other office managers chaired meetings of representative groups in a variety of locations including Cork, Ennis, Kilkenny, Sligo, and Trim.

*User groups continued to ensure that the views and suggestions of those particularly involved in the courts system are taken into consideration in the development and operation of policy and initiatives. They also provide a forum for the exchange of ideas and an opportunity for users to share needs and concerns.*

### **Victim support**

Support for victims remains an important element of the service provided for court users.

The Service works with voluntary organisations including Victim Support at Court and other non-governmental agencies to encourage the use of a dedicated waiting area with a number of rooms in the Criminal Courts of Justice. This area is available for use by victims during the course of a trial. A separate area for underage victims and witnesses includes a room designed specifically for child witnesses and a room from which evidence can be given to the court by video link.

Major building projects completed since the establishment of the Service include dedicated facilities for victims. Facilities for victims similar to those available in the Criminal Courts of Justice but on a less extensive scale are available in other court buildings including Cork and Kilkenny. The seven court building projects (*see page 30*) which commenced around the country during the year afford the Service the opportunity to provide additional dedicated facilities. These facilities will also be a feature of any other major courthouse refurbishment works.

During the year, the Service, on request, continued to reserve seats for victims and their families in courtrooms, particularly during longer running trials.

The Service was represented on a criminal justice interagency working group which was co-ordinating the implementation of the EU Directive on the Victims of Crime across criminal justice agencies.

A training and information session for frontline staff of the Service who interact with victims of crime was developed during the year. It will be delivered in five locations in early 2016 in conjunction with Victim Support at Court.

### **Support for those with debt issues**

The Service and three other agencies collaborated during the year to offer quality information for those with personal debt issues. A pilot initiative, with the Money Advice and Budgeting Service, Citizens Information, and the Insolvency Service of Ireland, was specifically directed at those involved in possession proceedings before the Circuit Court. Information and personal debt advisers were made available in court buildings, initially in six locations, to engage with people about the options available to them.

*"This information initiative may offer a welcome relief from the fear of the unknown and the sense of isolation the person in debt must surely feel, as they present themselves in court – likely the first time they have ever publicly acknowledged their financial circumstances". Chief Justice, Mrs. Justice Susan Denham*

### **Customer complaints**

There were 45 formal complaints received during 2015. The majority (39) concerned administrative matters which were dealt with through the customer complaints procedure. Six complaints related to matters which could not be dealt with by administrative means.

## Mediation and support services

The Service continued to work with other agencies in the development of non-judicial alternatives for resolving disputes and settling issues during the year.

### *Civil cases*

A mediation option continued to be made available in Dublin Circuit and District Court Civil Office for those seeking certain court remedies. The project, supported by the Service and the Mediators' Institute of Ireland, is provided by three service agencies, South Dublin Mediation Service, Mediation Ballymun, and Community Law and Mediation. Disputes where parties were asked to consider mediation included boundary disputes, private prosecutions for breach of the peace, complaints about noise or nuisance pets, and disputes between adult family members on questions of property.

Volunteers of the three agencies were available in the District Court to meet litigants and explain the service every week. During the year parties in 17 cases met representatives of one of the agencies, following their appearance in court or at the court office. There were six final agreements reached.

### *Business and Commercial Mediation Pilot Scheme*

The Service supported a pilot scheme, launched in October, to help Chambers Ireland members and other business and commercial enterprises resolve business disputes through mediation. The objective is to promote the use of mediation as a cost and resource efficient way for businesses to resolve commercial disputes. The scheme is overseen by a steering committee representing the Bar of Ireland, Chambers Ireland, the Chartered Institute of Arbitrators (Ireland), the Law Society of Ireland and the Mediators' Institute of Ireland.

### *Family cases - mediation*

The mediation initiative involving the Service, the Legal Aid Board and the Family Mediation Service of the Legal Aid Board in the District Court continued in Cork, Dublin (Dolphin House), Naas, Limerick and Tipperary during the year. It was also the first full year of operation of a new service in Athlone.

The objective is to offer an alternative to a courts determined outcome and a more appropriate means of resolving certain family disputes. Parties contemplating proceedings in relation to access, custody or guardianship matters are initially invited to attend mediation information sessions. A formal mediation process is then offered to parties willing to engage with legal advice available on site *via* the Legal Aid Board.

Pilot initiatives introduced as a way of improving service included the introduction of a requirement that litigants applying for legal aid in Cork and Athlone must attend a mandatory information session on mediation before they will be granted representation. The results of these pilots will determine if this change in policy will be adopted more widely and inform the implementation of any future legislation on mediation.

Family mediation initiative		
Venue	Parties attending information sessions	Agreements finalised
Cork	162	31
Dublin	1,603	421
Naas	194	47
Tipperary	144	25
Limerick	115	12
Athlone	164	13
<b>Total</b>	<b>2,382</b>	<b>549</b>

The Mediators' Institute of Ireland acknowledged the initiatives taken by the Service in the promotion of mediation with an award for the Service and for the Chief Clerk of Circuit Court and District Court Operations in Dublin as part of its 'Family Mediation Awards 2015'.

The mediation initiative in Dolphin House in Dublin was short listed for an award as part of the inaugural Civil Service Excellence and Innovation Awards in December. The short listing was for the Service and the Legal Aid Board in the category of 'Excellence in Customer Service'.

*The Dolphin House project established a permanent mediator presence in the busiest District Court family law building in the country to promote mediation as a way of finding resolutions to disputes and offer support to families at traumatic times.*

### Family cases - support

A support and referral service for women provided by three organisations – Women’s Aid, Dublin 12 Domestic Violence Service, and Inchicore Outreach Centre – continued in Dublin District Family Court during the year. The service is available to all women using the court for applications under the Domestic Violence Act in particular but also for important ancillary matters including protection of infants. It is also available to women who present in the office indicating that domestic violence is an issue for them. 289 women availed of the Support and Referral Service in Dolphin House with a further 96 women receiving support *via* telephone during the year.

*The Dolphin House Support and Referral Service provides a range of information and a level of emotional support to women more appropriately delivered by non-court staff.*

AMEN, a State-supported non-governmental organisation working with male victims of domestic violence, continued to provide an outreach service in Dolphin House during 2015. Male applicants who report instances of domestic violence are provided with contact details for AMEN. If they need further support, an appointment can be made with a support worker from AMEN to meet in a consultation room in Dolphin House.

Women’s Aid in Dundalk continued to provide on-site expert advice and support services for women and children in Louth as part of an initiative supported by the Commission for the Support for Victims of Crime. The initiative, developed by the Service, the Probation Service and Women’s Aid is modelled on the Dolphin House service, and is available in Dundalk courthouse on days when the District Court is sitting.

### Official Languages Act

During the year, implementation of the Second Scheme of the Service under section 15 of the Official Languages Act 2003 continued. Following an audit of the implementation exercise by An Coimisinéir Teanga work commenced to give effect to An Coimisinéir’s recommendations.

There were three complaints received from An Coimisinéir Teanga in 2015. They related to the availability of an interpreter for a court hearing, the availability of a court form in Irish, and the use of English-only signage outside a building of the Service. All of the complaints were resolved to the satisfaction of the complainant and of An Coimisinéir.

*The Service is mindful of a person’s right to use Irish in court irrespective of his/her reason for being in court, for example as a witness, a defendant, a plaintiff or a victim.*

### Interpretation services

The cost of the provision of interpretation services has fallen significantly in recent years reflecting the decreased need for interpretation services and the value for money achieved by revised arrangements entered into with service providers. Costs decreased by 75% in the years between 2008 and 2015 from €3.75m to €12,395.

The Service made 7,490 requests for interpretation services in 71 different languages during the year.

Language	Requests
Polish	2,141
Romanian	1,433
Lithuanian	1,049
Russian	712
Latvian	259
Mandarin	251
Portuguese	166
Czech	160
French	120
Arabic	118
Other	1,081
<b>Total</b>	<b>7,490</b>

## KEY PRIORITY 2: SUPPORTING THE JUDICIARY

Supporting the judiciary is a statutory function of the Service and significant resources are focussed on fulfilling this remit. The Service continued to work during the year to ensure that all scheduled court sittings were supported and all necessary supports were in place to enable the judiciary administer justice.

During 2015 the Service provided support for judges of all court jurisdictions:

Judiciary: 2011 – 2015 at 31st December (with maximum numbers allowed)					
	2011	2012	2013	2014	2015
Supreme Court	8 (8)	8 (8)	10 (10)	10 (10)	10(10)
Court of Appeal	n/a	n/a	n/a	10 (10)	9(10)
High Court	36 (36)	36 (36)	33 (36)	34 (36)	36 (40)
Circuit Court	34 (38)	38 (38)	44 (46)	44 (46)	43 (46)
District Court	61 (64)	62 (64)	61 (64)	63 (64)	63 (64)
<b>Total</b>	<b>139 (146)</b>	<b>144 (146)</b>	<b>148 (156)</b>	<b>161 (166)</b>	<b>161 (170)</b>

### Court sittings

#### Supreme Court

The Supreme Court made significant progress in overhauling its backlog and was engaged in a proactive review and management of its total caseload under the direction of the Chief Justice.

The court's list was in transition following the establishment of the Court of Appeal in October 2014. Notwithstanding the transfer of over 1,350 appeals from the court to the Court of Appeal, the court still retained over 800 appeals (legacy appeals) which comprised a major part of its work during 2015. In addition, it continued dealing with applications under Article 64 of the Constitution (transitional provisions – transferred appeals) and applications for leave to appeal under its new Constitutional jurisdictions.

The court continued to sit in two panels to deal with new and legacy appeals. In addition, the Chief Justice assigned applications for leave under the new Constitutional jurisdictions to panels to assure their speedy determination. New appeals continued to be subject to case management procedures to ensure their just and efficient disposal.

Two divisions of the court heard two separate cases in Washington Street Courthouse in March. It was the first time that the court had sat outside Dublin and the first time it sat outside the Four Courts since it was refurbished in 1931.

*“As the nation approaches the first centennial anniversary of its creation, it is timely that the Supreme Court sits in locations in the State in addition to the Four Courts” Chief Justice, Mrs. Justice Susan Denham*

#### Court of Appeal

The Service supported the judges of the Court of Appeal in the development of judge led case management to assist in the efficient disposal of court business. This includes one judge sitting alone for listing and case management purposes.

The court sat every day during the law terms to deal with civil and criminal appeals. As a result of the progress made in disposing of criminal business the sittings for criminal appeals were reduced to four days per week from October 2015. This facilitated the sitting of two courts in the civil division of the court to deal with civil appeals on some Mondays and most Wednesdays.

#### Central Criminal Court

The judicial complement in the Central Criminal Court was increased to five when the President of the High Court allocated an additional judge to that court. This facilitated the operation of an additional court in the Central Criminal Court. The Service was in a position to support the additional court as a result of the appointment of additional staff and the availability of courtroom facilities in the Criminal Courts of Justice.

#### Special Criminal Court

In October, the Government appointed judges to a second Special Criminal Court to address the waiting times in the hearing of cases. The court, which is expected to commence hearing cases in mid 2016, will sit in the Criminal Courts of Justice. The Service assisted in the preparations for the new court during the year

which include the development of court facilities, judicial accommodation, ICT system upgrades, appointment of court registrars and revision of court rules.

### *High Court*

Registrars and other office staff continued to support the work of the High Court with over 27,990 court orders perfected following 4,659 sitting days including weekends. Initiatives including sitting as Deputy Master of the High Court to manage personal injury and non jury judicial review lists were continued, freeing up judicial time for the hearing of cases. Staff supported sittings during court vacation periods and, in particular, supported court lists organised in September to maintain waiting times and deal with matters specially fixed for hearing.

The waiting time for pre-leave asylum cases which had been reduced from 30 months to nine months during 2014 was further reduced to six months by the end of 2015. The progress achieved in recent years in respect of the majority of other lists was maintained during the year.

*Delays in the hearing of cases can occur for reasons outside the control of the courts and the Courts Service, for example the unavailability of a witness or vital evidence or because parties or their legal practitioners are not ready to proceed. This gives rise to adjournments which can have a major impact on the time taken to complete the hearing of a case and on the number of cases which can be disposed of in a court sitting.*

### *Circuit Court and District Court*

All scheduled sittings of the Circuit Court and District Court were held with the exception of an occasional day when a judge was unexpectedly unavailable and there was no opportunity to arrange a replacement.

The Service continued to liaise with the Presidents of the Circuit Court and District Court in relation to the holding of additional sittings. In this regard, support for additional sittings was prioritised in the allocation of additional staff.

A particular concern in the District Court is family law which saw an increase of 13% in the volume of domestic violence applications since 2012. This has impacted most significantly on Dublin which deals with the highest volume of domestic violence applications. The Service allocated additional staff to the District Family Law Court in Dublin to facilitate a proposed reorganisation in the delivery of family law District Court services to allow for additional court sittings.

Where necessary the listing of criminal business in the Circuit Court was adjusted to afford the maximum time to urgent areas of business. Criminal business continued to be given priority (other than in emergencies) to ensure the earliest trial date for those in custody with separate sittings for crime in the majority of circuits.

### *Drug Treatment Court*

The Drug Treatment Court provides a restorative justice alternative to a custodial sentence for persons with drug addiction who have pleaded guilty before, or have been convicted by, the District Court for minor, non-violent, criminal charges connected to their addiction.

There were 98 new participants referred to the court programme in 2015, the highest number since the programme commenced in 2001, and six graduates at the highest (gold) level. The Minister of State at the Department of Justice and Equality visited the court in September to meet the judge in charge and members of the court team (which includes staff of the Service). The team outlined the operation of the court, participation levels, and efforts made to enable people outside of Dublin avail of the court programme.

### *Family law*

The Family Law Court Development Committee consulted with the Department of Justice and Equality in relation to the drafting of the Head of Bill to establish a new separate division for family courts.

### **Research assistance**

The availability of high quality research assistance is a major factor in the efficient use of judicial time. The Service continued to provide assistance in a variety of forms to members of the judiciary during the year.

### *Judicial assistants in the Judicial Research Office*

The Judicial Research Office (JRO) was established to provide research assistance to the judiciary in all courts. During 2015 there were six judicial assistants, all law graduates, in the JRO. Their tasks included research for judges of all jurisdictions, preparation of material for publication on the judges' intranet,



preparation and updating of handbooks for all court jurisdictions, and proof-reading of judgments and other documents.

#### *Judicial assistants in the Supreme Court, Court of Appeal, High Court and Circuit Court*

Judges appointed since 2012 are assigned an assistant who combines the role of judicial assistant with that of the traditional tipstaff. These judicial assistants assist the judge in preparing for court, conduct the judge to court, and assist the judge as required. They may also assist the judge by researching points of law, preparing drafts of judgments, and proof-reading completed judgments prior to delivery and publication.

Judges appointed before 2012 who have a tipstaff may also be in need of the support of a judicial assistant for assistance with research, drafting judgments or conference papers and proof-reading. A small group of judicial assistants is assigned to support the work of the Supreme Court, Court of Appeal, and High Court. The Judicial Research Office provides research support to judges of all jurisdictional levels and maintains a database of research materials for the use of judges.

#### **Library and research facilities**

The Judges' Library continued to provide a service to judges, judicial researchers and to the staff of the Service. Library resources include subscriptions to a range of on-line databases, and to core journals, law reports and legislations, in addition to legal text books.

Staff of the library provided training and assistance in the use of various information resources for readers, including a number of library induction tours, meetings with newly appointed judges, and detailed training on online databases. They also availed of opportunities for continuing professional development and training to keep abreast of trends and best practices, and contributed to the profession by involvement in professional bodies.

Significant progress was made in migrating additional data to the electronic catalogue and preparing for upgrading the electronic Library Management System, in order to implement a new loan-records system and to make the catalogue more accessible across networks.

#### **Additional support**

##### *Judicial Support Unit*

The Judicial Support Unit continued to provide a one stop shop for issues of concern to all judges. Areas managed by the Unit include judicial travel (both domestic and foreign), validation of travel claims, procurement of judicial attire, protocol arrangements and liaison as appropriate between the judiciary and other sections of the Service, and the judiciary and other Government departments.

The Unit continued to accommodate judicial and administrative visitors from Ireland and abroad and organised tailored visits which included opportunities to meet judges and staff of the Service. Visitors from abroad during 2015 came from China, Chile, France, Germany, Holland, Kenya, Latvia, and the United States of America,

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

##### *Chief Justice's Internship Programme*

The Service continued to support a programme for newly graduated third level students sponsored by the Chief Justice in June. The programme saw students from seven Irish universities and from Fordham University, New York, USA, intern with judges of the Supreme Court, Court of Appeal, High Court and the President of the District Court. They also availed of tours of court buildings, visits to court sittings, and lectures organised by staff of the Service.

*"This internship was like no other I experienced in my undergraduate year. I had the opportunity to witness the unfolding of cases from start to finish, with the added benefit of the judge sharing her reasoning with me. I felt immensely lucky to converse with the judge on topical legal matters, and also to glean insights into how she rose within her career. The overall experience was extremely enlightening." Caoimhe Stafford, Trinity College, Dublin.*

#### **Support for the use of computer technology**

Staff of the ICT Unit, supported by the company engaged by the Service to manage the ICT services, continued to attend at judicial conferences during the year to provide additional information and support to the judiciary regarding the provision and use of equipment and to respond to particular technical issues.

The Service continued to support the ongoing development of an information database to provide judges with access to an electronic resource for research and other information purposes. Judicial researchers assisted with the maintenance and development of the database during the year.

Newly appointed judges avail of training on the use of ICT equipment with additional training made available to all judges on request.

### Provision and use of courtroom technology

#### *Video viewing*

Video viewing facilities continue to allow for viewing of evidence including recordings of interviews in garda stations, CCTV security footage and other forms of evidence held electronically including scanned documentary evidence. During 2015 video viewing facilities were available in 51 courtrooms. In addition, mobile CCTV units continued to enable video viewing in courtrooms without built-in viewing facilities in the Criminal Courts of Justice and around the country. These units are also used by juries to review CCTV footage during deliberations in the jury room.

#### *Video conferencing*

The use of video conferencing facilities continued to enable more efficient use of court time and streamline court hearings during the year. These facilities eliminate the necessity for witnesses and accused in custody to attend in person, and are of particular benefit when witnesses are abroad and for vulnerable underage witnesses. It leads to considerable cost savings especially in relation to expert witnesses in civil cases.

Video conferencing facilities continued to be used in various types of cases during 2015 including:

- o *Mutual assistance cases*

Evidence can be taken before a judge in a court in Ireland in respect of criminal trials in another jurisdiction, particularly another EU Member State. Evidence was given by witnesses in courts in the Criminal Courts of Justice in seven cases and relayed by video link to trials in countries including Germany, Finland, Hungary, Spain and Portugal.

- o *Criminal cases – giving evidence outside the courtroom*

Children or vulnerable witnesses can avail of video link to give evidence to the court from a witness room. Evidence given in witness rooms in Ireland during 2015 included that given by underage or vulnerable witnesses in 38 cases in the Criminal Courts of Justice.

- o *Criminal cases – giving evidence from abroad*

Witnesses can give evidence *via* video link to trials/court cases in Ireland from other countries. During 2015, witnesses gave evidence from countries including Australia, Canada, Germany, Latvia, Scotland, Spain, Portugal and the United States of America.

- o *Commercial, non-jury, chancery, and personal injury cases in the High Court.*

Witnesses can give evidence *via* video link for cases in Ireland, in particular medical witnesses in child care cases, and for cases abroad.

*“Videoconferencing not only reduces costs, travel times and inconvenience to witnesses and defendants, it extends the courtroom to another building, town, county, or indeed continent”. Brendan Ryan, Chief Executive*

#### *Video link between courts and prisons*

The Service worked with the judiciary to maximise the use of existing facilities and extend them where feasible and practicable.

In this regard, a joint working group chaired by the Service and representative of An Garda Síochána, the Prison Service, and the Chief Prosecution Solicitor’s Office was established during the year. The group was charged with examining the potential for the extension of the use of video link between courts and prisons for pre-trial matters in accordance with the Prisons Act 2007. This Act provides that an accused in custody may give evidence to the court by video link from the prison rather than give evidence by attending in court. By the end of the year, an average of forty cases per week were being dealt with by video link between courts and prisons.

Video link to prisons is currently in operation in Cloverhill District Court, Dublin District Court 2 and Dublin Circuit Criminal Court in the Criminal Courts of Justice, Limerick District Court, Cork District Court and on occasion, Letterkenny District Court.

*“There are considerable efficiencies and savings arising from the initiative to enable evidence via video link between courts and prisons, not only for the Service but for other criminal justice agencies in the transportation of accused persons to court”. Brendan Ryan, Chief Executive*

#### *Video link - general*

At year end video link facilities were available in 28 courtrooms across 14 venues – in Dublin, Cork, Tullamore, Limerick, Castlebar, Dundalk, Cavan, Limerick, Letterkenny, Monaghan, Kilkenny and Sligo.

Work was undertaken to install video link units in Galway District Court and to upgrade equipment in Nenagh Courthouse with a view to extending video link/conferencing to these locations in 2016. In addition, the Service will meet the increasing demand for video viewing and video link facilities in the Criminal Courts of Justice by upgrading an additional court to a technology court during 2016.

#### *Digital audio recording*

Digital audio recording (DAR) is the standard method of recording criminal cases and producing transcripts of court proceedings and is available in all courtrooms (including those not on the network of the Service).

To assist in the production of transcripts in the Circuit Court and the Central Criminal Court, persons known as loggers were engaged to ‘log’ (note) certain information in court in addition to the recording available from DAR.

The project, which commenced in 2013, to reduce reliance on external loggers with court registrars logging the information required continued during 2015. Initially piloted in Dublin Circuit Court, the Central Criminal Court, and Cork Circuit Court, the project was extended to criminal sittings of the Circuit Court in Tralee, Castlebar, Ennis, Kilkenny, and Dundalk in 2015. It delivered savings of €250,000 in 2015 and is expected to deliver annual savings of €400,000 when completed.

The Service commenced a procurement exercise in 2015 for a new contract to manage the DAR service. The exercise is expected to conclude in mid 2016.

### **KEY PRIORITY 3: ENSURING SKILLED AND ENGAGED STAFF**

Staff are the most valuable resource of the Service and as such it is essential that they have the necessary skills to perform at a high level and achieve their potential. This includes equipping court going staff with the requisite technical and legal knowledge to discharge their responsibilities effectively, and supporting and developing managers and staff to deal with the wide range of challenges and issues which they face on a daily basis.

#### **Learning and Development Strategy**

A key goal in the Strategic Plan of the Service is to have skilled and engaged staff. To plan how best to achieve this goal the Service developed a *Learning and Development Strategy (L&D Strategy)* during 2015 following extensive consultation and engagement with managers and staff. Through an effective learning and development function the Service will have a workforce better equipped to cope with change and to deliver ever improving services to the judiciary and court users. The *L&D Strategy* will be officially launched by the Chief Justice in early 2016.

The Service will use the *L&D Strategy* to:

- ensure that all staff and managers have the requisite skills to perform their roles at a high level of competence
- enhance and maintain the legal and technical skills and knowledge and
- support and develop managers and staff in dealing with the wide range of challenges and issues they face on a daily basis.

The organisation has faced many challenges in recent years, including reduced funding and staff numbers. Staff have taken on ever increasing workloads and contributed to major change initiatives. The development of the *L&D Strategy* reflects the renewed commitment of the Service to equip staff with the skills required and to provide learning and development opportunities for all staff. The Service will establish a committee, the *Learning and Development Committee* in 2016, to monitor the implementation of the *L&D Strategy* and report thereon to the Senior Management Team.

*“The L&D Strategy recognises that the Service needs to keep pace with the environment in which it operates and the wider society and respond to the learning needs of staff in ways that go beyond traditional approaches”*  
*Brendan Ryan, Chief Executive.*

### Executive coaching

The Service carried out a procurement exercise during the year to select service providers of executive coaching, another key action under the *L&D Strategy*. The intention is to establish a coaching culture, which would place the Service at the forefront in this regard, certainly in the public sector. This will be achieved by providing coaching skills training for managers, providing one-to-one executive coaching and developing internal coaching capacity.

The *Coaching for Performance* programme aims to develop managers’ skills, particularly in the areas of people management, communication, listening and providing feedback. The programme will commence in early 2016 with the Chief Executive and Senior Management Team.

### Learning and development activity

Significant additional activity was undertaken during 2015 in the learning and development area. Central to the implementation of the *L&D Strategy* was capturing the wealth of knowledge that experienced staff have and sharing that knowledge throughout the organisation. The Service organised a *Train the Trainer* programme to develop skills in the design and delivery of training. Staff who availed of the programme will play an important role in the development and delivery of future training programmes.

Other initiatives during the year included induction training for new staff, a *Managers’ Toolkit* training programme for newly promoted managers, conflict resolution training for dealing with difficult situations, and training in respect of video link logistics, health and safety and MS Office.

Technical training continued to be delivered on a continuous basis in court offices across all jurisdictions, especially in relation to the implications of new national and EU legislation.

Conferences during the year afforded staff the opportunity to learn about initiatives underway in the Service. They included conferences for court managers in the Circuit Court and District Court and for senior managers in offices of the High Court, Court of Appeal, Supreme Court, and other offices of the Service.

Work on developing an eLearning module on section 99 warrants was also progressed during the year. The Service will expand the modules available *via* eLearning commencing with one to support the implementation of the new eLicensing system (*see page 26*).

### Staff survey

A staff survey was undertaken at the end of the year. The results, among other matters, validated the views expressed by staff at workshops concerning their learning and development needs, and were communicated to staff together with a number of follow up actions. The Service will undertake the survey annually and use the results as one of the measures to assess the impact of the *L&D Strategy*.

### Change Management Unit

The decision by the Service to establish a Change Management Unit demonstrated the intent of the Service to create greater momentum in relation to change projects. It will also ensure a more coordinated approach to implementation of change thereby ensuring that maximum benefit is achieved for court users and the delivery of value for money. Plans for the new Unit were drawn up during the year with a Head of Unit to be appointed in early 2016.

### Staffing

The additional funding made available in the 2016 Estimates allowed for the appointment of over 30 additional staff. At year end plans were underway to make the necessary appointments. The Service will prioritise the support of additional court sittings required by the Presidents and those offices worst affected by the staff reductions over the past six years in the allocation of these posts. In particular staff will be allocated to support additional District Court family law sittings in Dublin, additional sittings of the Central Criminal Court in the Criminal Courts of Justice and the second Special Criminal Court.

Staff of the Office of the Official Assignee in Bankruptcy transferred definitively to the Insolvency Service of Ireland following the expiration of the period of secondment referred to in section 60A of the Courts Service Act 1998.

### Delegated sanction

The Service was given delegated sanction in July to approve the appointment of staff, both additional positions and the filling of vacancies within the Service, up to and including Principal Officer. This allows for greater flexibility in the expenditure of the pay budget and allows the Service fill posts more speedily as vacancies or additional posts arise. Restrictions in approving the filling of positions include that the annual pay allocation must not be exceeded and all posts filled must be supported by an internal business case which is open to audit in due course.

Over 500 staff attended for internal promotion competitions held at the end of 2014 which resulted in a total of 76 promotions during 2015. In addition 36 new clerical officers commenced duty and 16 posts in 2015 were filled by way of mobility.

### Transfer of administration of human resource functions to the Human Resource Shared Service Centre (PeoplePoint)

The Service transferred certain human resource functions to *PeoplePoint*, the Human Resource Shared Service Centre, in November. *PeoplePoint* forms part of the Government's overall Public Service Reform agenda to restructure how the Public Service does business by establishing shared service models for a number of areas.

The functions transferred included the recording of staff leave and information relating to performance management and development. Service management meetings between the Human Resource Unit of the Service and *PeoplePoint* were held prior to, and subsequent to, the transfer, and will continue in 2016.

### Performance management

The on-going management of performance is a key enabler of current and future Civil Service reform. The Performance Management and Development System (PMDS) is designed to be a meaningful and useful support to all staff and managers in the management and improvement of individual performance. In particular, it provides staff with a planned structure for clarifying their role and reviewing their performance.

PMDS includes the completion of a role profile form and two performance reviews (an interim review in June and an annual review in December). Following the transfer of information relating to performance management and development to *PeoplePoint* staff will commence using ePMDS from January 2016.

### Partnership

The Partnership Committee discussed a range of matters including customer service, additional staff appointments and the draft *Learning and Development Strategy* during the year.

### Employee assistance

The Civil Service Employee Assistance Service (CSEAS) is a regionalised service which provides services and support to civil servants by promoting well-being, resilience and organisational effectiveness. It also supplements the work of human resource units and managers. Staff of the Service continued to avail of the Services of the CSEAS for advice, support and information on personal and work related matters during 2015.

Staff availing of services of CSEAS	
Year	Percentage of staff
2015	12%
2014	14%

### Protected Disclosures Act 2014

The Protected Disclosures Act 2014 facilitates workers in raising a concern regarding wrongdoing or potential wrongdoing in the workplace by providing them with certain forms of protection from action which might be taken against them for doing so.

The Act provides for different methods of protected disclosure depending on the circumstances, and protects disclosures by workers including current or former employees, contractors, consultants, trainees, agency staff and interns.

A policy on protected disclosures was drafted during the year. It will be considered by the Senior Management Team in early 2016. There were no protected disclosures made to the Service in 2015.

## KEY PRIORITY 4: INVESTING IN TECHNOLOGY

Investment in technology has paid significant dividends for the Service across a number of key areas, including courtroom technology, online services and e-filing.

However, while the Service remains committed to developing the significant untapped potential that exists in this area, reduced funding and resources over the past six years have prevented the Service from taking full advantage of the opportunities that technology offers.

### Desktop infrastructure

A project to replace desktops which had commenced in 2014 was reviewed during 2015. It is planned to complete the project, which is vital to the efficient day to day operation of the Service in 2016, following the allocation of extra funding for ICT in the Revised Estimates Volume.

### ICT Strategy 2016-2018

At year end work on the development of an ICT Strategy for 2016-2018 based on and designed to support the Strategic Plan 2014-2017 was nearing completion. The new strategy, which will be considered by the Board in early 2016, takes account of the importance of ICT in meeting the strategic objectives of the organisation. It also emphasises that the maintenance and development of ICT systems is dependent on the availability of adequate funding.

The key focus of the new strategy is ensuring value for money in investment in technology, keeping the day to day operations up and running, taking advantage of Government provided shared service arrangements and continuing to explore opportunities for delivering services online.

*“With reduced resources and growing workloads, technology offers the best solution to enhancing customer service and delivering improved value for money for the tax payer”. Brendan Ryan, Chief Executive*

### Civil courts modernisation programme

#### *Courts Service Online (CSOL)*

The CSOL project aims to deliver a single civil case management system to provide a common platform for the civil processes of all jurisdictions. The new system has already replaced a number of existing systems covering all jurisdictions and incorporates the facility to make applications and payments online, collect orders and file certain documents electronically (*eFiling*).

The CSOL Steering Committee continued to meet during the year to discuss the management of this major project. The Committee includes representatives from the ICT Unit and from the five operational areas using CSOL: the Supreme Court, the Court of Appeal, personal insolvency in the Circuit Court and High Court, and Small Claims in the District Court.

*CSOL will, on completion, replace a number of legacy stand alone case management systems using a number of diverse applications.*

CSOL is being implemented on a modular basis with several areas of work of the courts benefiting from the new system by the end of 2015:

- *Insolvency arrangements*

Insolvency cases continued to be processed without any requirement for paper documents representing the first category of 100% electronic cases. The Insolvency Service of Ireland continued to submit live cases and motions using an online account on the system.

- *Small claims*

The Small Claims Online system continued to enable applicants lodge claims and pay fees online. They can follow the progress of their application through the various stages using a unique personal identifier (PIN). Over 48% of small claims transactions were received electronically during the year.

- *eLicensing (district and circuit)*

This project provides the facility to apply for Circuit Court and District Court licensing applications on-line, electronic notification of notice parties and an electronic Licence Register. Licensing applications and renewals account for approximately 50,000 cases a year in the Circuit Court and District Court.

Development work was undertaken during the year with a target date to launch the application in Districts 2, 6, 16 and 23 scheduled for mid 2016. The full roll out of the application is due to be completed by early 2017 subject to funding.

o *Debt Claims Online*

The Service plans to use CSOL to provide an online system for the processing of liquidated debt claims across all jurisdictions. Development work was at an advanced stage in 2015 and awaiting enactment of the necessary legislative provisions.

o *Court of Appeal and Supreme Court*

Work continued during the year to develop the CSOL platform for use in the Court of Appeal and the Supreme Court in advance of plans to further extend the system to other jurisdictions.

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

#### *Providing for the payment of a fixed charge penalty*

The Road Traffic Act 2010 provides that a person who has not paid a fixed charge penalty within the specified time limit, and who has received a summons, may pay the penalty before the date of the court hearing (*the Third Payment Option*).

The Service is participating in a cross agency project together with the Department of Justice and Equality, the Department of Transport, and An Garda Síochána to prepare for the implementation of the *Third Payment Option*. The Department of Justice and Equality and the Department of Transport have agreed to co-fund the ICT project with the Department of Transport meeting the majority of the cost.

#### *Providing for the payment of fines by instalment*

The implementation of that part of the Fines (Payment and Recovery) Act 2014 as provides for the payment of fines by instalment and the imposition of a subsequent court hearing and sanction where a fine remains unpaid has significant implications for ICT systems of the Service.

A project to deliver the ICT infrastructure necessary to support the new arrangements continued during the year. The project is being delivered in three phases. By year end testing of the first two phases was nearing completion with both phases scheduled to go live in early 2016. Payment by instalment through an external service provider (*An Post*) will also be introduced.

The third phase of the project has been subdivided in two parts: (a) tracking District Court Appeals and (b) enforcement proceedings for District Court Appeals. Work on these will continue in 2016.

*The new instalment payment option will add to the existing payment methods which include online, by post, over the phone, and at a court office. An Post has been selected to provide the new service. PrintPost, a subsidiary of An Post, will print fines notices and issue reminders and letters.*

### **Management of courts financial operations**

The operation of the courts generates financial activities valued in excess of €1.6 billion with over 400,000 transactions. This includes monies held and invested on behalf of wards of court and minors, fines, family law maintenance, court fees and bail. Virtually all of these financial operations are managed centrally in the Office of the Accountant of the Courts of Justice and the Court Funds Office.

Further details in relation to funds held on behalf of wards of court and minors are on page 82.

### **Availability of Wi-Fi**

The Service continued to improve the availability of access to Wi-Fi in court buildings. By year end access was available in the Four Courts, Phoenix House, the Children Court (Dublin), Dundalk, Sligo, Waterford, Ennis, Kilkenny, Anglesea Street (Cork), Longford, Wexford, Monaghan, Portlaoise, Carlow, Naas, Galway, Tullamore, Cavan, Bray, Carrick-on-Shannon, Trim, Letterkenny, Clonmel, Castlebar, Washington Street (Cork), and Limerick.

### **Managed service contract**

The outsourcing of the management of ICT services has proven to be an efficient way to provide the many services required to support the ICT function of the Service. Following the conclusion of a procurement exercise, the Service entered into a new contract for the provision of managed services to support the ICT systems in courts and court offices around the country in May.

## KEY PRIORITY 5: CASE MANAGEMENT, COLLABORATION AND REFORM

The Service continued to work with the judiciary, the Department of Justice and Equality and the legal profession to introduce measures aimed at reducing the time required for case processing, and to bring about improvements to the operation of the courts and the wider justice system.

In particular, the programme to modernise and improve court rules and procedures, practices and, where appropriate, legislation, continued. During the year the Service played a critical role in the development of procedural and legislative reforms to the processing and hearing of court cases, case management initiatives and other reforms.

The Service continued to support and participate in the three court rules committees (see Chapter 6) and prepared secondary legislation reforming, updating or otherwise amending the court rules for the various jurisdictions (Superior Court, Circuit Court, and District Court).

In addition, the programme to modernise and simplify court rules and forms, practice and terminology continued. The Service prepared amendments to reform litigation procedure, facilitated the operation of new primary legislation, responded to developments in jurisprudence and implemented EU judicial co-operation and mutual assistance instruments. Details of amendments prepared by the Service and adopted by the various rules committees are in Chapter 6.

The Superior Courts Rules Committee approved rules which, when concurred in by the Minister, will significantly reform civil procedures for a range of proceedings in the High Court, *viz.*:

- o *Rules of the Superior Courts (Chancery and Non-Jury Actions and other designated proceedings: Pre-trial procedures) 2015*

These rules will introduce new pre-trial procedures and facilitate pre-trial case management in chancery and non-jury actions and other proceedings designated by the President of the High Court.

- o *Rules of the Superior Courts (Conduct of Trials) 2015*

These rules will confer on the court powers to assist in managing time at trial and regulate the adducing of expert evidence, the duties of expert witnesses, disclosure by non-parties and appointment of assessors to assist the court.

### New legislative initiatives

The review of the content and provision of input to proposed legislation (schemes of bills, bills, draft statutory instruments, and draft EU legal instruments) to ascertain whether provisions affect court operations or impact or require new court procedures remained a priority for the Service during the year. Notable examples of legislation, or proposed legislation, in which the Service was involved or into which it provide input in 2015 are:

- o *Debt Claims On-line (DCOL)*

The draft head of bill submitted to the Department of Justice and Equality to facilitate the operation of the proposed on-line process for the initiation of liquidated claims across all jurisdictions was not included in the Legal Service Regulation Bill at Committee Stage in the Seanad. The Department has indicated its intention to include these provisions in primary legislation in 2016.

- o *Assisted Decision-Making (Capacity) Act 2015*

This act will make significant changes to the law relating to capacity and decision-making arrangements. The act provides for repeal of the legislation regulating wardship and replacement of wardship with a new regime of decision-making assistance, support and representation. Jurisdiction under the act will be exercised primarily by the Circuit Court, with certain jurisdiction being reserved to the High Court. The Service has engaged with the Department of Justice and Equality in the course of development of the legislation by the Department. (*see also Chapter 7*)**Error! Reference source not found.Error! Reference source not found.Error! Reference source not found.Error! Reference source not found.**

### Cross agency initiatives

The Department of Justice and Equality's Integrated Reform Delivery Plan, to which the Service contributes, identifies cross-departmental cooperation as an area with potential to reduce cost and improve efficiencies. Organisations in the Justice and Equality sector continue to work to share services where possible and to utilise common approaches wherever and whenever advantageous.



*Road traffic fines*

Reference has already been made to a cross agency initiative in respect of the payment of road traffic fines (see page 27).

Work continued during 2015 to enhance the Criminal Justice Interoperability Project (CJIP) to accommodate the changes required to facilitate the *Third Payment Option* under the Road Traffic Act 2010. As previously mentioned, this provision provides for the payment of a fixed penalty before the date of the court hearing. The electronic summons application message and court schedules were amended to include information in relation to the fixed penalty and CJIP was extended to include electronic summons re-issue applications. The changes are scheduled for implementation in August 2016.

*The Criminal Justice Interoperability Project provides for the electronic transfer of summons applications between An Garda Síochána's PULSE system and the Criminal Case Management System of the District Court. It also provides for the transfer of the result of court cases, bail and warrant information to PULSE from to the District Court system.*

*Criminal Justice Strategic Group*

From 2015 the Service was represented on the Criminal Justice Strategic Group established by the Department of Justice and Equality representing all the criminal justice agencies. The objective of this strategic group is to facilitate interagency co-operation and to promote an integrated approach within and across the criminal justice system on areas of criminal justice.

The Service fully supports and participates in the work of this Group and the subgroups set up to progress particular topics with a cross agency dimension. In particular, the Service is represented on a number of working groups including the Criminal Justice Interoperability and Data Exchange Group, the Victim Services Group, the Working Group on Efficiencies in the Circuit Court and District Court, the Working Group on the development of a Criminal Justice Leadership Training Programme, and the Legal Aid Oversight Board.

*Unified Patent Court*

The Service has committed to providing facilities for a local division of the United Patent Court (UPC), which the Government announced in late 2014 would be established in Ireland, in the event that the international agreement for the UPC is ratified by a referendum. The Service continued to contribute to the preparatory work required to establish the division.

*Working Group on Medical Negligence and Periodic Payments*

Arising from the recommendations of this Working Group, established by the President of the High Court, the Government legislative programme, published in September 2014, includes a Civil Liability (Amendment) Bill to provide for periodic payments in cases of personal injury awards.

*The European Commission for the Efficiency of Justice (CEPEJ)*

This committee of the Council of Europe is charged with promoting improvements in the administration of justice in Member States of the Council. The Service was represented at two meetings of the Commission during the year and continued to liaise with the Department of Justice and Equality on the provision of annual caseload statistics to CEPEJ. The statistics are included in CEPEJ's biennial report *European Judicial Systems*, and in the EU Commission's *EU Justice Scoreboard* mentioned below. The Service has engaged in improving the capacity of its case processing systems to provide a wider range of caseload data for its own needs as well as for those publications.

*EU Justice Scoreboard*

The Service participates with the Department of Justice and Equality in meetings of the Contact Persons on National Justice Systems hosted by the European Commission's Directorate-General for Justice and Consumers, which assists in developing the EU Justice Scoreboard and promotes the exchange of best practices on the effectiveness of justice systems, including on the collection of data.

**KEY PRIORITY 6: PROVIDING SUITABLE COURT ACCOMMODATION**

The Service continued to maintain courthouses around the country and to plan for future court accommodation requirements. The signing in December 2015 of a contract for the delivery of seven courthouse projects by way of Public Private Partnership was a significant step forward. The inclusion of courthouse projects in the Government's Infrastructure and Capital Investment Plan 2016-2021, published in 2015, was a welcome development.

## Opening of Court of Appeal

The President of Ireland, Michael D. Higgins, officially opened the Court of Appeal building on 26th November 2015 in the presence of the Chief Justice, President of the Court of Appeal, Minister for Justice and Equality, President of the High Court and other serving and retired members of the judiciary.

The building, once home to the Public Records Office, was completely refurbished at a cost of €3m. The refurbishment project proceeded in two phases. The initial phase included the provision of two new courtrooms, meeting rooms, and office accommodation for the judges of the court. The second phase included landscaping work to the front of the building, enhance disability access and a new entrance to the adjoining Áras Uí Dhálaigh where new offices were provided for staff of the Service supporting the court.

*“The Court of Appeal has already benefited litigants, the community and the economy by reducing undue delays in processing appeals, creating an appeals structure which is cost effective and enhancing the administration of justice in the Superior Courts” President Michael D. Higgins*

## Criminal Courts of Justice

The Service continued to closely manage the public private partnership contract for the Criminal Courts of Justice (CCJ) – a twenty five year contract between the Service and a public private partnership consortium that will last until 2034.

The Service prepared for the commencement of a second Special Criminal Court in the Criminal Courts of Justice by installing additional security screens and equipment outside the court where the court is to be located. Planning works commenced on providing the necessary judicial accommodation and the necessary changes were made to the Integrated Criminal Case Management ICT System.

## Clonakilty courthouse

Refurbishment works were completed on the courthouse in Clonakilty in 2015. The works, together with an upgrade of Macroom courthouse in 2011, were the only courthouse refurbishment works carried out in the years between 2009 and 2015. The project resulted in a refurbished courtroom, upgrades to consultation rooms, and the provision of a new family law courtroom. There are also improved office facilities for staff and a victim support room.

## Implementation of the Capital Building Programme including PPP projects

The Government’s Infrastructure and Capital Investment Plan 2016-2021 included seven courthouse projects: four new courthouses in Drogheda, Letterkenny, Limerick, and Wexford; and substantial refurbishment and extension works to existing courthouses in Mullingar, Waterford, and Cork. The projects are to be delivered as Public Private Partnership projects with finance arranged through the National Development Finance Agency and payments made over a period of 25 years by the Service. They are critical to addressing the deficits which still remain in a number of county venues and are essential to the efficient operation of courts.

An ‘information and speed meeting’ event in Kilkenny in January 2015 attracted over 150 participants. The event afforded suppliers in the construction sector the opportunity to learn how to become part of the supply chain for the seven courthouses as part of this €135m project.

Contract negotiations with the Preferred Bidder, BAM PPP PGGM, were concluded in December 2015 with construction on all projects to start in early 2016 and expected to be completed in 2017. On completion the Service will have seven state of the art courthouses totalling 37,000 sq. metres, containing 31 fully fitted courtrooms together with all relevant support facilities including consultation rooms, victim support facilities, holding cells, judges’ chambers and court offices.

The Service acquired temporary accommodation for the courts and court offices in Cork and Waterford, and courts in Mullingar pending completion of the construction projects in those locations.

*“The Service is looking forward to the completion of these projects and the significant improvements in facilities they will bring to court users in the seven locations around the country. We also welcome the positive economic impact in the areas concerned which this investment will have during the construction phase”. Brendan Ryan, Chief Executive*

## Courtroom security

The Chief Justice established a working group during the year to undertake a review of security issues at courthouses around the country. The Service is represented on the group together with the presidents of the

other court jurisdictions and other judicial representatives. In addition, the Service continues to work with An Garda Síochána on the issue of courthouse and courtroom security.

### Family law and children court complex at the site on Church Street/Hammond Lane

The Government's Infrastructure and Capital Investment Plan 2016-2021 also contained approval for the development of a family law and children court complex.

This project will include a new Supreme Court facility and accommodation for court offices and will be provided by way of a Public Private Partnership. It will allow for the much needed replacement of facilities currently in Dolphin House, Phoenix House, Áras Uí Dhálaigh and the Children Court in a single location with custom-built facilities. It will also provide appropriate accommodation for the Supreme Court.

The Chief Justice joined with the Minister for Justice and Equality, and the Minister for State at the Office of Public Works, at the site in February to announce that a major site beside the Four Courts is to be used as the venue for the new complex. The site, at Hammond Lane, off Church Street in Dublin is fully excavated and archaeologically explored.

As the year progressed the requirements for the complex were considered by a working group and a consultation process with all relevant stakeholders, including the judiciary, legal professions, and family law and childcare agencies was undertaken. The project will be overseen by a project board and the Building Committee.

*"There is a great need for a single centre where family cases may be heard, with all the required support services at hand. This site presents a great opportunity for us to do something positive. It can link the administration of family law, and many other of our public services to the Four Courts complex". Chief Justice, Mrs. Justice Susan Denham*

### Provision of additional family law facilities for Dublin District Court

The high volume of family law cases coming before the District Court in Dolphin House in Dublin prompted the Service to consider the provision of additional facilities on an interim basis pending the completion of the Hammond Lane complex.

Planning commenced to adapt courtrooms and provide facilities in Chancery Street to accommodate District Court childcare cases with the business currently undertaken in those courtrooms to be relocated to an alternative location. It is expected that District Court childcare business will commence in Chancery Street during 2016.

### Working group on the management of the Four Courts complex

The Building Committee agreed to establish a working group to, *inter alia*, consider the current arrangements for the management of the buildings and related services in the Four Courts complex in co-operation with the Office of Public Works.

### Waste management

The Service entered into a waste management contract with Greenstar through the Office of Government Procurement during the year. A feature of the new contract is the separation of waste at office level between paper, recyclables, and food. This will help the organisation become more environmentally friendly while reducing waste disposal costs.

### Energy management

#### Energy Usage

There was a 9.72% increase in overall energy consumption in 2015 when compared with 2014. Expenditure on energy showed an increase from €2,559,274 to €2,696,485.

Energy Consumption				
	2015	2014	Difference	% difference
Overall Consumption	23,411,158 kwh	21,337,103 kwh	2,074,055 kwh	+9.72%
	2015	2014	Difference	% difference
Overall Expenditure	€2,696,485	€2,559,274	€137,211	+5.36%
	2015	2010	Difference	% difference
Criminal Courts of Justice	5,069,482 kwh	6,368,956 kwh	-1,299,474 kwh	-20.40%

The Service occupies over 117 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 to

facilitate court sittings. The Service cannot provide precise figures in relation to energy usage in respect of buildings where it is not the sole user.

#### *Future energy management*

Ireland’s third National Energy Efficiency Action Plan (NEEAP) reaffirmed the country’s commitment to delivering a 20% reduction in energy demand across the whole of the economy by 2020. The Action Plan sets an energy efficiency target of 33% by 2020 for the Public Sector.

The Service has committed to achieving this target and is availing of a Sustainable Energy Authority of Ireland (SEAI) support programme by way of assistance.

The SEAI is also assisting the Service to achieve ISO 50001 Certification to meet its obligations under the Energy Auditing Scheme. This requires ‘non SMEs’ to carry out an energy audit of their operations or have a certified Energy Management System such as ISO 50001 in place. The first phase of ISO 50001 Certification for the Service was completed in December 2015. The Service will prepare for phase two of the Certification which involves a full review of the Energy Management System during 2016.

*ISO50001 is an international standard which enables organisations such as the Service to establish the systems and processes necessary to improve energy performance, including energy efficiency, use and consumption.*

#### **Accessibility**

The Service continued to review court buildings for compliance with disability legislation in conjunction with the Office of Public Works. Of note during the year were works undertaken to improve accessibility in the Four Courts, Áras Uí Dhálaigh, and the Public Records Building.

#### **KEY PRIORITY 7: PROVIDING INFORMATION FOR THE PUBLIC**

Providing information for the public is a statutory function of the Service. During 2015 efforts continued to promote the work of the Service in print and online. Staff throughout the country also assisted in the programme to reach out to the community *via* visits, talks, and participation in a variety of events organised by the Service and by outside agencies.

#### **Website**

The website of the Service (www.courts.ie) received over 2.7 million visits in 2015, a 6% increase on 2014. The most visited sections were Judgments and Determinations, Legal Diary, and Court Rules. The site continued to grow traffic *via* mobile devices with a 22% increase in mobile visits in 2015 from 2014 and a 68% increase from 2013.

<b>Website: Visits</b>	
2015	2,766,751
2014	2,619,641
2013	2,569,418
2012	2,434,487
<b>Visits <i>via</i> mobile device (including tablet)</b>	
2015	769,640
2014	630,321
2013	457,894
2012	229,627

#### **Social media**

News of initiatives, events and court sittings continued to be posted on Facebook with information in video format available on the YouTube channel of the Service.

#### **Outreach**

Interest in visiting the courts continued during the year with thousands of students visiting court buildings on visits facilitated by the Service. Over 4,000 students availed of the opportunity to visit the Criminal Courts of Justice to witness the courts in operation. Members of the judiciary assisted the Visit Programme by facilitating many question and answer sessions.

The Service continued to support visits from community and other groups and to facilitate access to court buildings for numerous community projects around the country. Buildings, including the Four Courts, the Criminal Courts of Justice and courthouses including Castlebar, Cavan, Clifden, Cork, Ennis, Galway, Kilkenny and Sligo were made available for mock trials and other events.

There were over 50 events hosted in the Criminal Courts of Justice including competitions, seminars, conferences, lectures, and visits from judiciary from other jurisdictions. The courthouse in Washington Street Cork was opened as part of 'Heritage Day' in August. The Service assisted in the organisation of lectures for the Courts Centenary Commemoration Committee in the Four Courts in March and November. Media requests to film inside court buildings were facilitated in locations including Carndonagh, Dublin, Galway and Swinford.

A programme to provide work experience for transition year second level students continued during the year in offices including Cavan, Carrick-on-Shannon, Castlebar, Donegal, Dublin, Dundalk, Ennis, Galway, Kilkenny, Naas, Roscommon, Sligo and Trim.

## Media

The Service provides a Media Relations Service (MRS) to assist in the dissemination of information about the activity and cases in the courts. The MRS, a centralised point of contact for local, regional, national and international media, deals with queries from print, broadcast, online and social media platforms. Following the conclusion of a procurement exercise, the Service entered into a new contract for the provision of a MRS in June.

In addition to dealing with queries each day the MRS helps create the atmosphere for the accurate reporting of court cases and the compiling of fact based features and documentaries on the courts system. The MRS liaises between the Service centrally and the media; acts as a support, resource, and source of information for court offices; and researches for and advises the judiciary on media matters.

The MRS organises media workshops, seminars and news days for trainee and student journalists and maintains contacts with various media bodies including the National Union of Journalists, the Press Council and the Press Ombudsman.

Media queries on a board range of subjects including court proceedings, details of charges, court processes and statistics, and archival/historical research from documentary makers were dealt with during the year. Over 95% of queries were dealt with on the day of receipt. Information about, and relating to, other areas of the legal and justice system continued to be provided from the MRS as the need arose.

## Other information

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

Material for responses to 185 parliamentary questions tabled by members of the Oireachtas was provided and the Service dealt with 348 letters/representations from other government departments, TDs, senators and members of the public.

## Freedom of Information

There were 118 formal requests under the Freedom of Information Acts. This followed the abolition of the €15 application fee and revision of the fees regime under the Freedom of Information Act 2014. The Act retained the restriction in relation to access to court records (section 42(a)(1)).

The Freedom of Information Act 2014 also introduced a Publication Scheme which requires public bodies to publish information on their websites about the organisation, its functions and responsibilities. The Service commenced work on a Scheme during the year. It will provide general information on the Service and information on services provided to public, the decision making process for major policy proposals, financial information and procurement. It will also include a Freedom of Information Disclosure Log which includes details of previous Freedom of Information requests and other routinely published information. The Scheme will be published on the website of the Service in early 2016.

<b>Requests: Freedom of Information Acts</b>	
On hand 01/01/15	1
Received	118
Dealt with	117
On hand 31/12/15	2
<b>Outcome of requests dealt with</b>	
Access granted/part granted	34
Refused	78
Transferred/withdrawn	5

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.

*Data Protection*

The Service dealt with 25 requests under the Data Protection legislation during the year.



## CHAPTER 3 – STATISTICS

### COURT STATISTICS: OVERVIEW

Civil business by jurisdiction	Incoming	Resolved
District Court	147,617	119,894
Circuit Court	57,161	37,865
High Court	42,717	31,730
Court of Appeal	641	750
Supreme Court	109	524
<b>Total</b>	<b>248,245</b>	<b>190,763</b>

Civil business by type	Incoming	Resolved
Civil and commercial litigious cases	138,540	87,505
Civil and commercial non-litigious cases	89,097	82,339
Non-litigious enforcement cases	16,526	16,844
Appeals	2,746	2,751
Cases Stated	37	25
Other	1,299	1,299
<b>Total</b>	<b>248,245</b>	<b>190,763</b>

Criminal offences and appeals (by offence)	Incoming	Resolved
District Criminal Court	405,007	298,797
Circuit Criminal Court	28,978	23,441
Special Criminal Court	45	29
Central Criminal Court	1,579	839
Court of Criminal Appeal	-	6
Court of Appeal (Criminal)	862	1,186
<b>Total</b>	<b>436,471</b>	<b>324,298</b>

Criminal offences and appeals total	Incoming	Resolved
Offences	420,720	310,220
Appeals	15,721	14,078
<b>Total</b>	<b>436,471</b>	<b>324,298</b>

### COURT STATISTICS: HIGHLIGHTS

#### Civil

- o 18,992 personal injury suits filed – a 7% increase on 2014
- o 148 cases in the commercial list of the High Court – a 13% decrease on 2014
- o 1,397 orders for possession – 113 in the High Court, a 40% decrease on 2014, and 1,284 in the Circuit Court, a 21% increase on 2014
- o 471 people adjudicated bankrupt – 14 on foot of applications by creditors and 457 by debtors (self adjudications) – a 5% increase on 2014
- o 1,735 applications received under the debt resolution mechanisms introduced by the Personal Insolvency Act 2012 – an 84% increase on 2014
- o 164 asylum-related judicial review applications – a 12% decrease on 2014 and a 57% decrease on 2013
- o 1,419 applications for judicial separation – an 11% increase on 2014 – the majority in both the Circuit Court (71%) and the High Court (91%) by wives
- o 4,314 applications for divorce – a 9% increase on 2014 – the majority in both the Circuit Court (54%) and the High Court (58%) by wives
- o 78 applications to dissolve partnerships – the majority in both the Circuit Court (71%) and the High Court (66%) by females

- o 14,374 applications to the District Court under the domestic violence legislation – a 6% increase on 2014
- o 10,217 child care applications – a 10% increase on 2014
- o 750 civil appeals disposed of in the Court of Appeal in first full year of operation
- o 96 applications for leave to appeal to the Supreme Court and 447 appeals disposed of

### Criminal

- o 61% of orders in the District Court relate to road traffic offences – little change from 2014
- o 7,218 orders in respect of drink driving offences – a 15% decrease on 2014, and a 36% decrease on 2013
- o 12,310 orders in respect of drugs offences in the District Court – a 4% increase on 2014
- o 30,451 orders in respect of public order offences in the District Court – little change from 2014
- o 45% of offences in the Circuit Court relate to fraud/theft/robbery
- o 73 trials in the Central Criminal Court – an increase on the 63 trials in 2014
- o murder convictions in respect of 19 offences in the Central Criminal Court
- o rape convictions in respect of 156 offences in the Central Criminal Court
- o 302 appeals in respect of 862 offences lodged in the Court of Appeal

### CIVIL BUSINESS

The courts received 248,245 civil cases and dealt with 190,763 in 2015. There were 147,617 cases received and 119,894 cases disposed of in the District Court; 57,161 cases received and 37,865 cases disposed of in the Circuit Court (including appeals from the District Court); 42,717 cases received and 31,730 cases disposed of in the High Court (including appeals from the Circuit Court); 641 appeals received and 750 appeals disposed of in the Court of Appeal and 109 applications for leave to appeal/appeals received and 524 disposed of in the Supreme Court.

#### Civil business is categorised by type:

1. **Civil and commercial litigious cases** comprise cases where one party is suing another; European Order for Payment applications; corporate insolvency cases; personal insolvency cases (concerning applications by creditors); appeals to the District Court and litigious enforcement matters.
2. **Civil and commercial non-litigious cases** comprise proceedings issued in Ireland that are not *inter-partes* (including probate, wards of court, and personal insolvency cases concerning applications by debtors in person); and certain foreign proceedings.
3. **Non-litigious enforcement cases** comprise proceedings by creditors following judgment to procure payment of debts due.
4. **Appeals** comprise civil and family law appeals from the District Court to the Circuit Court; from the Circuit Court to the High Court; and from the High Court to the Court of Appeal. They also include applications for leave to appeal and appeals to the Supreme Court.
5. **Cases stated** are instances where a court asks for an opinion on a point of law from a higher court.

Civil business by type		Incoming	Resolved
1	Civil and commercial litigious cases	138,540	87,505
2	Civil and commercial non-litigious cases	89,097	82,339
3	Non-litigious enforcement cases	16,526	16,844
4	Appeals	2,746	2,751
5	Cases stated	37	25
6	Other	1,299	1,299
	<b>Total</b>	<b>248,245</b>	<b>190,763</b>



## District Court, Circuit Court, High Court

### 1. Civil and commercial litigious cases

Civil and commercial litigious cases		Incoming	Resolved
(a)	Cases where one party is suing another	132,864	82,757
(b)	European order for payment applications	83	79
(c)	Corporate insolvency	178	265
(d)	Personal insolvency (creditors)	128	96
(e)	Appeals to District Court	394	82
(f)	Litigious enforcement	4,893	4,226
<b>Total</b>		<b>138,540</b>	<b>87,505</b>

#### (a) (i) Cases where one party is suing another: general

##### 1. Personal injury

A person may pursue a claim for damages for personal injuries through the courts upon receipt of an authorisation from InjuriesBoard.ie. This is a legal document issued in the absence of consent from the person responsible for the injury (the respondent) to the assessment of the claim by the Board.

Settlements in cases involving persons under 18 years (infant rulings) must be brought before the relevant court for approval prior to being accepted.

There were 18,992 personal injury suits filed in 2015, a 7% increase on the 17,763 in 2014 – 7,219 (including 967 medical negligence) in the High Court, a 2% increase on the 7,047 in 2014, and 10,631 in the Circuit Court, an 8% increase on the 9,852 in 2014. There were 1,142 suits filed in the District Court, an increase of 32% on the 864 in 2014.

	Incoming	Resolved	
		By court	Out of court
High Court	7,219	814	3,377
Circuit Court	10,631	4,973	426
District Court	1,142	501	0
<b>Total</b>	<b>18,992</b>	<b>6,288</b>	<b>3,803</b>

The District Court has power to award up to €15,000 in damages in personal injuries cases and the Circuit Court has power to award up to €60,000, though both courts can make higher awards with the consent of the parties. The High Court has unlimited power to award damages.

Personal injury awards: District Court	
Amount	Cases
€0 to €7,500	286
€7,500 to €15,000	211
€15,000+	4
<b>Total</b>	<b>501</b>

Personal injury awards: Circuit Court	
Amount	Cases
€0 to €15,000	460
€15,000 to €60,000	546
€60,000+	6
<b>Total</b>	<b>1,012</b>

Personal injury awards: High Court	
Amount	Cases
€0 to €60,000	4
€60,000 to €99,999	367
€200,000 to €499,999	48
€500,000+	50
<b>Total</b>	<b>469</b>

Personal injury awards	High Court	Circuit Court	District Court
Lowest amount awarded	€2,500	€208	€700
Highest amount awarded	€13,522,000	€90,000	€15,100
<b>Total amount awarded</b>	<b>€168,106,004</b>	<b>€16,626,607</b>	<b>€3,525,900</b>

## 2. Commercial

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.

Entry into the commercial list is not mandatory for any case types. Cases are only admitted to the list if one of the parties makes an application, and the judge admits the case. They are not automatically admitted to the commercial list because of the relief sought, and can be prosecuted in the chancery or in the non-jury lists if the parties so wish.

There were 148 new cases admitted to the High Court commercial list, a 13% decrease on the 171 admitted in 2014. There were 111 cases disposed of – the same number as were disposed of in 2014.

	Incoming	Resolved	
		By court	Out of court
High Court	148	85	26

Analysis of caseload	2015	2014
On hands 01/01	166	106
Incoming	148	171
Resolved	111	111
<b>On hands 31/12</b>	<b>203</b>	<b>166</b>

Analysis of cases resolved	2015	2014
Motion to dismiss	4	1
Settled after entry	5	8
Settled after directions hearing	13	13
Settled after hearing date set	8	15
Settled at hearing	9	11
Full hearing	61	61
Other	11	2
<b>Total</b>	<b>111</b>	<b>111</b>

## 3. Chancery

Chancery matters are dealt with in the High Court. They include injunction applications, company law motions, specific performance/rescission of contracts, administration of estates of deceased persons, and trust actions.

	Incoming	Resolved	
		By court	Out of court
High Court	2,310	411	268

Analysis of incoming cases	2015	2014
Specific performance	152	212
Injunction	298	375
Declaration	1,280	873
European Communities (Cross Border mergers) Regulations, 2008 *	9	6
Other	571	683
<b>Total</b>	<b>2,310</b>	<b>2,149</b>

\* S.I. No. 157 of 2008

4. Property

Property (possession) cases are cases in which the plaintiff is seeking *possession* of lands and/or premises including family homes.

Other property cases include ‘mortgage suits’ (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), applications for ejection, applications under Landlord and Tenant legislation, applications involving the Private Residential Tenancies Board and ground rent matters.

There were 5,169 cases for the recovery of possession of lands and/or premises in the High Court and Circuit Court – a 38% decrease on the 8,293 cases in 2014. There were 668 other property cases across the jurisdictions.

Property (possession)	Incoming	Resolved	
		By court	Out of court
High Court	148	113	3
Circuit Court	5,021	2,738*	0
<b>Total</b>	<b>5,169</b>	<b>2,851</b>	<b>3</b>

\* comprises 1,284 orders for possession granted and 1,454 orders not granted.

Property (other)	Incoming	Resolved	
		By court	Out of court
High Court	54	21	1
Circuit Court	581	736	222
District Court	33	50	0
<b>Total</b>	<b>668</b>	<b>807</b>	<b>223</b>

5. Breach of contract

Where a party refuses or fails to fulfil an obligation imposed by a contract, the injured party can bring an action for damages. In this context, breach of contract cases do not include claims for liquidated damages.

	Incoming	Resolved	
		By court	Out of court
High Court	474	48	80

6. Recovery of debt (liquidated claims)

Actions to recover debt are generally taken by financial institutions seeking to recover specified amounts of money, often in respect of loans. (see also page 50)

The courts received 25,862 claims for the recovery of liquidated debt in 2015, a 14% decrease on the 30,143 in 2014. There were 2,748 cases in the High Court, 4,241 in the Circuit Court, and 18,873 in the District Court.

	Incoming	Resolved		
		By court	Out of court (discontinuance)	Out of court (judgment marked in the office)*
High Court	2,748	680	97	1,153
Circuit Court	4,241	461	409	3,031
District Court	18,873	1,274	0	8,836
<b>Total</b>	<b>25,862</b>	<b>2,415</b>	<b>506</b>	<b>13,020</b>

\* these figures are also featured on page 50 as part of the civil and commercial non-litigious statistics.

7. Negligence (excluding medical negligence)\*

Negligence claims are claims for damages against a person or persons against whom it is alleged breached a duty of care owed to the claimant resulting in pecuniary loss.

	Incoming	Resolved	
		By court	Out of court
High Court	766	60	89

\* Medical negligence cases form part of personal injury cases on page 37.

### 8. Defamation

Defamation is defined by the Defamation Act 2009 as the 'publication, by any means, of a defamatory statement concerning a person to one or more than one person (other than the first-mentioned person)'.

	Incoming	Resolved	
		By court	Out of court
High Court	212	10	24
Circuit Court	48	4	4
<b>Total</b>	<b>260</b>	<b>14</b>	<b>28</b>

### 9. Assault

Assault claims are claims for damages against a person or persons against whom it is alleged intentionally attempted or threatened to inflict injury that placed the claimant in fear of imminent bodily harm or brought about an un-consented harmful or offensive contact with the claimant.

	Incoming	Resolved	
		By court	Out of court
High Court	139	9	12

### 10. Employment

Employment cases include those relating to the enforcement of and appeals relating to decisions of the employment tribunals brought under legislative provisions relating to matters such as unfair dismissal, payment of wages, adoption leave, parental leave and organisation of working time.

There were 135 applications relating to dismissal in 2015, a 95% increase on the 69 in 2014.

Employment (dismissal)	Incoming	Resolved	
		By court	Out of court
High Court	1	0	0
Circuit Court	134	101	1
<b>Total</b>	135	101	1

Employment (other)	Incoming	Resolved	
		By court	Out of court
High Court	12	4	3
Circuit Court	152	88	44
<b>Total</b>	<b>164</b>	<b>92</b>	<b>47</b>

### 11. Small claims

The Small Claims Procedure provides an inexpensive way for consumers to resolve consumer complaints, and business to make claims against other businesses, without the need to employ a solicitor. To make a claim under the Irish small claims procedure both the claimant and the respondent must be living or based within the State and the claim cannot exceed €2,000. Claims can be made online or lodged in person in the court office.

The European Small Claims Procedure, provided for in Regulation (EC) No. 861/2007 and the District Court Rules 1997-2014, is an alternative method of commencing and dealing with civil and commercial matters in respect of a small claim in cross-border cases. These are cases where at least one of the parties lives in a Member State of the European Union (excluding Denmark) other than the Member State of the court dealing with the claim. The claim cannot exceed €2,000. Claims cannot be made online.

Small claims: Ireland* and EU	Incoming	Resolved	
		By court	Out of court
District Court	2,339	632	1,049

\* Ireland claims include those made online

Analysis of cases dealt with	Small claims (Ireland)	Small Claims (EU)
	<b>2015</b>	<b>2015</b>
Not proceeded with	110	5
Decrees by default	241	27
Settled by registrar	601	65
Settled after notice to pay	n/a	n/a
Referred to court	600	32
<b>Total</b>	<b>1,552</b>	<b>129</b>

Adjudicated by the court	Small claims (Ireland)	Small Claims (EU)
	<b>2015</b>	<b>2015</b>
Decrees granted	215	12
Cases dismissed	49	4
Withdrawn/struck out	164	3
<b>Total</b>	<b>428</b>	<b>19</b>

### 12. Proceeds of crime

The Proceeds of Crime Act 1996 provides for the *civil* forfeiture of property which is the proceeds of crime. Applications to the High Court under the Act are usually made by the Chief Bureau Officer of the Criminal Assets Bureau. If the court is satisfied, on the balance of probabilities, that a person is in possession or control of property which is or represents the proceeds of crime, it may order the freezing of the property and, after seven years, its disposal for the benefit of the Exchequer.

	Incoming	Resolved	
		By court	Out of court
High Court	17	1	0

### 13. Judicial review

Judicial review applications are made when a person seeks an order in respect of the actions or decisions of certain courts, tribunal or regulatory bodies. 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.

There were 693 applications for judicial review to the High Court in 2015, a 17% decrease on the 835 in 2014. There was a 12% decrease in asylum-related applications – 164 compared with 187 in 2014. Asylum related applications represented 23% of the total number of judicial review applications during the year, similar to 2014 when the figure was 22%.

Judicial review (asylum related)	Incoming	Resolved		Judicial review (other)	Incoming	Resolved	
		By court	Out of court			By court	Out of court
High Court	164	349	306	High Court	529	509	45

Analysis of caseload	Judicial review (asylum related)		Judicial review (other)	
	2015	2014	2015	2014
Incoming	164	187	529	648
<b>Orders made:</b>				
Liberty to apply for judicial review granted	124	98	392	481
Liberty to apply for judicial review refused	14	24	51	27
Interim orders	146	89	295	232
Final orders – relief granted	89	72	237	145
Final orders – relief refused	87	58	83	144
Final orders – miscellaneous	172	168	30	-
Final orders – struck out (no order)	309	334	159	78
<b>Total</b>	<b>941</b>	<b>843</b>	<b>1,247</b>	<b>1,107</b>

*14. Regulation of professions*

The High Court deals with cases relating to the confirmation of, and appeals relating to, sanctions imposed by bodies regulated by statute affecting the ability of a registered professional to practice.

	Incoming	Resolved	
		By court	Out of court
High Court	279	256	1

*15. Garda compensation*

Members of An Garda Síochána who sustain injuries maliciously inflicted upon them in the performance of their duties or acting in their general capacity as a member of the force are entitled to apply to the High Court for compensation. Off duty members assaulted by virtue of them being a member of the force may also apply for compensation.

	Incoming	Resolved	
		By court	Out of court
High Court	76	67	0

*16. Habeas corpus*

Persons who believe they are being detained or held unlawfully, may apply to the High Court for an order of habeas corpus under the Habeas Corpus Act 1782. This requires the person or institution detaining them to either produce the body of the person detained before the court or release that person from such detention. The expression 'order of habeas corpus' does not include an order made pursuant to Article 40 section 4 of the Constitution.

	Incoming	Resolved	
		By court	Out of court
High Court	139	110	0

*17. European arrest warrants*

The High Court is responsible for the execution of European arrest warrants received by Ireland. A European arrest warrant, valid throughout the EU, may be issued by a national judicial authority if the person whose return is sought is accused of an offence for which the maximum penalty is at least a year in prison or if he or she has been sentenced to a prison term of at least four months. Likewise, the Director of Public Prosecutions may apply to the High Court for the issue of a European arrest warrant where a person in another member state is facing charges or is required to serve a sentence in Ireland.

There was a slight increase in applications in European arrest warrant cases in the High Court – 264 as compared to 254 in 2014. There were 112 orders made, a slight decrease on the 120 made in 2014.

	Incoming	Resolved	
		By court	Out of court
High Court	264	112	0

*18. Bail*

Most bail applications are made, in the first instance, to the District Court. An exception relates to a person charged with murder – he/she can only apply to the High Court for bail. A person refused bail in the District Court may apply to the High Court for bail and a person granted bail in the District Court may apply to the High Court to vary the conditions of the bail.

	Incoming	Resolved	
		By court	Out of court
High Court	1,985	1,985	0

19. Other

	Incoming	Resolved	
		By court	Out of court
High Court	1,057	355	67
Circuit Court	3,601	2,435	701
District Court*	4,919	3,146	0
<b>Total</b>	<b>9,577</b>	<b>5,936</b>	<b>768</b>

\* includes control of dogs, food safety, breach of contract, breach of duty, Environmental Protection Agency Act applications relating to noise, and negligence

**(a) (ii) Cases where one party is suing another: 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.

1. Divorce

A decree of divorce dissolves a marriage and allows each party to remarry. Before a court can grant a divorce, the parties must have been married and living apart for a period amounting to four out of the previous five years before the application is made; there must be no reasonable prospect of reconciliation; and proper arrangements must have been made or will be made for the spouse and any dependent members of the family.

There was a 9% increase in the number of applications for divorce in 2015 – 4,314 as compared to 3,956 in 2014. There were 24 applications in the High Court and 4,290 in the Circuit Court - the majority were by wives – 58% in the High Court and 54% in the Circuit Court. There were 3,291 orders made – 25 in the High Court and 3,266 in the Circuit Court.

	Incoming	Resolved	
		By court	Out of court
High Court	24	25	0
Circuit Court	4,290	3,266	0
<b>Total</b>	<b>4,314</b>	<b>3,291</b>	<b>0</b>

Trends: Divorce: applicants				
Year	Wife		Husband	
	High Court	Circuit Court	High Court	Circuit Court
<b>2015</b>	<b>14</b>	<b>2,333</b>	<b>10</b>	<b>1,957</b>
2014	10	2,202	13	1,731
2013	6	1,979	5	1,619
2012	8	1,840	12	1,622

2. Judicial separation

A decree of judicial separation removes the obligation on spouses to co-habit. The most common ground on which a decree is granted is where the court considers that a normal marital relationship has not existed between the spouses for at least one year before the date of the application for the decree.

There were 1,419 applications for judicial separation in 2015 – 35 in the High Court and 1,384 in the Circuit Court – an 11% increase on the 1,276 applications in 2014. The majority of applications in both jurisdictions (91% in High Court, 71% in Circuit Court) were by wives. There were 832 orders made – 38 in the High Court and 794 in the Circuit Court with one case resolved out of court.

	Incoming	Resolved	
		By court	Out of court
High Court	35	38	1
Circuit Court	1,384	794	0
<b>Total</b>	<b>1,419</b>	<b>832</b>	<b>1</b>

Trends: Judicial separation: applicants				
Year	Wife		Husband	
	High Court	Circuit Court	High Court	Circuit Court
<b>2015</b>	<b>32</b>	<b>977</b>	<b>3</b>	<b>407</b>
2014	19	943	6	333
2013	20	918	5	374
2012	16	926	5	343

### 3. Dissolution of partnership

The courts can dissolve civil partnerships in a similar way to the granting of divorce. A decree of dissolution allows both parties to a civil partnership to marry or enter into a new civil partnership.

There were 78 applications to dissolve partnerships in 2015 – three in the High Court and 75 in the Circuit Court. The majority were by females – 66% in the High Court and 71% in the Circuit Court.

	Incoming	Resolved	
		By court	Out of court
High Court	3	0	0
Circuit Court	75	29	0
<b>Total</b>	<b>78</b>	<b>29</b>	<b>0</b>

	Dissolution of partnership: applicants	
	Female	Male
High Court	2	1
Circuit Court	53	22

### 4. Cohabitation

These are claims made under the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 in respect of claimants who are living together in an intimate and committed relationship, not married to each other, not in a registered civil partnership and not related to each other.

	Incoming	Resolved	
		By court	Out of court
High Court	6	1	0

### 5. Nullity

*Nullity of marriage* (civil nullity or civil annulment) is a legal declaration by the court which states that although two people went through a marriage ceremony, their marriage never actually existed in the eyes of the law or the State. There are two types of marriages that may be annulled or cancelled - *void* marriages and *voidable* marriages. A void marriage is considered to have never taken place. A voidable marriage is considered to be a valid marriage until a decree of annulment is made.

*Nullity of civil partnership* is a declaration by a court that a supposed civil partnership is null and void, and that no valid civil partnership exists between the partners. Unlike nullity of marriage (where *void* marriages and *voidable* marriages that may be annulled) in nullity of civil partnership law, there are only *void* civil partnerships. There were no applications to annul civil partnerships in 2015.

Nullity of marriage	Incoming	Resolved	
		By court	Out of court
High Court	2	0	0
Circuit Court	33	16	0
<b>Total</b>	<b>35</b>	<b>16</b>	<b>0</b>

Year	Trends: Nullity of marriage: applicants			
	Wife		Husband	
	High Court	Circuit Court	High Court	Circuit Court
2015	1	12	1	21
2014	1	18	1	18
2013	1	19	1	27
2012	0	17	0	11

### 6. Guardianship, custody, access

*Guardianship* means the rights and duties of parents in respect of the upbringing of their children. *Custody* is the right of a parent to exercise physical care and control in respect of the upbringing of his or her child on a day-to-day basis. *Access* is contact between a child and its parent or other relative with whom the child does not live. The majority of applications in all three areas are made to the District Court.

The District Court received 14,396 guardianship applications. Of these, 2,367 were by unmarried applicants, a 12% decrease on the 2,693 such applications in 2014. There were 5,916 applications for custody and access in District Court.

Guardianship	Incoming	Resolved	
		By court	Out of court
District Court	14,396	13,037	0

District Court: Guardianship		
Unmarried applicants	2015	2014
Granted	1,808	2,121
Not granted	559	572
<b>Total</b>	<b>2,367</b>	<b>2,693</b>



Custody & access	Incoming	Resolved	
		By court	Out of court
District Court	5,916	5,314	0

District Court: Custody and access:		
Outcomes	2015	2014
Granted	3,489	3,684
Not granted	1,825	2,016
<b>Total</b>	<b>5,314</b>	<b>5,700</b>

Circuit Court: Custody and access: Outcomes						
	Judicial separation		Dissolution		Divorce	
	2015	2014	2015	2014	2015	2014
Orders made	322	378	4	2	719	660

## 7. Maintenance

Maintenance is financial support (money) paid by a person for the benefit of a dependent spouse/civil partner and/or dependent children. Spouses/civil partners are required to maintain each other according to their means and needs. Parents, whether married or not, are responsible for the maintenance of their dependant children. If the parties cannot reach an agreement about maintenance an application can be made to the court for a maintenance order. The majority of applications for maintenance are made to the District Court.

	Incoming	Resolved	
		By court	Out of court
High Court	3	2	0
District Court	9,270*	7,620	0

\* includes applications subsequent to initial application including applications to vary and applications to recover arrears

District Court: Maintenance: Outcome of initial applications made (by applicant)				
	Married		Unmarried	
	2015	2014	2015	2014
Granted	1,015	964	2,043	2,325
Not granted	338	347	528	658
<b>Total</b>	<b>1,353</b>	<b>1,311</b>	<b>2,571</b>	<b>2,983</b>

## 8. Domestic violence

Domestic violence legislation protects spouses/civil partners and children and offers legal remedies to dependent persons, and persons in other domestic relationships where their safety or welfare is at risk because of the conduct of the other person in the relationship. It also gives An Garda Síochána powers to arrest without warrant where there is a breach of a court order.

### Safety order

A safety order prohibits the person against whom the order is made (the respondent) from engaging in violence or threats of violence. It does not oblige that person to leave the family home. If the person does not normally live in the family home, it prohibits them from watching or being in the vicinity of where the person applying for the order (the applicant) and dependent children lives. A safety order can be made for up to five years.

### Barring order

A barring order requires the respondent to leave the family home and stay away from the family home of the applicant and/or dependent children. It may also include terms prohibiting the respondent from using or threatening to use violence. A barring order can be made for up to three years.

Once a summons has been issued for a safety order or a barring order the applicant can apply for a protection order or an interim barring order while waiting for the application to be heard in court.

### Protection order

This is a temporary safety order. It gives protection to the applicant until the court decides on a safety or barring order application. It is intended to last until the case is heard and a decision made. It does not oblige the respondent to leave the family home.

### Interim barring order

This is a temporary barring order. It is intended to last until the barring order application is heard in court and a decision made. Under the Domestic Violence Act 2002 a full court hearing must take place within eight working days of the granting of an interim barring order. The court must be of the opinion that there are reasonable grounds for believing there is an immediate risk of significant harm to the applicant or any dependent person if the order is not made immediately and the granting of a protection order would not be sufficient to protect the applicant or any dependent person.

Applications to the District Court under the domestic violence legislation increased by 6% to 14,374 from 13,528 in 2014. There was a 2% increase in applications for safety orders (5,626 as compared to 5,499 in 2014) and a 16% increase in applications for protection orders (5,108 as compared to 4,406 in 2014).

Applications for interim barring orders showed a 5% increase (731 as compared to 699 in 2014) while applications for barring orders showed a slight decrease from 2,671 in 2014 to 2,638.

	Incoming	Resolved	
		By court	Out of court
District Court	14,374	13,400	0

Circuit Court: Domestic violence: Outcomes		2015	2014
Orders made		50	47

District Court: Domestic violence: Trends	2015	2014	2013	2012	2011
Barring order applications	2,638	2,671	2,738	2,789	2,763
Barring orders granted	859	877	1,167	1,165	1,043

Protection order applications	5,108	4,406	4,529	4,192	3,403
Protection orders granted*	4,225	4,024	4,142	3,849	3,085

Safety order applications	5,626	5,499	5,334	5,026	3,755
Safety orders granted	1,917	2,029	2,381	2,255	1,513

Interim barring order applications	731	699	674	648	731
Interim barring orders granted	563	569	522	520	569

Other applications	271	12	-	-	-
Orders granted	263	0	-	-	-

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

### 9. Adoption

These are applications made under the Adoption Act 2010 for the making of adoption orders and challenges thereto.

	Incoming	Resolved	
		By court	Out of court
High Court	35	21	1

### 10. Child abduction: Hague Luxembourg Convention

The Hague Convention on the Civil Aspects of International Child Abduction (1980) is the main convention covering child abduction. The Convention seeks to protect children from the harmful effects of abduction and retention across international boundaries by providing a procedure to bring about their prompt return. It is based on the principle that the court of the child's habitual residence is best placed to decide any custody disputes.

Ireland is a signatory to The Hague and Luxembourg Conventions. These conventions have been incorporated into Irish domestic law by the Child Abduction and Custody Orders Act 1991.

There was a 58% increase in new applications to the High Court under the Hague Convention on Child Abduction – 41 compared to 26 in 2014, with 29 orders made.

	Incoming	Resolved	
		By court	Out of court
High Court	41	29	0

High Court: Child abduction: analysis	2015	2014
Incoming	41	26
<b>Orders made</b>		
Assess child	19	7
Interim order *	91	59
Child returned (on consent)	8	10
Child returned (court order)	7	4
Child remain (on consent)	8	2
Child remain (court order)	1	1
<b>Total</b>	<b>134</b>	<b>83</b>

\* there may be a number of interim orders made in individual cases

## 11. Child care - 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 Child and Family Agency (CFA) for their care. The CFA can apply to the courts for a number of different orders when dealing with children who are at risk or who are in need of care. These orders give the courts a range of powers about the type of care necessary and about access to the children for parents and other relatives. The vast majority of applications are made to the District Court.

### Emergency care orders

The CFA can apply for an emergency care order for a child who is still at home or for one who has been removed by An Garda Síochána. In exceptional cases this type of order can be sought 'ex parte' without notice to the parent (e.g. a child may be found in a very vulnerable position unaccompanied with no adult carer). While exceptional applications may be made without notice being given to the parents or guardians of the child, generally, when An Garda Síochána remove a child, the CFA notify the parent and the parent is in court when the matter is heard. The order will be made if the judge considers that there is an immediate and serious risk to the health or welfare of the child requiring him/her to be placed, or to remain in, the care of the CFA.

### Care orders and interim care orders

The CFA must apply for a care order or a supervision order if a child needs care and protection which he/she is unlikely to receive without an order. The District Court judge may make an interim care order while the decision on a full care order is pending. This means that the child is placed in the care of the CFA for 29 days. It may be extended if the CFA and the parents agree or if the court finds that the threshold criteria for the making of the order continue to exist. Parents/guardians must be given notice of an interim care order application or the extension of the order unless exceptional circumstances exist making this impossible.

### Supervision orders:

A supervision order is an alternative to children being taken into the care of the CFA. It may be applied for by the CFA instead of a Care Order. The CFA may consider that a care order is not necessary or appropriate in the circumstances, but that the child should be visited regularly by a social worker under a court supervision order.

The court can make a supervision order as an alternative, more proportionate remedy at the care order stage – but not at the interim care order stage. During the application for a care order the court may decide that a supervision order will address the risk of harm identified by the CFA. A supervision order may also be made when the court has heard most of the evidence but needs more time to conclude the care proceedings.

There were 10,217 child care applications to the courts, an 11% increase on the 9,273 in 2014. It is important to note that the number of applications does not necessarily reflect the number of children in respect of whom orders are made, as several orders may be made in respect of an individual child.

	Incoming		Resolved	
		By court	Out of court	
High Court	32	40	0	
District Court	10,185	7,771	0	
<b>Total</b>	<b>10,217</b>	<b>7,811</b>	<b>0</b>	

High Court: Child care: analysis		
	2015	2014
Received	32	63
Orders made	531	400

District Court: Child care: analysis	Incoming	Resolved (orders made)
Supervision orders	720	679
Care orders	1,189	942
Extension of care order	481	529
Interim care order	1,292	1,145
Extension of interim care order	3,061	3,025
Emergency care order	338	323
Review of care order	1,360	381
Re-entry of case	303	147
Other*	1,441	600
<b>Total</b>	<b>10,185</b>	<b>7,771</b>

\* includes applications under:

- o s.23 Children Act 1997 (to allow admission of hearsay evidence)
- o s.37 Child Care Act 1991 (access to children in care) and
- o s.47 Child Care Act 1991 (applications for directions) which may include applications by parents or interested relatives where children are in voluntary care.

*12. Family: Other*

	Incoming	Resolved	
		By court	Out of court
High Court	150	72	2
Circuit Court	1,030	638	0
District Court	1,074	1,013	991
<b>Total</b>	<b>2,254</b>	<b>1,723</b>	<b>993</b>

**(b) European order for payment applications**

The European Order for Payment procedure is for cross-border uncontested claims for money due and owing to the claimant (including interest and other costs). It can only be used where the creditor is in one EU member state and the defendant is in another EU member state.

Court	Incoming	Resolved
High Court	83	79

Resolved: outcome	
Declared enforceable	10
Terminated by claimant	40
Remitted for hearing	5
Other	24

**(c) Corporate insolvency***1. Examinership*

Examinership is a process in Irish law whereby the protection of the court is obtained to assist the survival of a company. It allows a company to restructure with the approval of the court.

High Court	Incoming	Resolved	
		Out of court	By court
	14		
Petition withdrawn		1	
Appoint interim examiner			13
Appoint examiner			11
Extend time			18
Order reports			10
Wind up company			4
Miscellaneous			52

\* Figures for appointment of interim examiner and examiner may not be mutually exclusive as appointment of interim examiner often precedes appointment of examiner.

Circuit Court	Incoming	Resolved	
		Out of court	By court
	6	0	8

*2. Liquidation*

The Companies Act 2014 introduced a new regime for court liquidations. Since the commencement of the Act on 1st June 2015 the High Court may direct, following the making of an order to wind up a company and the appointment of a liquidator, that the liquidation continue using the rules relating to a Creditors' Voluntary Winding Up removing the Examiner of the High Court from any role in the winding up.

The examiner continues to have a role in respect of court liquidations where the winding up order was made prior to 1st June 2015.

	Incoming	Resolved	
		Out of court	By court
<b>High Court</b>		<b>Settled/struck out /withdrawn</b>	<b>Orders made</b>
Wind up company orders	109	35	51

### 3. Restrict directors

In certain circumstances an application can be made to the High Court to have a company director restricted from acting as a director or secretary of a company or be concerned or take part in the formation or promotion of a company. Restriction orders remain in force for a period of five years and confine a person to being a director in certain types of companies that have been adequately capitalised by their shareholders.

	Incoming	Resolved	
		Order made	Order refused
High Court	47	48	12

### 4. Disqualify directors

In certain circumstances the High Court may disqualify a person from being appointed or acting as a director or other officer, statutory auditor, receiver, liquidator or examiner or being in any way, whether directly or indirectly, concerned or taking part in the promotion, formation or management of certain corporate bodies. These circumstances include where the court is satisfied that the person is guilty of fraud or is in breach of his/her duty under company law or that the conduct of the person makes him/her unfit to be concerned in the management of a company.

	Incoming	Resolved	
		Order made	Order refused
High Court	2	2	0

#### (d) Personal insolvency

##### *Personal insolvency (creditors' applications)*

Applications to have a person adjudicated bankrupt are filed in the Office of the Examiner of the High Court. Following the making of an adjudication order ownership of the bankrupt's property is transferred the Official Assignee in Bankruptcy (who manages the Bankruptcy Division within the Insolvency Service of Ireland). He/she is an independent statutory officer who administers the estate of the bankrupt person and is answerable to the High Court.

Bankruptcy applications may be made by creditors or by debtors in person (self adjudications). See below for details of pre-bankruptcy applications by creditors (bankruptcy summonses) and applications by creditors to have debtors adjudicated bankrupt. For details of applications by debtors to be adjudicated bankrupt (self adjudications) and information about debt settlement procedures introduced under the Personal Insolvency Act 2012. (see page 52)

High Court	Incoming	Resolved by court	
		Issued/adjudicated / granted/ approved	Discharged / annulled
Bankruptcy summonses	82	82	not relevant to summonses
Bankruptcy petitions (creditors)	46	14	0

#### (e) Appeals to District Court

There are a number of statutory entitlements to appeal decisions of regulatory bodies to the District Court. They include decisions regarding the award of taxi licences and gun licences.

Incoming	Resolved	
	By court	Out of court
394	82	0

#### (f) Litigious enforcement

Following judgment the creditor in a case can apply to the District Court for an instalment order against the debtor requiring him/her to pay the debt in instalments. The District Court can subsequently vary the amount ordered to be paid (variation order). If the debtor fails to make the instalments as ordered by the District Court, the creditor can apply for an order committing the debtor to prison (committal order).

Summonses for the attendance of debtors before the District Court for non-payment of debts decreased by 29% from 6,883 in 2014 to 4,893. There were 3,827 instalment orders made in 2015, a decrease of 25% on the 5,110 made in 2014. Proceedings for committal resulted in the issue of 42 orders. There were 357 orders made varying previous orders.

Summons for attendance of debtor	Incoming
District Court	4,893

Outcome	
Instalment orders issued	3,827
Variation orders issued	357
Committal orders issued	42

## 2. Civil and commercial non-litigious cases

Civil and commercial non-litigious cases	Incoming	Resolved
(a) Proceedings in Ireland	85,251	81,444
(b) Foreign proceedings	3,816	895
<b>Total</b>	<b>89,097</b>	<b>82,339</b>

### (a) Proceedings in Ireland

#### 1. Judgment marked in the office

Where a defendant does not respond to a summary summons in the High Court, a civil bill in the Circuit Court, or a claim notice in the District Court, or where the Master of the High Court gives liberty to enter 'final' judgment, the plaintiff can apply to have 'judgment marked' against the defendant in the court office.

In 2015, judgments were marked in the High Court in 1,153 cases, a 41% decrease on the 1,958 marked in 2014. There was a 41% decrease in judgments marked in the Circuit Court (to 3,031 from 5,146 in 2014) and a 14% increase in the District Court (to 8,836 from 7,771 in 2014).

	Incoming	Resolved
High Court	2,337	1,153
Circuit Court	3,031	3,031
District Court	8,836	8,836
<b>Total</b>	<b>14,204</b>	<b>13,020</b>

#### 2. Deed poll

Persons requiring documentary confirmation of a change of name, other than on marriage, may need to execute a document called a 'deed poll'. The deed poll can be lodged in the Central Office of the High Court.

	Incoming	Resolved
High Court	704	703

#### 3. Probate

A legal document called a *Grant of Representation* is required for authority to administer the estate of a deceased person. If there is a will, the executor needs to take out *probate*. If there is no will, or, if no executor has been appointed or the appointed person cannot act, an administrator may be appointed and he/she takes out a Letter of Administration (or a *Letter of Administration with Will Annexed* if there is a will).

	Incoming	Resolved	Probate (& administrations with wills annexed): resolved	
Principal Registry	8,953	7,705	<b>2015</b>	<b>2014</b>
Local registries	7,445	7,000	6,259	7,044
<b>Total</b>	<b>16,398</b>	<b>14,705</b>	5,553	5,405
			<b>11,812</b>	<b>12,449</b>

Intestacies: no valid wills		
	2015	2014
Principal Registry	1,446	1,808
Local registries	1,447	1,490
<b>Total</b>	<b>2,893</b>	<b>3,298</b>

*4. Wards of court*

When a person becomes unable to manage his or her assets because of mental incapacity, an application can be made to the courts for the person to become a ward of court. The court must decide as to whether the person is capable of managing his or her own property for his or her own benefit and the benefit of his or her dependants. If it is decided that the person cannot manage his or her own property because of mental incapacity, a committee is appointed to control the assets on the ward's behalf.

A person under 18 years old may also be taken into wardship as a minor.

	Incoming	Resolved
High Court	402	237

High Court: Wards of court	2015	2014
Wardship cases	2,553	2,014
Applications awaiting hearing*	201	78
Adults and minors taken into wardship (declaratory orders)	237	322
Dismissed/discharged	161	160
› Dismissed 154		
› Discharged 7		
Orders signed	1,410	1,458

\* cases pending with inquiry order signed at 31st December

*5. General Solicitor for Minors and Wards of Court*

The General Solicitor for Minors and Wards of Court is a solicitor in the service of the State appointed by the President of the High Court to act in certain wardship matters. He/she is accountable to the High Court for all monies and assets under his/her control relating to the affairs of a minor or ward. The General Solicitor can only act as solicitor in those matters assigned to them by the registrar of Wards of Court. He/she cannot take on private clients like a solicitor in private practice.

	2015	2014	Active cases: Reason admitted to wardship	2015
Active (yearly average)	438	420	Acquired brain injury	55
Pending	6	10	Elderly mental infirm	155
Dismissal	146	141	Learning or intellectual disability	122
Sub cases	270	296	Minor	5
			Psychiatric illness	96
			Residential abuse	2
			<b>Total</b>	<b>435</b>

*6. Enduring powers of attorney (registered)*

An enduring power of attorney allows another specially appointed person (the attorney) to make 'personal care decisions' on the donor's behalf once he/she is no longer fully mentally capable of taking decisions him/herself. Personal care decisions may include deciding where and with whom the donor will live, who he/she should see or not see and what training or rehabilitation he/she should get.

	Incoming	Resolved
High Court	715	661

*7. Care representatives*

Where a person has reduced capacity to make certain decisions (that is, diminished mental capacity) and wishes to apply for a nursing home loan, the Circuit Court can appoint a care representative to act on behalf of the person in respect of the Nursing Homes Support Scheme and especially in respect of the nursing home loan. The care representative can also act on behalf of the person in relation to making an application for a care needs assessment, State support, or any other matter relating to the scheme.

	Incoming	Resolved
Circuit Court	534	502

### 8. Mental Health Act applications

A person can appeal the making of an admission order or a renewal order by a mental health tribunal to the Circuit Court under the Mental Health Act 2001.

	Incoming	Resolved
Circuit Court	115	100

### 9. Personal insolvency (self)

Bankruptcy applications may be made by creditors or by debtors in person (self adjudications). See below for details of applications by *debtors* to be adjudicated bankrupt.

The Insolvency Service of Ireland administers the debt settlement procedures introduced under the Personal Insolvency Act 2012. The Act introduced three debt resolution mechanisms for people who cannot afford to pay their personal debts.

A *Debt Relief Notice* allows for the write-off of qualifying debt up to €20,000, subject to a three year supervision period. A *Debt Settlement Arrangement* applies to the agreed settlement of unsecured debts, usually over a period of five years. A *Personal Insolvency Arrangement* applies to the agreed settlement and/or restructuring of secured debts up to a total of €3 million (as well as unsecured debts) over a period of six years.

For details of pre-bankruptcy applications by creditors (bankruptcy summonses) and details of applications by creditors to have debtors adjudicated bankrupt see page 49.

There were 458 self adjudication bankruptcy applications (self adjudications) in 2015 – little change from the 445 in 2014. There were 1,735 applications in respect of debt settlement procedures, an 84% increase on the 941 in 2014. They comprised 348 debt relief notices (a 32% increase on the 263 in 2014), 328 debt settlement arrangements (a 105% increase on the 160 in 2014), and 1,059 personal insolvency arrangements (a 104% increase on the 518 in 2014).

High Court	Incoming	Resolved	
		By court	
		Adjudicated / granted / approved	Discharged / annulled
Bankruptcy petitions (self)	458	457	0

Circuit Court	Incoming	Resolved			
		By court			
		Approve request	Refused	Struck out	Withdrawn
Debt relief notices	348	346	0	0	1
Debt settlement arrangements	328	205	3	1	1
Personal insolvency arrangements	1,059	616	2	1	2
<b>Total</b>	<b>1,735</b>	<b>1,167</b>	<b>5</b>	<b>2</b>	<b>4</b>

### 10. Licensing

The majority of applications for licences are made to the District Court. They include pub, restaurant, dance, and lottery licences with applications for special exemption orders comprising over 80% of applications in any year. Special exemption orders exempt the holder of an on-licence from the provisions of the Intoxicating Liquor Act relating to prohibited hours in respect of licensed premises.

There was a slight increase in licensing with 49,288 applications dealt with - compared with 49,040 in 2014.

	Incoming		Resolved	
	2015	2014	2015	2014
Circuit Court	250	241	250	241
District Court	49,038	48,799	49,038	48,799
<b>Total</b>	<b>49,288</b>	<b>49,040</b>	<b>49,288</b>	<b>49,040</b>



## 11. Marriage exemption

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.

Marriage exemption: short notice	Incoming	Resolved
Circuit Court	695	551

Marriage exemption: under age	Incoming	Resolved
Circuit Court	33	42

### (b) Foreign proceedings

#### 1. Service of documents

Requests:	Incoming	Outgoing
High Court*	103	0
Circuit Court	3,544	816

\* Hague Convention (proceedings initiated in non-EU countries)

#### 2. Maintenance (foreign)

	Incoming	Resolved
High Court*	76	7
District Court	93	72

\* Applications under Regulation (EC) 4/2009

### 3. Non- litigious enforcement

Following judgment, a creditor can choose a number of routes to obtain payment of money adjudged to be owed by a debtor, or the return of property the subject of possession proceedings (enforce the judgment). In general, once the creditor has a judgment order, the judgment can be enforced. Enforcement orders can be issued by court offices – the creditor does not have to go back to court for the order. Creditors have 12 years from the date of the judgment to look for enforcement orders.

#### Execution orders

The courts issued 6,624 execution orders in 2015. In the High Court there were 1,607 execution orders for the recovery of money, a 32% decrease on the 2,364 in 2014, and 83 for possession of property, a 40% decrease on the 139 issued in 2014. In the Circuit Court there were 4,139 execution orders to recover money, a 27% decrease on the 5,705 in 2014 and 795 for possession, a 63% increase on the 294 in 2014.

#### Registration of judgments

Judgments obtained in the District Court, Circuit Court and High Court can be registered in the High Court. There were 4,471 judgments registered in 2015, an 8% increase on the 4,146 in 2014. Judgments registers are open for public inspection in the Central Office of the High Court.

#### Judgment mortgage certificates

There were 1,896 judgment mortgage certificates signed in the High Court, an 18% decrease on the 2,314 certificates signed in 2014. There were 1,824 certificates signed in the Circuit Court, a 15% decrease on the 2,157 certificates signed in 2014, and 1,763 certificates signed in the District Court, a 340% increase on the 401 signed in 2014.

#### 1. Execution orders issued – following judgments marked in the office in debt cases

	Incoming	Resolved
High Court*	1,153	1,607
Circuit Court	3,031	2,884
<b>Total</b>	<b>4,184</b>	<b>4,491</b>

\* includes execution orders issued on foot of court orders

#### 2. Execution orders issued – on foot of court orders

	Incoming	Resolved
Circuit Court	1,246	1,255

3. Execution orders issued – possession cases

	Incoming	Resolved
High Court	83	83
Circuit Court	793	795
<b>Total</b>	<b>876</b>	<b>878</b>

4. Judgments registered \*

	Incoming	Resolved
High Court; Circuit Court; District Court	4,471	4,471

\* Judgments of High Court, Circuit Court, and District Court are registered in the High Court Central Office

5. Judgment mortgage certificates issued

	Incoming	Resolved
High Court	1,896	1,896
Circuit Court	1,824	1,824
District Court	1,763	1,763
<b>Total</b>	<b>5,483</b>	<b>5,453</b>

6. Satisfaction piece issued

	Incoming	Resolved
High Court	101	101
Circuit Court	86	86
District Court	79	79
<b>Total</b>	<b>266</b>	<b>266</b>

4. Appeals (includes civil and family law)

Court	Incoming	Resolved
Circuit Court to High Court	476	269
District Court to Circuit Court	1,522	1,214
<b>Total</b>	<b>1,998</b>	<b>1,483</b>

5. Cases stated

*Case stated* is a procedure by which a court or tribunal can ask another court for its opinion on a point of law. There are two kinds: consultative case stated and appeal by way of case stated.

	2015		2014	
	Received	Orders made	Received	Orders made
District Court to High Court	25	17	17	11
Revenue (District Court) to High Court	10	2	4	0
Circuit Court to Supreme Court	0	6	3	2
Circuit Court to Court of Appeal	0	0	0	0
High Court to Court of Appeal	0	0	0	0
Military judge to Court of Appeal	2	0	0	0
<b>Total</b>	<b>37</b>	<b>25</b>	<b>24</b>	<b>13</b>

## 6. Miscellaneous

### 1. Written judgments

The High Court may decide following the hearing of a matter to 'reserve' its decision to another date. The decision may subsequently be delivered in the form of a written judgment. Many High Court judgments are available on the Courts Service website [www.courts.ie](http://www.courts.ie).

High Court	2015
Written judgments delivered	867

High Court: Written judgments delivered	2015	2014
Reserved at 01-01	115	105
Delivered	867	668
Reserved at 31-12	69	115

### 2. Taxation of costs

When a person or a company, otherwise known as a party, incurs costs as a result of legal action they may have those costs taxed. The taxation of costs is the independent and impartial assessment and measurement of legal costs by an officer known as a Taxing Master.

High Court	2015
Summonses issued	1,299

### 3. Notices of motion

A *Notice of Motion* is a formal notice to participants in litigation of an intention on the part of another party to seek particular relief from the court. There may be numerous notices of motion issued in the course of an action and notices of motion may be adjourned a number of times before they are dealt with.

Court	Issued / dealt with
High Court	13,353
Circuit Court	45,911*

\* includes adjournments

### 4. Case Progression (family law)

Case progression is the term given to the management of a case before it comes to trial. Its purpose is to ensure that proceedings are prepared in a manner which is fair, efficient and likely to keep the costs as low as possible. It also ensures that time and other resources of the court are put to best use. Cases which have gone through the case progression process are better prepared resulting in the cases being heard more quickly and trials being shorter.

Court	Number of hearings
Circuit Court	3,195

## COURT OF APPEAL

The Court of Appeal hears appeals in civil proceedings from the High Court except for those cases in which the Supreme Court has permitted an appeal to it on being satisfied that the appeal meets the threshold set out in Article 34.5.4° of the Constitution. The Court of Appeal also determines questions of law referred to it by the Circuit Court and High Court military judge hearing a Courts-Martial (cases stated). The court also continues to deal with appeals transferred from the Supreme Court which had been initiated before the establishment of the court on 28th October 2014 and had not been fully or partly heard by the Supreme Court by that date.

The court operates two directions lists which allows the court to case-manage every new appeal lodged – one list for appeals which fall within the categories as set out in Order 86A Rule 7 of the Rules of the Superior Courts (expedited appeals) and another list for all other appeals (ordinary appeals). Appeals transferred from the Supreme Court (Article 64 appeals) are also case-managed by the court by way of periodic call over of groups of such cases and pending inclusion on one of the call over lists any party to an Article 64 appeal may avail of the provisions of a dedicated practice direction dealing with such appeals to have an appeal included in one of the weekly directions lists for the allocation of a hearing date.

New appeals	Pending at 01/01	Incoming	Resolved	Pending at 31/12
	109	637	366	380

New appeals: Case type	Pending	Incoming	Resolved		
			In court		Out of court
			Determined	Withdrawn	Withdrawn
Article 40 / <i>habeas corpus</i>	3	18	6	3	0
Bail	2	10	4	5	0
Chancery	18	115	30	38	2
Commercial	4	68	9	14	0
Company	2	8	3	2	1
Contract	3	23	2	0	0
Criminal	4	21	9	6	0
Extradition	3	17	8	2	0
Family	2	22	11	5	0
Insolvency (corporate)	0	6	1	0	0
Insolvency (personal)	0	3	5	0	0
Judicial Review (asylum related)	5	16	9	1	0
Judicial review (other)	6	61	21	15	0
Personal injury	12	79	21	12	0
Plenary	5	43	16	28	0
Proceeds of Crime Act	2	3	12	9	0
Security for costs	4	1	3	0	0
Summary judgment	17	79	4	1	0
Other	17	44	23	25	0
<b>Total</b>	<b>109</b>	<b>637</b>	<b>197</b>	<b>166</b>	<b>3</b>

Nature of appeal	
Expedited	277*
Ordinary	360*
<b>Total</b>	<b>637</b>
* issued in 2015	

Article 64 appeals	
Pending at 01/01	1,293
Resolved	387
Pending at 31/12	906

Article 64 appeals: Case type	Pending	Incoming	Resolved		
			In court		Out of court
			Determined	Withdrawn	Withdrawn
Article 40 / <i>habeas corpus</i>	9	-	1	1	0
Bail	17	-	1	0	2
Chancery	186	-	8	11	10
Commercial	82	-	13	10	4
Company	25	-	0	4	0
Contract	11	-	8	2	0
Criminal	11	-	4	3	0
Extradition	0	-	0	0	0
Family	27	-	2	3	2
Insolvency (corporate)	11	-	2	1	3
Insolvency (personal)	17	-	0	0	0
Judicial Review (asylum related)	42	-	1	3	3
Judicial review (other)	136	-	8	8	7
Personal injury	153	-	21	21	30
Plenary	170	-	29	19	11
Proceeds of Crime Act	13	-	0	1	4
Security for costs	11	-	4	0	1
Summary judgment	132	-	21	22	7
Other	240	-	19	30	22
<b>Total</b>	<b>1,293</b>	<b>-</b>	<b>142</b>	<b>139</b>	<b>106</b>

<b>Matters</b>	
Motions listed before the court	305
Applications for directions in Article 64 appeals	112
Written judgments delivered	304
Length of appeal hearing:	
‣ one day or less	632
‣ greater than one day but less than two days	5
‣ two days or more	7

#### **Appeals from appellants in person**

188 (29% of total)

## SUPREME COURT

The Supreme Court is Ireland's highest court of appeal. Under its new constitutional jurisdiction it hears appeals on arguable points of law of general public importance or where it determines that the interests of justice warrant an appeal to it. It thus concentrates on the cases of the greatest significance.

The Supreme Court made very significant additional inroads in its legacy backlog during 2015 and has continued the proactive management of its total caseload under the direction of the Chief Justice.

The court's list is in transition. In parallel with the legacy appeal position applications for leave to appeal under its new jurisdiction were filed in increasing numbers during each successive quarter of 2015.

The court disposed of 447 legacy appeals during 2015. In addition, 96 new applications for leave were filed. It determined 28 applications under Article 64 of the Constitution (transitional provisions - transferred appeals) and 43 applications for leave to appeal. The outstanding balance of new applications at year end is the result of the increased numbers of applications received in the final quarter and the minimum time required to consider and determine an application for leave.

The bulk of priority legacy appeals had been disposed of by the end of the year. It is anticipated that the total legacy appeal caseload will have been disposed of by end 2016, subject to the level of new jurisdiction applications which the court receives during 2016.

The court continues to sit in two panels to deal with new and legacy appeals and in addition the Chief Justice assigns applications for leave under the new jurisdiction to panels to assure the speedy determination of these applications. New applications and appeals continue to be subject to case management procedures to assure their just and efficient disposal.

	Pending at 01/01	Incoming*	Resolved		Outstanding at 31/12
			Refused	Granted	
a) Applications for leave to appeal	2	96	30	13	55

<b>*Incoming</b>	
High Court to Supreme Court	22
Court of Appeal to Supreme Court	72
Court of Criminal Appeal	2
<b>Total</b>	<b>96</b>

Appeals:		Incoming	Resolved		
	Case type			In court	Out of court
			Determined	Referred to ECJ	Withdrawn in office
b) from High Court (legacy appeals)	Article 40 / <i>habeas corpus</i>	Not applicable	4	0	0
	Bail		11	0	4
	Chancery		45	0	11
	Commercial		32	0	2
	Company		1	0	0
	Constitution		7	0	0
	Contract		18	0	2
	Criminal		8	0	0
	ECHR		1	0	0
	European law		3	1	0
	Extradition		9	0	0
	Family		17	1	2
	Insolvency (corporate)		9	0	5
	Insolvency (personal)		3	0	0
	Judicial review (asylum related)		35	0	1
	Judicial review (criminal)		16	0	5
	Judicial review (other)		63	0	11
	Personal injury		2	0	1
	Plenary		34	0	5
	Proceeds of Crime Act		4	0	5
	Security for costs		3	0	0
	Summary judgment		5	0	0
	Other		48	2	10
<b>Sub total</b>			<b>378</b>	<b>4</b>	<b>64</b>
from Court of Appeal	Extradition		1	0	0
<b>Sub total</b>			<b>1</b>	<b>0</b>	<b>0</b>
<b>Total</b>			<b>379</b>	<b>4</b>	<b>64</b>
<b>Total resolved</b>			<b>447</b>		

	Pending at 01/01	Incoming	Resolved	Outstanding at 31/12
c) Article 64 applications	17	13	28	2

	Matters	Incoming	Resolved
d) Cases stated (legacy cases)	Circuit and High Court to Supreme Court	Not applicable	6

	Matters	2015	2014
3) Other	Motions listed before the court	77	373
	Reserved judgments delivered	155	106
	Applications for leave to appeal from appellants in person	48	141
	Length of appeal hearing:		
	> One day or less	141	142
	> Two days or more	25	27
	Commissioners appointed	24	23
	Notaries Public appointed	16	26

**ANALYSIS OF CIVIL CASES**

**1. Cases appealed (from first instance courts)**

High Court to Supreme Court	High Court to Court of Appeal	Circuit Court to High Court	District Court to Circuit Court
0.10%	2.6%	2.5%	2.6%

**2. Applications for leave to appeal/appeals (from second instance courts)**

Court of Appeal to Supreme Court
12%

**3. Average length of proceedings (in days) (from issue to disposal) (first instance courts)**

	High Court	Circuit Court	District Court
All (excluding employment dismissal and divorce)	680	568	294*
Employment (dismissal)	none	132	not applicable
Divorce	1,282	791	not applicable

\* excludes licensing

**4. Average length of proceedings (in days) (from issue to disposal) (second instance courts)**

Court of Appeal	
All (new appeals and Article 64 appeals)	631

**5. Average length of proceedings (in days) (from issue to disposal) (highest instance courts)**

Supreme Court	
Legacy:	
‣ all (issue to disposal)	1,700
‣ certified (from certification date to disposal)	1,320
‣ priority (from priority date to disposal)	633
Application for leave to appeal determined (issue to determination date)	103
Application for leave to appeal determined (from papers being ready to determination)	28

**6. Waiting times**

*Supreme Court*

Nature of application	Waiting time	
Applications for leave to appeal	The time from the filing of complete documentation to the determination of the application	10 weeks
New jurisdiction appeals	The time from the determination of the leave application to the hearing of the appeal	24 weeks
Legacy (not including priority) appeals	The time from the filing of complete documentation to the hearing of the appeal	41 months

*Court of Appeal*

*Civil*

Waiting time	
The time from when an appeal is entered into the court list to the date of hearing	
Appeals	10 months

**High Court***Personal injury*

<b>Waiting time: Dublin</b>					
The High Court tries personal injury cases in Dublin every week during court sittings. Cases that are ready for hearing can obtain a date within four weeks					
<b>Waiting time: Other venues</b>					
The High Court tries personal injury cases for a limited number of weeks in each of the venues below. The time from when a case is set down for trial to the date on which it is listed in the selected venue is shown below in months.					
<b>Cork:</b>	<b>Dundalk</b>	<b>Galway</b>	<b>Kilkenny/Waterford</b>	<b>Limerick</b>	<b>Sligo</b>
23 months	7 months	3 months	9 months	7 months	6 months

*Insolvency (corporate)*

<b>Waiting time:</b>	
The time from the issue of a petition to the allocation of the first return date before the High Court	
Applications to appoint examiner	Date immediately available
Applications to wind up company	3 weeks

*Other corporate applications*

<b>Waiting time:</b>	
The time from the issue of a notice of motion to the first return date before the High Court	
Restrict directors	4 weeks

*Insolvency (personal)*

<b>Waiting time</b>	
The time from the issue of a summons/petition to the first return date before the High Court	
Application to issue summons	Date immediately available
Application for adjudication	Date immediately available

*Commercial list (proceedings defined in Order 63A rule 1 Rules of the Superior Courts)*

<b>Nature of application</b>	<b>Waiting time</b>	
Liberty to enter list (motion)	The time from the issue of a summons to the first return date before the High Court	Date immediately available
Full hearing	The time from the first return date to the date of the full hearing	1 week to 4 months depending on time required for hearing

*Competition list*

<b>Nature of application</b>	<b>Waiting time</b>	
Monday motion list	The time from the issue of a notice of motion to the first return date before the High Court	3 weeks

*Chancery matters commenced by plenary summons or special summons (including injunction applications, company law matters, specific performance/rescission of contracts, administration of estates of deceased persons, trust actions)*

<b>Nature of application</b>	<b>Waiting time</b>	
Monday motion list	The time from the issue of a notice of motion to the first return date before the High Court	3 weeks
Hearing of certified cases	The time from when a case is certified ready for hearing to the allocation of the first date for hearing before the High Court	3 months
Special summonses (Master's court)	The time from the issue of a summons to the first return date before the Master of the High Court	3 weeks
Special summonses (High Court)	The time from the date of transfer from the Master's court to the first return date before the High Court	3 weeks



*Possession*

Nature of application	Waiting time	
Special summons for possession	The time from the issue of a summons to the first return date before the Master of the High Court	3 weeks
Full hearing	The time from the date of transfer from the Master's Court to the first return date before the High Court	3 weeks

*Mortgage suits*

Nature of application	Waiting time	
Special summons for well charging order	The time from the issue of a summons to the first return date before the Master of the High Court	3 weeks
Full hearing	The time from the date of transfer from the Master's court to the first return date before the High Court	3 weeks

*European order for payment*

Waiting time		
The time from receipt of application to making of order	Within 30 days (as required by Regulation 1896/2006)	

*Non jury (breach of contract, professional negligence, debt collection)*

Nature of application	Waiting time	
Miscellaneous (motions that require more time than they can be given in the Monday list)	The time between listing in the common law list and hearing in the non jury list	16 weeks
Full hearing – cases less than one week in duration	The time from when a case is certified ready for hearing to the allocation of the first date for hearing before the High Court	5 months
Full hearing – cases more than one week in duration	As above	9 months (3 months for parties willing to travel to Cork)

*Appeals from the Circuit Court*

Nature of application	Waiting time	
Full hearing – cases less than one week in duration	The time from the lodgement of the books of appeal to the allocation of the first date for hearing before the High Court	5 months
Full hearing – cases more than one week in duration	As above	9 months (3 months for hearing in Cork)

*Judicial review: asylum related*

Nature of application	Waiting time
Pre-leave	6 months
Post leave	4 months

*Judicial review: other*

Nature of application	Waiting time
Pre-leave	Application made <i>ex parte</i> on any Monday
Post leave	4 months

*Jury (defamation; false imprisonment; assault)*

Waiting time		
The time from when a case is certified ready for hearing to the allocation of the first date for hearing before the High Court	4 months	

*Garda Compensation Act*

Nature of application	Waiting time	
Special summons	The time from the issue of a summons to the first return date before the Master of the High Court	4 weeks
Full hearing	The time from the date of transfer from the Master's court to the first return date before the High Court	4 weeks

*Proceeds of Crime Act*

Waiting time	
The time from receipt of application to hearing	Date immediately available

*Master's court*

Nature of application	Waiting time	
Motions	The time from the issue of a notice of motion to the first return date before the Master	3 weeks

*Common law motions*

Waiting time	
The time from the issue of a notice of motion to the first return date before the High Court	3 weeks

*Family*

Nature of application	Waiting time
Urgent applications	Within 3 weeks
Non-contested cases	Within 3 months
Contested cases	Within 3 months
Applications under Hague Luxembourg Convention	Case must be dealt with within 6 weeks
Appeals from Circuit Court	Within 3 months

For Circuit Court and District Court waiting times in civil cases see from page 64.

**Criminal**

The courts received over 430,000 criminal matters and dealt with over 320,000 in 2015. There were six appeals disposed of in the Court of Criminal Appeal; 373 appeals (comprising 1,186 offences disposed of in the Court of Appeal); 839 offences dealt with in the Central Criminal Court; 29 offences dealt with in the Special Criminal Court; 10,555 offences and 12,886 offences on appeal from the District Court dealt with in the Circuit Court; and 298,797 orders made in respect of offences in the District Court. 15,607 offences were sent forward for trial to higher courts from the District Court.

By offence	Incoming	Resolved
Serious criminal offences: Central Criminal Court; Special Criminal Court; Circuit Criminal Court	15,743	11,423
Misdemeanour and/or minor criminal offences: District Court	405,007	298,797
Appeals: Court of Criminal Appeal; Court of Appeal; Circuit Court	15,721	14,078
<b>Total</b>	<b>436,471</b>	<b>324,298</b>

*District Court*

The District Court received 405,007 new offences in 2015. Not all offences were proceeded with by the prosecutor. Of the offences that did proceed, the court made 298,797 orders and sent a further 15,607 forward for trial to higher courts (the Circuit Court and the Central Criminal Court). There were 44,614 indictable offences dealt with summarily, a slight decrease on the 45,033 in 2014.

Orders made in respect of offences under the road traffic legislation continued to be the highest category accounting for 61% of orders made in respect of summary and indictable offences. There were 3,923 orders made in respect of dangerous driving offences, little change on the 3,873 orders made in 2014 and the 3,886 orders made in 2013.

There were 7,218 orders made in respect of drink driving offences, a 15% decrease on the 8,477 orders made in 2014, and a 36% decrease on the 11,329 orders in 2013.

Orders made in respect of drugs offences increased by 4% to 12,310 from 11,877 in 2014. There were 30,451 orders made in respect of public order and assault offences little change from the 30,194 in 2014.

Categories	Incoming		Resolved: offences		
	Offences	Defendants*	a) Summary	b) Indictable dealt with summarily	Sent forward for trial
Road traffic	243,037	152,701	179,705	2,506	234
Drugs	18,038	11,023	508	11,802	1,432
Sexual	1,862	367	61	109	1,515
Larceny/fraud/robbery	33,712	13,278	3	21,470	6,304
Public order/assault	36,789	20,187	28,709	1,742	1,540
Other	71,569	49,965	45,197	6,985	4,582
<b>Total</b>	<b>405,007</b>	<b>247,521</b>	<b>254,183</b>	<b>44,614</b>	<b>15,607</b>

# There may be more than one offence brought against a defendant

Summary offences: outcomes												
	Dis	S/O	TIC	Fine	Bond	Disq	C/S	Prob	Imp	Susp	Other	Total
Road traffic	5,531	84,264	21,819	44,002	52	8,206	454	1,281	1,018	912	12,166	179,705
Drugs	30	129	93	67	10	1	16	59	32	19	52	508
Sexual	1	14	5	6	-	-	-	5	11	9	10	61
Larceny/fraud/robbery	2	1	-	-	-	-	-	-	-	-	-	3
Public order/assault	1,120	7,463	5,670	5,304	539	2	511	3,470	1,086	850	2,694	28,709
Other	884	17,752	4,423	16,136	117	18	164	1,956	563	461	2,723	45,197
<b>Total</b>	<b>7,568</b>	<b>109,623</b>	<b>32,010</b>	<b>65,515</b>	<b>718</b>	<b>8,227</b>	<b>1,145</b>	<b>6,771</b>	<b>2,710</b>	<b>2,251</b>	<b>17,645</b>	<b>254,183</b>

Key: Dis = Dismiss. S/O = strike out. TIC = taken into consideration. Disq. = disqualified. C/S. = community service.  
 Prob. = probation. Imp = imprisonment or detention. Susp. = suspended sentence

Indictable offences dealt with summarily: outcomes												
	Dis	S/O	TIC	Fine	Bond	Disq	C/S	Prob	Imp	Susp	Other	Total
Road traffic	69	635	375	206	6	431	62	70	281	216	155	2,506
Drugs	324	3,076	1,382	2,234	53	7	288	1,731	323	485	1,899	11,802
Sexual	19	32	1	10	2	0	1	9	5	16	14	109
Larceny/fraud/robbery	606	4,876	3,829	2,075	269	22	579	2,909	2,752	1,791	1,762	21,470
Public order/assault	126	542	60	143	66	4	67	217	138	169	210	1,742
Other	242	2,108	1,042	635	102	9	144	845	692	336	830	6,985
<b>Total</b>	<b>1,386</b>	<b>11,269</b>	<b>6,689</b>	<b>5,303</b>	<b>498</b>	<b>473</b>	<b>1,141</b>	<b>5,781</b>	<b>4,191</b>	<b>3,013</b>	<b>4,870</b>	<b>44,614</b>

Key: Dis = Dismiss. S/O = strike out. TIC = taken into consideration. Disq. = disqualified. C/S. = community service.  
 Prob. = probation. Imp/Det = imprisonment or detention. Susp. = suspended sentence

Specific road traffic offences												
	Dis	S/O	TIC	Fine	Bond	Disq	C/S	Prob	Imp	Susp	Other	Total
Dangerous driving	151	1,086	450	444	5	685	21	21	179	77	804	3,923
Drink driving	510	1,259	56	2,337	6	2,536	30	21	101	123	239	7,218
Offences attracting penalty points	3,215	26,120	2,647	23,737	22	4,621	287	360	555	602	4,305	66,471
<b>Total</b>	<b>3,876</b>	<b>28,465</b>	<b>3,153</b>	<b>26,518</b>	<b>33</b>	<b>7,842</b>	<b>338</b>	<b>402</b>	<b>835</b>	<b>802</b>	<b>5,348</b>	<b>77,612</b>

Key: Dis = Dismiss. S/O = strike out. TIC = taken into consideration. Disq. = disqualified. C/S. = community service.  
 Prob. = probation. Imp = imprisonment or detention. Susp. = suspended sentence

*Juvenile crime*

Orders made in respect of offences before the Children Court decreased by 4% to 5,072 from 4,877 in 2014 with 49% of all offences struck out or taken into consideration with other offences.

Juvenile crime												
	Dis	S/O	TIC	Fine	Bond	Disq	C/S	Prob	Imp	Susp	Other	Total
Road traffic	70	320	407	109	17	88	3	135	34	17	79	1,279
Drugs	9	55	40	19	3		2	48	3	3	13	195
Sexual	1	2										3
Larceny/fraud/robbery	72	276	319	47	13	1	19	302	123	56	141	1,369
Public order/assault	78	311	348	149	25	1	7	274	65	25	99	1,382
Other	43	129	265	22	14		1	167	76	34	93	844
<b>Total</b>	<b>273</b>	<b>1,093</b>	<b>1,379</b>	<b>346</b>	<b>72</b>	<b>90</b>	<b>32</b>	<b>926</b>	<b>301</b>	<b>135</b>	<b>425</b>	<b>5,072</b>

Key: Dis = Dismiss. S/O = strike out. TIC = taken into consideration. Disq. = disqualified. C/S. = community service.  
 Prob. = probation. Imp/Det = imprisonment or detention. Susp. = suspended sentence

*Circuit Court*

Theft and robbery remained the largest category of offence with 6,299 offences. There were 1,432 drug offences and 1,212 assault offences.

(a) Offences	Incoming			Resolved: offences						
	Offences	Defendants	Guilty	Trials		NP	TIC	Quash	Dec	
				Convicted	Acquitted					
Road traffic	234	204	567	19	15	158	236	0	0	
Drugs	1,432	434	1,307	47	26	926	81	0	0	
Sexual	632	131	348	212	129	180	23	0	68	
Firearms	625	459	461	21	32	208	89	0	1	
Larceny/fraud/robbery	6,299	1,139	3,886	99	81	0	818	3	7	
Assault	1,212	855	1,136	87	99	212	51	0	1	
Child abuse	0	0	9	0	13	24	0	0	0	
Manslaughter	2	2	2	0	1	0	0	0	0	
Other	3,683	948	1,662	177	110	519	276	0	3	
<b>Total</b>	<b>14,119</b>	<b>4,172*</b>	<b>9,378</b>	<b>662</b>	<b>506</b>	<b>2,227</b>	<b>1,574</b>	<b>3</b>	<b>80</b>	

Key: Guilty = guilty pleas. NP = *Nolle prosequi*. TIC = taken into consideration non conviction.  
 Quash = quash return for trial. Dec = accused deceased.  
 \* There may be more than one offence brought against a defendant

Offences: outcomes (following convictions)										
	TIC	Fine	Bond	Disq	C/S	Prob	Imp	Susp	Other	Total
Road traffic	95	16	90	138	5	5	150	58	68	625
Drugs	91	15	279	2	25	17	197	289	491	1,406
Sexual	77	0	146	0	0	16	267	40	82	628
Firearms	57	4	123	1	4	21	108	88	101	507
Larceny/fraud/robbery	475	12	1,147	5	96	144	1,081	794	414	4,168
Assault	47	1	411	3	31	41	309	304	115	1,262
Child abuse	0	0	2	0	0	0	5	1	1	9
Manslaughter	0	0	1	0	0	0	1	0	0	2
Other	177	42	503	11	74	74	502	337	228	1,948
<b>Total</b>	<b>1,019</b>	<b>90</b>	<b>2,702</b>	<b>160</b>	<b>235</b>	<b>318</b>	<b>2,620</b>	<b>1,911</b>	<b>1,500</b>	<b>10,555</b>

Key: TIC = taken into consideration. Disq. = disqualified. C/S. = community service. Prob. = probation.  
 Imp = imprisonment. Susp. = suspended sentence

Appeals (from District Court)							
Categories	Incoming		Resolved: offences				
	Off	Def	Aff	Var	Rev	S/O	S/O N/A
Road traffic	9,551	5,316	1,720	2,808	3,278	681	802
Drugs	451	239	112	209	59	57	55
Sexual	19	6	1	5	0	1	0
Larceny/fraud/robbery	1,687	623	390	528	88	296	276
Public order/assault	1,262	710	274	474	142	148	154
Other	1,889	1,142	328	0	0	0	0
<b>Total</b>	<b>14,859</b>	<b>8,036</b>	<b>2,825</b>	<b>4,024</b>	<b>3,567</b>	<b>1,183</b>	<b>1,287</b>

Key: Off = offences. Def = defendants. Aff = affirmed. Rev = reversed. S/O = struck out. S/O N/A = struck out no appearance

*Special Criminal Court*

Categories	Incoming		Resolved: offences			
	Offences	Defendants	Guilty pleas	Trials		Nolle prosequi
				Convicted	Acquitted	
Membership of illegal organisation	24	24	0	0	15	3
Possession of firearms/ammunition/ explosive substance	18	7	2	4	0	2
Murder	0	0	1	0	1	1
Theft	0	0	0	0	0	0
Threaten to kill	0	0	0	0	0	0
Other	3	2	0	0	0	0
<b>Total</b>	<b>45</b>	<b>24*</b>	<b>3</b>	<b>4</b>	<b>16</b>	<b>6</b>

\* There may be more than one offence brought against a defendant

Offences: outcomes					
	Imprisonment	Nolle prosequi	Acquittal	Taken into consideration non conviction	Total
Membership of illegal organisation	0	3	15	0	18
Possession of firearms/ammunition/explosive substance	4	2	0	2	8
Murder	1	1	1	0	3
Other	0	0	0	0	0
<b>Total</b>	<b>5</b>	<b>6</b>	<b>16</b>	<b>2</b>	<b>29</b>

*High Court*

*Central Criminal Court*

	Incoming	Resolved	Defendants	Trials
Offences	1,579	839	111	73

The Central Criminal Court dealt with 839 offences (1,408 in 2014) involving 111 defendants and held 73 trials, an increase on the 63 trials held in 2014. There were 32 murder offences involving 32 defendants resolved with pleas of guilty entered in respect of 3 offences – 23 offences went to trial. At trial, there were findings of not guilty by reason of insanity in respect of three offences, acquittals in respect of three offences, and convictions in respect of 16 offences. Overall, there were 19 convictions in respect of murder and seven convictions for manslaughter.

There were 389 rape offences involving 59 defendants and 361 indecent/sexual assault offences resolved by the court. Guilty pleas were entered in respect of 98 of these offences with 323 going to trial. There were convictions in respect of 156 rape offences and 153 indecent/sexual assault offences, and acquittals in respect of 75 rape offences and 20 indecent/sexual assault offences

Offences	Incoming		Resolved: offences					
	Offences	Defendants	Guilty pleas	Trials	Nolle prosequi	TIC *	Quash	Accused deceased
Murder**	32	32	3	23	2	0	2	1
Manslaughter	0	0	3	4	0	0	0	0
Rape	676	102	58	179	68	62	0	22
Indecent/sexual assault	803	53	40	144	62	47	2	66
Assault	28	16	3	11	2	1	1	0
Other ***	40	18	7	17	8	1	0	0
<b>Total</b>	<b>1,579</b>	<b>221<sup>#</sup></b>	<b>114</b>	<b>378</b>	<b>142</b>	<b>111</b>	<b>5</b>	<b>89</b>

\* TIC – 'taken into consideration' - offences may be taken into consideration where an offender is sentenced on other multiple offences.  
 \*\* includes attempted murder  
 \*\*\* 'other' offences include impeding a prosecution, accessory to manslaughter, false imprisonment, criminal damage, possession of a knife, burglary  
 # There may be more than one offence brought against a defendant

Offences: resolved: outcome of trials						
	Convicted	Acquitted	Disagreed	Committal: not guilty by reason of insanity	Taken into consideration/permanent stay	Total
Murder	16	3	1	3	0	23
Manslaughter	4	0	0	0	1	5
Rape	98	75	1	0	5	179
Indecent/sexual assault	113	20	0	0	11	144
Assault	3	8	0	0	0	11
Other	5	12	0	0	0	17
<b>Total</b>	<b>239</b>	<b>118</b>	<b>2</b>	<b>3</b>	<b>17</b>	<b>379</b>

Offences: resolved: penalties imposed on conviction							
	Fine	Probation	Det p/s *	Sent f/s **	Imp p/s ***	Imp ****	Total
Murder	0	0	0	0	0	19 (Life))	19
Manslaughter	0	0	0	0	3	4	7
Rape	0	0	0	1	46	109	156
Indecent/sexual assault	0	0	0	0	14	139	153
Assault	2	0	0	0	0	4	6
Other	0	0	0	0	3	9	12
<b>Total</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>66</b>	<b>284</b>	<b>353</b>

\* detention part suspended  
 \*\* sentence fully suspended  
 \*\*\* imprisonment part suspended  
 \*\*\*\* imprisonment

***Court of Appeal / Court of Criminal Appeal***

The Court of Appeal deals with appeals from the Circuit Court, Central Criminal Court and Special Criminal Court.

A small number of appeals remained to be dealt with by the Court of Criminal Appeal following the establishment of the Court of Appeal on 28th October 2014. The Court of Criminal Appeal will continue in existence until those appeals are disposed of.

There were 302 appeals in respect of 862 offences lodged in the Court of Appeal in 2015. The court disposed of 373 appeals in respect of 1,186 offences. The Court of Criminal Appeal continued to deal with seven appeals and resolved six during the year.

*Court of Criminal Appeal*

	Pending as of 01/01	Resolved	Outstanding as of 31/12
Appeals	7	6	1

*Court of Appeal*

	Pending as of 01/01	Incoming	Resolved	Outstanding as of 31/12
Appeals	599	302	373	528

Court of origin	Appeals	Percentage of appeals
Central Criminal Court	37	12%
Circuit Criminal Court	264	87%
Special Criminal Court	1	1%

Categories	Incoming (by offence)						Total
	Conviction	Sentence (severity)	Conviction & sentence	Sentence (leniency)	DPP (dismissal)	MC*	
Drugs	7	33	3	23	0	0	66
Larceny/ fraud/robbery	9	179	11	11	0	0	210
Assault	6	34	7	10	0	0	57
Murder	15	0	0	0	0	0	15
Rape/ sexual assault	36	50	203	6	0	0	295
Other	24	139	30	26	0	0	219
<b>Total</b>	<b>97</b>	<b>435</b>	<b>254</b>	<b>76</b>	<b>0</b>	<b>0</b>	<b>862</b>

\* Miscarriage of justice

Categories	Resolved (by offence)						Total
	Conviction	Sentence (severity)	Conviction & sentence	Sentence (leniency)	DPP (dismissal)	MC*	
Drugs	11	56	5	16	0	0	88
Larceny/ fraud/robbery	6	81	24	19	0	0	130
Assault	11	35	8	22	0	0	76
Murder	35	0	0	0	0	1	36
Rape/ sexual assault	149	126	212	65	0	2	554
Other	23	104	126	49	0	0	302
<b>Total</b>	<b>235</b>	<b>402</b>	<b>375</b>	<b>171</b>	<b>0</b>	<b>3</b>	<b>1,186</b>

\* Miscarriage of justice

Appeals: outcomes																						
Categories	Conviction					Sentence (severity)				Conviction & sentence						Sentence (leniency)			DPP (dismissal)		Mis-carriage	
	A	B	C	D	E	A	B	C	D	A	B	C	D	E	F	A	B	C	A	B	A	B
Drugs	3	0	0	4	4	2	26	22	6	0	2	1	0	0	2	3	11	2	0	0	0	0
Larceny/ fraud/ robbery	0	0	0	0	6	0	22	26	33	0	13	1	0	8	2	0	19	0	0	0	0	0
Assault	0	0	0	2	9	0	14	14	7	0	2	0	1	3	2	4	16	2	0	0	0	0
Murder	21	9	0	2	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Rape/ sexual assault	0	24	5	2	118		115	2	9	26	160	0	3	15	34	2	63	0	0	0	2	0
Other	5	2	6	6	4		51	38	15	6	33	12	20	42	13	26	22	1	0	0	0	0
<b>Total</b>	<b>29</b>	<b>35</b>	<b>11</b>	<b>16</b>	<b>144</b>	<b>2</b>	<b>228</b>	<b>102</b>	<b>70</b>	<b>32</b>	<b>210</b>	<b>14</b>	<b>24</b>	<b>68</b>	<b>53</b>	<b>35</b>	<b>131</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>

Key:	A	B	C	D	E	F
Conviction	Refused	Conviction quashed – retrial	Conviction quashed – no retrial	Struck out / withdrawn	Dismiss	-
Sentence (severity)	Refused	Original sentence quashed – sentence in lieu	Struck out / withdrawn	Dismiss	-	-
Conviction & sentence	Refused	Conviction affirmed – sentence varied	Conviction quashed – retrial	Conviction quashed – sentence in lieu	Struck out / withdrawn	Dismiss
Sentence (leniency)	Refused	Original sentence quashed – sentence in lieu	Struck out / withdrawn	Dismiss	-	-
DPP dismissal	Refused	Original order quashed	Dismiss	-	-	-
Miscarriage	Refused	Original order quashed	Dismiss	-	-	-

**ANALYSIS OF CRIMINAL CASES**

<b>1. Appeals (from first instance courts) (by offence)</b>		<b>%</b>
Special Criminal Court, Central Criminal Court and Circuit Court to Court of Appeal		8%
District Court to Circuit Court		5%

<b>2. Average length of proceedings (in days) (by offence)</b>			
	<b>Summary</b>	<b>Indictable dealt with summarily</b>	<b>Return for trial</b>
District Court	232	284	89
Summary: Time from issue of summons to disposal of offence in District Court. Indictable dealt with summarily: Time from lodgment of charge sheet to disposal of offence in District Court. Return for trial: Time from lodgment of charge sheet to transfer of offence to higher court for trial.			

<b>Average length of proceedings (in days) (by offence)</b>	
Circuit Court (all) *	678
Central Criminal Court (all) **	645
Special Criminal Court (all) ***	585
Court of Appeal (all) ****	1,027
* Time from receipt of return for trial in Circuit Court to final order ** Time from receipt of return for trial to final order *** Time from receipt of charge sheet to final order **** Time from issue of notice of appeal to final order	



**AVERAGE WAITING TIMES**

<b>Court of Appeal: Waiting time</b>	
The time from when an appeal is entered into the court list to the date of hearing	
Appeals	2 months

<b>High Court: Waiting time</b>		
Murder and rape trials (Central Criminal Court)	The time from the first listing of a case before the Central Criminal Court on return for trial from the District Court, to the trial date	13 - 14 months
Bail applications	The date from the issue of a notice of motion to the date the matter is first listed before the High Court	Date immediately available

<b>Special Criminal Court: Waiting time</b>	
The time from when a charge sheet is received to the trial date	18 months

<b>Circuit Court - criminal</b>	
<b>Nature of matter</b>	<b>Waiting time</b>
Trials	The time from receipt of return for trial to trial date
Sentences	The time from receipt of return for trial to sentence hearing (where plea of guilty entered)
Appeals	The time from receipt of District Court appeal to hearing of appeal

<b>Circuit Court - civil</b>	
<b>Nature of matter</b>	<b>Waiting time</b>
Trials	The time from receipt of notice of trial to hearing date
Appeals	The time from receipt of District Court appeal to hearing date

<b>Circuit Court - family</b>	
<b>Nature of matter</b>	<b>Waiting time</b>
Cases	The time from receipt of notice of trial/notice of motion to hearing date
Appeals	The time from receipt of District Court appeal to hearing date

Circuit Court -- Waiting times shown in months (unless otherwise stated)								
	Criminal			Civil		Family		
	Trials	Sentences	Appeals	Trials	Appeals	Contested cases	Non-contested cases	Appeals
Carlow	N.S.	9	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.
Carrick on Shannon	6	6	3	3-6	3-6	6	N.S.	N.S.
Castlebar	3-6	N.S.	9	6	N.S.	N.S.	N.S.	N.S.
Cavan	9	N.S.	6	12	9	6	N.S.	N.S.
Clonmel	3-6	N.S.	3-6	N.S.	N.S.	N.S.	N.S.	N.S.
Cork	N.S.	N.S.	6-9	6-9	3-6	3-6	N.S.	N.S.
Dublin	9	2	1	3	2	1.25-3**	2 weeks	1.5
Dundalk	12-18	N.S.	N.S.	12-18	N.S.	6-12	6-12	6-12
Ennis	6	3	3	6	3	6	N.S.	6
Galway	7-9	3	2	3-6	3-6	3	2	2
Kilkenny	10	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.
Letterkenny	6-9	3-6	N.S.	12-18	12	6-9	N.S.	6-9
Limerick	3-6	N.S.	N.S.	6-9	N.S.	N.S.	N.S.	N.S.
Longford	6	3-6	N.S.	9-12	N.S.	3-6	N.S.	N.S.
Monaghan	18-24	6-12	3-6	6-9	3-6	N.S.	N.S.	N.S.
Mullingar	6-12	N.S.	N.S.	9-12	3-9	3-9	N.S.	3-6
Naas	12	N.S.	N.S.	6-9	N.S.	N.S.	N.S.	N.S.
Portlaoise	3-6	3	3-6	6-9	3-6	3-6	N.S.	3-6
Roscommon	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.
Sligo	6	3	3	3-6	3	3	3	3
Tralee	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.
Trim	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.
Tullamore	12-18	6-9	N.S.	9-12	N.S.	9-12	N.S.	N.S.
Waterford	3-6	3-6	3	3-6	N.S.	N.S.	N.S.	N.S.
Wexford	12	N.S.	6-12	6-12	N.S.	6-12	N.S.	3-6
Wicklow	12	N.S.	24	6-9	N.S.	6	6	6

\*\* 3 months for a guaranteed priority hearing; 2 weeks for a possible hearing (if priority case settles or does not proceed)  
NS = Next sitting of the court  
Details of the sittings of the Circuit Court are available on the website of the Service ([www.courts.ie](http://www.courts.ie)).

#### District Court - criminal : Waiting time

Summons:	The time from receipt of summons application to scheduled date for hearing. There is an agreement with An Garda Síochána as part of CJIP that a period of 12-14 weeks will be allowed between the issuing of a summons and the first court date to allow time for service of the summons. The waiting times for criminal summonses generally reflect this agreement
Charge sheets:	The time from receipt of a charge sheet to the first court date. Charge sheet cases are initially listed before the court usually within a day of the person being charged by An Garda Síochána. The first listing may not be the date of the hearing of the matter as the court may adjourn/postpone the hearing for a variety of reasons.

#### District Court - civil : Waiting time

Applications:	The time from receipt of application to date when application is listed for hearing
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#### District Court - family : Waiting time

Applications:	The time from receipt of application to date when application is listed for hearing
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District Court					
Waiting times shown in weeks (unless otherwise stated)					
Office	Criminal		Civil Applications	Family	
	Summonses	Charge sheets		Domestic violence applications**	Maintenance / guardianship applications
Athlone	12-14	N.S.	4-8	2	4
Ballina	15-20	N.S.	6-8	N.S.	N.S.
Bray	16	N.S.	8	1-3	3-6
Carlow	12	N.S.	8-12	12	12
Carrick on Shannon	12-15	N.S.	4-8	N.S.	N.S.
Castlebar	12	N.S.	12	N.S.	6
Cavan	16	N.S.	8	N.S.	10-12
Clonakilty	16	N.S.	2-4	2-4	2-4
Clonmel	14	N.S.	4-6	2-5	4-12
Cork	14	N.S.	6-8	8	16
Donegal	12	N.S.	4-6	N.S.	4
Dublin	s. 49: 16; other 24	N.S.	17	12	12
Dundalk	14-18	N.S.	8-10	4-8	4-8
Ennis	12-15	N.S.	8-12	5	10
Galway	16	N.S.	16	1	4-8
Kilkenny	20-26	N.S.	4	2-4	4-8
Letterkenny	20-24	N.S.	16-20	5	20
Limerick	16-20	N.S.	8	9	10
Longford	12	N.S.	4	1	4
Loughrea	12	N.S.	4	N.S.	4
Mallow	12-15	N.S.	8	N.S.	N.S.
Monaghan	16	N.S.	8-10	N.S.	N.S.
Mullingar	12-16	N.S.	4-8	N.S.	4
Naas	12-16	N.S.	8-10	2-4	10-12
Nenagh	16	N.S.	6-8	N.S.	4
Portlaoise	14-18	N.S.	12-16	N.S.	8-12
Roscommon	12-15	N.S.	4	N.S.	N.S.
Sligo	12-15	N.S.	8-24	N.S.	N.S.
Tralee	8-12	N.S.	8	4	4
Trim	10-14	N.S.	6-12	8-12	8-12
Tullamore	14-15	N.S.	4	N.S.	8
Waterford	14	N.S.	4	8	8
Wexford	16	N.S.	6-10	N.S.	6-8
Youghal	12-14	N.S.	8	N.S.	N.S.

\* drink driving prosecutions  
\*\* urgent interim applications are dealt with immediately (that is on next sitting day in every district)  
N.S = next sitting  
Details of the sittings of the District Court are available on the website of the Service ([www.courts.ie](http://www.courts.ie))



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## CHAPTER 4 – CORPORATE GOVERNANCE

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*'Good governance is integral to the culture and to the strategic and operational policies and practices of an organisation. All employees have an important role to play in committing to the good governance of their organisation through the application of this Standard in the performance of their duties'. Corporate Governance Standard for the Civil Service*

### CORPORATE GOVERNANCE ARRANGEMENTS

#### General

The Courts Service Act 1998 (as amended) is the legislative basis for the establishment of the Service.

The Service operates in accordance with best practice corporate governance principles in line with the Courts Service Act 1998 and, where applicable, the guidelines as set out in the Code of Practice for the Governance of State Bodies (CPGSB). The CPGSB, published by the Department of Finance, provides a framework for the application of best practice in corporate governance by both commercial and non-commercial bodies.

A framework document approved by the Board defines the governance framework for the Service and sets out the functions of the Board, the Chief Executive, and the Committees of the Board. It also outlines the appropriate levels of authority and delegation arrangements. It defines the communication strategy between the Chief Executive and the Chief Justice and presidents of the courts, between the Service and the Minister for Justice and Equality, and between the Service, the public and the media. Board Standing Orders, the terms of reference and accountability arrangements of committees of the Board and general policy statements in relation to the operation of the Service comprise an important element of the governance environment.

#### *New Corporate Governance Standard for the Civil Service*

The Civil Service Renewal Plan 2014 sets out revised proposals for governance and accountability for the Civil Service. It includes a key action to enhance corporate governance arrangements. In line with the Renewal Plan, the Department of Public Expenditure and Reform introduced a new Corporate Governance Standard for the Civil Service in 2015. The Standard sets out a summary of good governance principles and requirements for an organisational governance framework.

In line with the Standard, each Civil Service Department and Agency is required to prepare a Corporate Governance Framework Document setting out its statutory framework including the governance arrangements in place; its role, function and organisational structure, information on strategic and business planning processes; and the accountability, audit and assurance arrangements.

The Service commenced work on a revised framework document in 2015 to reflect the responsibilities and structure of the organisation in line with the new Corporate Governance Standard. The new framework document will be published in mid 2016.

Work also took place during 2015 on an Agency Framework Agreement for 2016 between the Service and the Department of Justice and Equality. This Agreement, in accordance with best practice corporate governance and the requirements of the CPGSB is designed to;

- enhance the working relationship between the Service and the Department,
- support the Service in carrying out its functions, and
- assess the performance of those functions through review of agreed mutual commitments, annual targets, and output and outcome indicators.

The Agreement is expected to be signed in early 2016.

#### Organisation overview

##### *Courts Service Board*

The Service is governed by a Board consisting of a chairperson and 17 other members. In accordance with the Courts Service Act 1998 the term of office of the Board is three years. The current Board was established on 9th November 2014. The Board is responsible for determining policies for the Service and

for overseeing their implementation. It performs these functions directly and through the committees of the Board.

One of the functions of the Board is to prepare a strategic plan which is submitted to the Minister for Justice and Equality for approval. The Minister must lay the plan, with or without amendments, before each House of the Oireachtas. The Board approved the Strategic Plan for the period 2014-2017 in October 2014 (which was subsequently approved by the Minister).

*The Strategic Plan 2014-2017 sets out the strategic direction for the Service and places continuing emphasis on the implementation of the transformation programme and ensuring value for money. The Plan is translated into detailed business work programmes through annual corporate business plans and unit business plans. This in turn is supported by a corporate and business unit risk registers.*

The Board reviews and monitors the implementation of the Strategic Plan and approves an annual corporate business plan to ensure a focussed approach to achieving the goals and objectives set out therein. The Corporate Business Plan 2015 was approved by the Board in December 2014, and the 2016 plan was approved in December 2015.

Other documents approved by the Board during 2015 included the Annual Report of the Service for 2014, the Annual Budget for the Service 2015 and 2016, the Corporate Risk Register 2015, and the Annual Return to the Minister for Justice and Equality under the CPGSB.

The Board is responsible for the appointment of the Chief Executive Office of the Service and for any renewal of the contract of appointment. The contract for service of the Chief Executive was due to expire in January 2016. The Board approved the renewal of the contract for a further period of three years and eight months up to 18th September 2019 at its meeting on 19th October 2015. In accordance with the Courts Service Act 1998 the approval of the Minister for Justice and Equality, with the consent of the Minister for Public Expenditure and Reform, was obtained for the terms of the contract as proposed.

In accordance with the Courts Service Act 1998 the Board may appoint committees to advise it in relation to the performance of its functions as it thinks fit. During 2015 the Board approved the membership of its committees. It also approved revised terms of reference for the Audit Committee and the Annual Report of the Audit Committee 2014.

The Board is responsible for the engagement of legal advisors, investment advisors, and fund managers. It approves proposals for contracts and arrangements including the acquisition or disposal of any interest in land or property with a value in excess of €5m, proposals for leases for periods in excess of four years and nine months irrespective of value, and proposals for contracts for consultancy in excess of €500,000. During 2015 the Board approved the engagement of legal advisors for a period of five years from 1st January 2016. The Board also approved the appointment of a custodian and administrator of court funds, and the preferred bidder for the new courthouse building projects to be delivered *via* Public Private Partnership. The variation of certain District Court areas was also approved by the Board during 2015.

Standing items on the agenda for meetings of the Board include minutes of meetings and reports considered by committees of the Board, financial reports, reports from the Chief Executive, reports from Chief Risk Officer and Head of Resource Management, and details of all new contracts entered into by the Service and recorded on the contract register.

The Board received regular reports from the Chief Executive Officer on the operation of the Service, the implementation of Board policy, the implementation of the annual Corporate Business Plan, expenditure and budgetary matters and other relevant issues and/or developments. The Board also received regular reports in relation to the implementation of risk management in the organisation during the year.

In the development of the policies of the Service and oversight of the implementation of those policies the Board also considered, approved or noted reports on the courthouse building projects, the proposed development of a family law and children court complex in Dublin and a report on the governance of court funds.

The Board also considered a report on the review of the operation of the Board and its committees during 2015 and kept its operating procedures and those of the committees under review.

The Board held five meetings during 2015 with an overall attendance rate of 82%.

Number of meetings of committees of the Board	
Finance Committee	5
Audit Committee	4
Building Committee	4
Family Law Court Development Committee	7
Irish Sentencing Committee	3

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

### Senior Management Team and organisational structures

See page 10 for details of membership of Senior Management Team and organisational structure

In accordance with Board practice, members of the Senior Management Team attended the December meeting to brief the Board on relevant issues and deal with any queries arising. Members of the Team also attended other meetings where appropriate to brief the Board on matters relevant to their specific area of responsibility.

### Roles and responsibilities

#### *Chief Executive Officer*

The Courts Service Act 1998 provides that the Chief Executive Officer is the Accounting Officer for the Service and clearly defines the accountability framework in which the Service operates. This is supported by the governance framework and corporate governance arrangements within the Service.

The Service is accountable to the Minister for Justice and Equality, and through the Minister, to the Government. It is also accountable through the Chief Executive Officer as Accounting Officer to the Oireachtas under the Committee of Public Accounts and other committees of the Oireachtas. The Service must submit an annual report and such other information as the Minister may require.

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. He prepares an annual budget for approval by both the Finance Committee and the Board with support from the Senior Management Team. He provides regular updates to the Board, the Finance Committee and other committees of the Board, in regard to the management of the Service, implementation of policy, progress on the strategic plan and the modernisation agenda of the Service.

In his capacity as a Board member and Accounting Officer, the Chief Executive provides an annual report in relation to the organisation's system of internal financial controls to the Minister for Justice and Equality confirming compliance across a range of headings. The Service thereby complies with the CPGSB and in particular affirms compliance with:

- o appropriate procedures for financial reporting, internal audit, travel, procurement and asset disposals
- o inclusion of a statement on the system of internal financial control
- o adherence to Codes of Business Conduct for Directors and Employees
- o compliance with Government guidelines on the payment of Directors' fees and
- o provision of a draft strategic plan to the relevant Minister prior to the plan being finalised and adopted by the Board.

As Accounting Officer, the Chief Executive Officer is also responsible for the signing of the Annual Appropriation Account together with a Statement of Internal Financial Controls providing assurance on the internal financial control environment operating within the Service.

### 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 approved estimates by the Oireachtas and is prepared by the Chief Executive. An extract from the Appropriation Account 2014 submitted to the Comptroller and Auditor General is on page 81.

*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.*

### **Internal financial control**

The Board has overall responsibility for the internal financial control of the Service. It delegates responsibility for monitoring the effectiveness of risk management and the internal control environment to the Audit Committee. The committee receives regular reports from management, the Chief Risk Officer, internal audit, and external auditors. Such arrangements are designed to manage rather than eliminate the risks facing the Service.

The Statement of Internal Financial Control signed by the Chief Executive Officer for the purpose of the Appropriation Account 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. It includes a statement of compliance with procurement guidelines and confirmation that the Service has an audit committee and internal audit function.

In the case of internal controls, systems can provide only reasonable and not absolute assurance against material misstatement or loss. Breaches of controls, in particular instances of fraud or irregularity, must be brought to the attention of the Comptroller and Auditor General in accordance with public financial procedures. The Service made a nil return in respect of such incidences in 2015. The Service has a policy statement on prevention and detection of fraud with all cases irrespective of value being reported to the Resource Management Directorate, the Senior Management Team and the Audit Committee.

### **Budget management**

The Chief Executive Officer and the Senior Management Team prepare an annual budget based on the funding allocation contained in the annual estimates approved by the Oireachtas. The annual budget is recommended for approval by the Finance Committee to the Board. 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 Senior Management Team. Quarterly financial reports are submitted to the Finance Committee and the Board.

### **Performance budgeting**

The Service complies with the performance budgeting format which identifies key outputs, context and impact indicators for the Service. The performance budgeting targets for the Service for 2015 are set out in the Revised Estimates Volume for 2015.

## **AUDIT AND ASSURANCE ARRANGEMENTS**

### **Audit Committee**

The Audit Committee is chaired by a member of the Board and includes a judicial representative from the Court of Appeal, High Court, Circuit Court and District Courts and members with significant business expertise and experience within the public and private sectors. The Committee plays a fundamental role in ensuring that the Service functions according to good governance, accounting and auditing standards and adopts appropriate management and risk arrangements. It does this by overseeing and advising the Board and the Chief Executive Officer as Accounting Officer on matters relating to financial reporting and budgeting process, financial and operational risks, the effectiveness of internal controls and risk management, the effectiveness of internal and external audit functions, the adequacy of governance procedures and value for money issues.

To support the workings of the committee and to ensure that its role and remit continues to comply with best practice and latest guidance, the committee's terms of reference were reviewed during 2015, following which revised terms were approved by the Board in May 2015.

The committee held four meetings in 2015 at which it reviewed and considered a wide range of reports. The Head of Internal Audit and the Director of Finance attend all meetings of the committee. During 2015, the committee met with the Chief Executive Officer, senior management within the Service and representatives from the Comptroller and Auditor General and external auditors who carry out the audit of court funds. In their Annual Report 2015 the committee expressed satisfaction with the general financial control environment operating with the Service.



### Internal audit function

Internal audit is an independent appraisal function whose role is to provide assurance to the Board, Audit Committee, Chief Executive Officer and all levels of management as to the adequacy and effectiveness of the systems on governance, risk and internal controls operating within the Service.

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. In carrying out audits, the unit complies with the Institute of Internal Audit Standards, as adapted by the Department of Public Reform and Expenditure for use in government departments.

All audit reports are submitted directly to the Chief Executive Officer and to the Audit Committee who also receive periodic reports showing progress against the plan. The unit completed 19 audits during the year.

### Risk management

Effective risk management supports good governance. The Service has a pro-active management-led risk management process as part of its governance framework. The Board, supported by the Audit Committee and the Senior Management Team, provides the leadership in promoting risk management.

The risk management framework and policy of the Service is approved by the Board. This provides for a planned and systematic approach to identifying and managing a range of risk categories: financial, service delivery, infrastructure (buildings and ICT), people, compliance and governance, and projects. The Chief Risk Officer is a member of the Senior Management Team and reports directly to the Audit Committee and the Board. Risks are identified at corporate and business unit level and managed accordingly by assigning responsibility to the relevant directorate and office manager.

The Service maintains a Corporate Risk Register which is reviewed regularly by the Chief Executive Officer, Senior Management Team, Audit Committee and the Board. The register is linked to the annual business planning process and is a key document in enabling the Service deal with the challenges it faces. It sets out the major risks facing the Service together with existing controls and actions to mitigate them, and identifies owners and target dates for completion. It also provides the context through which Heads of Directorates prepare risk registers for their respective Directorates. A comprehensive review of existing risks and actions was undertaken during the year by way of refreshing the Corporate Risk Register.

*Risk management continues to be used as a key tool for the management of risks facing the Service at both senior management and office level. The embedding of risk management across the organisation is an ongoing continuous process.*

### Procurement

The Service operates under the Public Procurement Guidelines which provides the direction for all procurement policy activity and ensures that the objectives and key principles of competition, equality of treatment and transparency which underpins national and EU rules are complied with and observed.

The Service avails of centralised managed contracts that have been put in place by the Office of Government Procurement including the provision of stationery and office supplies, photocopying, and foreign travel. The Service continues to engage with the Office of Government Procurement for advice on current and future procurement requirements.

Responsibility for procurement is devolved to each Head of Directorate with the Resource Management Directorate taking a lead co-ordination role in promoting awareness of obligations at both national and EU level. The directorate provides training for staff, maintains a contract register, procurement plan, and monitors the expenditure subject to the procurement process.

Fourteen new contracts were entered into during 2015 including new contracts for Information and Communications Technology (ICT) Managed Services and a new Public Private Partnership contract under the Capital Building Programme of the Service. In addition, procurement training was conducted on two occasions and the Procurement User Guide of the Service was updated.

Non-compliance with procurement regulations is reported to the Comptroller and Auditor General in accordance with Circular 40/02: Public Procurement Guidelines. The matter is also referred to in the Annual Appropriation Account in the Statement of Internal Financial Control. There were four such instances in 2015 compared with seven in 2014 and 10 in 2013.



## CHAPTER 5 – ANNUAL FINANCIAL STATEMENTS

### FINANCIAL HIGHLIGHTS

Voted funds	2015 €'000	2014 €'000
<b>Current expenditure:</b>		
Pay	48,907	47,139
Non-Pay	26,817	25,271
PPP	20,294	22,862
<b>Total current</b>	<b>96,018</b>	<b>95,272</b>
Capital expenditure	11,094	10,127
<b>Total gross expenditure</b>	<b>107,112</b>	<b>105,399</b>
<b>Income</b>	<b>48,097</b>	<b>48,797</b>
<b>Expenditure net of income</b>	<b>59,015</b>	<b>56,602</b>

Court Funds	2015	2014
Funds managed on behalf of court, minors and other beneficiaries at 30th September	<b>€1.534 billion</b>	€1.473 billion

Financial operations	2015 €'000	2014 €'000
Fines Collected	13,383	13,243
Family law receipts	17,925	18,366
Bail received	2,338	2,814
Court fees collected (and retained)*	44,136	44,302
Poor box received	1,498	1,696
Civil court and small claims receipts	460	230
<b>Total</b>	<b>79,740</b>	<b>80,651</b>

\* excludes miscellaneous income and the pension levy

### FINANCIAL OVERVIEW

The Service operates within the funding allocation as contained in the annual estimates as approved by the Oireachtas. For 2015 total funding net of receipts was €60.150m. This reflects a gross allocation of €107.965m combined with total receipts of €47.815m. Operating within the funding parameters and the achievement of balanced budget is a requirement under Government accounting guidelines. The funding for 2015 reflected a small increase on 2014 following six years of budgetary reductions.

The composition of funding reflected that 46% was attributable to pay, with 24% relating to the day-to-day operating costs of the Service, 21% for the Unitary Charge for the Criminal Courts of Justice Complex and the balance of 9% for both ICT and courthouse capital.

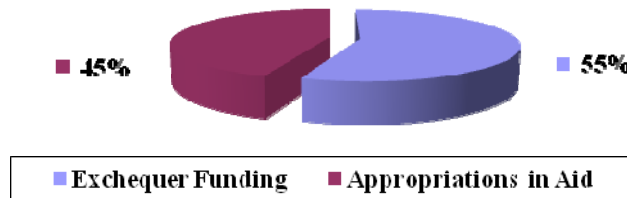
A balanced budget was achieved for 2015. The total gross cost of running the Service was €107.112m. This compares with €105.399m in 2014. Expenditure for 2015 compared with that of 2014 can be broken down between total current expenditure, including payroll, non pay and PPP Unitary Payment totalling €96.0m (€95.3m for 2014), and capital expenditure of €11.1m (€10.1m in 2014).

The funding of the Service is supplemented by courts fee receipts, miscellaneous income and a pension levy. Total income for 2015 was €48.10m (€48.8m in 2014). Court Fee income which is the Service's main source of receipts relates to the lodgement of legal documents. It amounted to €44.1m and represents 41% of the cost of running the Service in 2015..

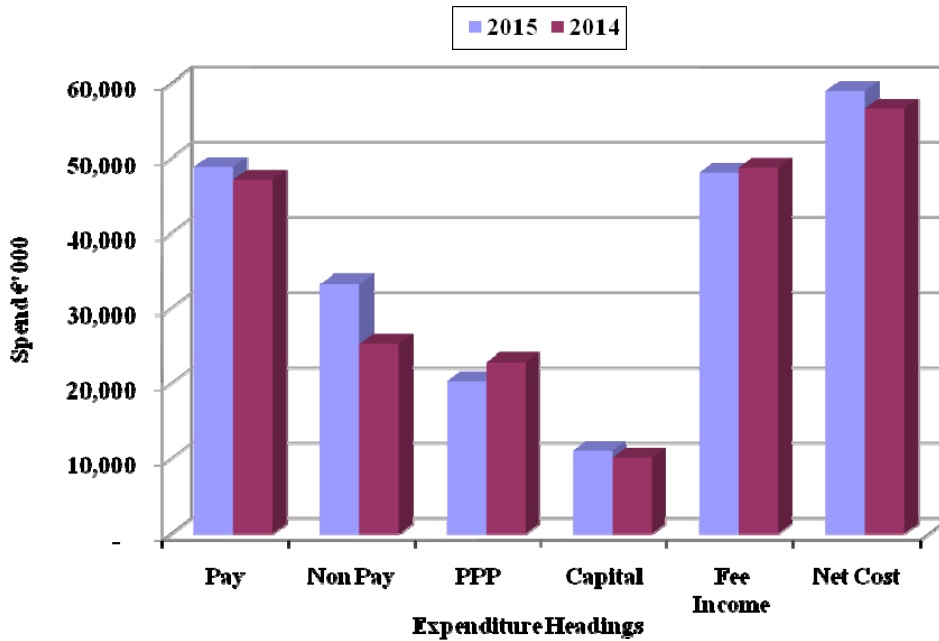
**SOURCES OF FUNDING**

The Service is funded from two primary sources – direct Exchequer funding and *via* Appropriations in Aid (income) generated by the Service, primarily through court fees.

**Diagram 1 : Sources of funding 2015 - total funding €108.0m**



**Diagram 2 : Expenditure/Income analysis: 2015 v 2014**



**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	2015 (000's)	2014 (000's)
Retained by the Courts Service *	44,136	44,302
Revenue Commissioners	5,033	5,150
Property Registration Authority	1	2
<b>Total</b>	<b>49,170</b>	<b>49,454</b>

\* Relates to court fees only.

## EXTRACT FROM APPROPRIATION ACCOUNT 2015

Expenditure and Income	2015 €'000	2014 €'000
<b>Current Expenditure</b>		
Salaries and wages	48,907	47,139
Travel and subsistence	2,893	2,912
Staff and judicial training	403	253
Stenography and other fees	2,725	2,861
Legal services	663	677
Postal services	1,266	1,150
Telecommunications	1,381	1,111
Office equipment and materials	573	579
Courthouse maintenance	7,133	6,288
Heat, light and fuel costs	2,734	2,852
Furniture and fittings	150	105
Leases	4,987	4,437
Consultancy (non I.T. related)	69	76
Incidental/ miscellaneous costs	1,840	1,970
PPP – unitary payment	20,294	22,862
<b>Total Current Expenditure</b>	<b>96,018</b>	<b>95,272</b>
<b>Capital Expenditure</b>		
Computer and telecommunications systems	6,492	5,671
Courthouses and other buildings	4,602	4,456
<b>Total Capital Expenditure</b>	<b>11,094</b>	<b>10,127</b>
<b>Total Gross Expenditure</b>	<b>107,112</b>	<b>105,399</b>
<b>Income (Appropriations-in-Aid)</b>		
Fees	44,136	44,302
Miscellaneous	1,288	1,869
Pension levy	2,673	2,626
<b>Total Income</b>	<b>48,097</b>	<b>48,797</b>
<b>Total Net Expenditure</b>	<b>59,015</b>	<b>56,602</b>

Note: The figures are provisional and subject to audit by the Comptroller and Auditor General.

## PROMPT PAYMENT OF ACCOUNTS ACT 1997

## Payment practices

Prompt payment interest provides for the payment of interest to suppliers for invoices not paid within 30 days. The Service has procedures in place to ensure that all invoices are paid within the time limits identified on the 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.

o *Prompt payment interest*

Prompt payment interest and compensation is paid to suppliers in respect of invoices not paid within 30 days of receipt. In 2015, the total amount paid out in respect of late payments was €3,714.60.

Late payments			
Year	Interest amount	Compensation amount	Total
2015	€84.60	€3,330.00	€3,714.60
2014	€95.98	€9,220.00	€9,315.98

o *15 day payment requirement*

The Service makes every effort, consistent with proper financial procedures, to ensure that all suppliers are paid within 15 days.

Prompt Payment Quarterly Returns by Government Departments 2015 Agency: Courts Service				
Year	% of overall total value paid within 15 days	Value of payments within 15 days	% no. of payments within 15 days	No. of payments within 15 days
2015	89%	€1,840,617	76%	7,180
2014	87%	€1,050,009	79%	7,295

## COURT FUNDS

The Service, in accordance with the Courts Service Act 1998, is responsible for the management and administration of the courts and the provision of support services for judges. It is in this capacity that the Service has a role in the management and investment of court funds, which are held in trust by the courts. These funds are invested in line with the provisions of the Trustee (Authorised Investments) Act 1958 and subsequent orders.

As at the 30th September 2015, the total value of funds managed by the Accountant's Office was €1.534 billion (€1.473 billion, at 30th September 2014). The increase in the total value of funds by €61 million (4.1%) is attributable to a net increase from investment performance of €18.8 million for the year (€63 million in 2014) and a net increase in net capital transactions of €41.9 million (€17 million in 2014) (i.e. net excess receipts over disbursements).

Total net assets under management - by jurisdiction					
	at 30/09/2014	%	at 30/09/2015	%	% increase
High Court	€1,340,569,155	91.02	€1,390,397,552	90.66	3.7
Circuit Court	€27,734,346	8.67	€34,616,440	8.78	5.4
District Court	€1,604,242	0.31	€8,677,356	0.56	88.4
<b>Total</b>	<b>€1,472,907,743</b>	<b>100</b>	<b>€1,533,691,348</b>	<b>100</b>	<b>4.1</b>

The second half of the financial year experienced heightened volatility in equity markets, which resulted in some of the gains achieved in the first half of the year being eroded. This impacted the performance of the Growth Fund and to a lesser extent the Diversified Alternative Fund. Historically low and even negative interest rates has been the norm in recent years as a result of the ECB monetary policy. The latter has impacted the returns generated on Cash and Short-Term funds in general. The Cash Fund and Euribor Plus Fund had marginally negative returns for the year, after management fees were deducted. Despite the challenging year overall the investment performance was satisfactory with an increase in assets of €18.8 million as a result of investment performance for the year ended 30th September 2015, and all investment strategies exceeded their respective benchmarks. Financial markets experienced a heightened level of volatility in the third and fourth quarters of the financial year to 30th September 2015, as equity markets weakened further.

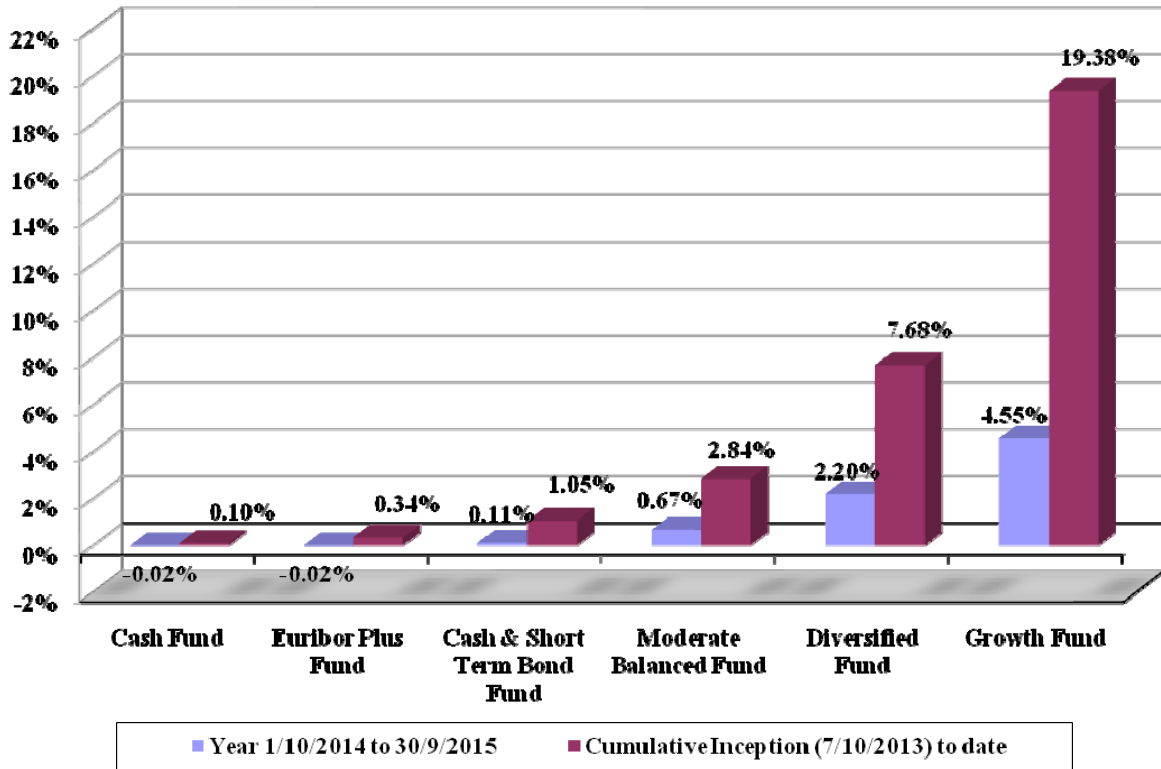
While volatility in financial markets continues to be a risk, the Investment Committee continued its proactive and prudent approach to the investment of court funds. During the year the Committee, on the recommendation of its investment advisors, AonHewitt, approved the introduction of a Target Volatility Trigger (TVT) Strategy on the Diversified Fund and Growth Fund strategies. This came into effect on 28th April 2015. A currency hedge for the Growth Fund was implemented with effect from 4th November 2015.

The aim of the TVT strategy is to adjust the allocation to equities at times of market stress and to provide a degree of protection to the beneficiaries while ensuring that they could still benefit from gains from equities. During the period under review the TVT was triggered on two occasions, in May and August 2015. This resulted in a reduced exposure to equities.

### Investment performance

The table below shows the investment performance, net of fees, for all six strategies for the current financial year covering the period from inception 1st October 2014 to 30th September 2015 and the cumulative performance since inception of the new funds in October 2013.

**Spectrum Funds Annual Investment Performance (Net of Fees) to 30th Sept 2015**



The Cash and Euribor Plus Fund generated marginally negative returns of -0.02%, after management fees for the financial year. When account is taken of the investment objectives for these funds and the unprecedented low ECB interest rates, this return was in line with expectations. One of the objectives when setting up the new strategies in October 2013 was to enhance returns for Minor cases, in particular with medium to long term investment periods. The Cash and Short Term Bond Fund, the Moderate Balanced Fund and the Diversified Fund are investment strategies used to accommodate principally Minor’s funds with investment horizons of greater than three years. These funds also performed in line with expectations. It should also be noted that all funds delivered performance in excess of their respective benchmarks. Returns for the Growth Fund for the year have been satisfactory at 4.55% (net of fees), given the high level of volatility in equity markets in the second half of the year.

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

**EXTRACT FROM THE AUDITED FINANCIAL STATEMENTS AS AT 30TH SEPTEMBER 2015**

**Statement of assets and liabilities at 30 September 2015**

	<b>30/09/2015</b>	<b>30/09/2014</b>
	<b>€</b>	<b>€</b>
<b>INVESTMENT ASSETS</b>	1,500,050,470	1,440,915,855
Investments		
<b>CURRENT ASSETS</b>		
Debtors	19,034,989	20,007,981
Bank	15,504,541	13,153,958
<b>TOTAL CURRENT ASSETS</b>	34,539,530	33,161,939
<b>CURRENT LIABILITIES</b>		
Creditors	(898,652)	(1,170,051)
<b>TOTAL CURRENT LIABILITIES</b>	(898,652)	(1,170,051)
<b>NET CURRENT ASSETS</b>	33,640,878	31,991,888
<b>TOTAL NET ASSETS</b>	1,533,691,348	1,472,907,743
<b>Represented by:</b>		
Funds held for beneficiaries	1,533,691,348	1,472,907,743

The financial statements were approved by the Accountant on 14<sup>th</sup> March 2016.



## THE OFFICE OF THE ACCOUNTANT OF THE COURTS OF JUSTICE

### EXTRACT FROM THE AUDITED FINANCIAL STATEMENTS AS AT 30TH SEPTEMBER 2015

#### Statement of operations for the year ended 30 September 2015

	30/09/2015	30/09/2014
	€	€
<b>NET REALISED AND UNREALISED GAINS</b>		
Net realised gains on investments disposed of during the year	8,784,977	7,091,927
Net change in unrealised gains on investments	11,875,810	58,996,549
Net losses realised on transfers of assets	(6,507)	(1,642,374)
<b>NET REALISED AND CHANGE IN UNREALISED GAINS</b>	<b>20,654,280</b>	<b>64,446,102</b>
Investment income	218,687	364,179
	20,872,967	64,810,281
Expenses	(2,022,561)	(2,093,030)
<b>INCREASE IN NET ASSETS FROM OPERATIONS</b>	<b>18,850,406</b>	<b>62,717,251</b>

The financial statements were approved by the Accountant on 14th March 2016.

The Report and Financial Statements are available on the website of the Service at [www.courts.ie](http://www.courts.ie).

#### COURT FUNDS OFFICE – COURTS ACCOUNTS SECTION

The Court Accounts Section of the Courts Funds Office operates as a shared services centre for the processing of all financial transactions for the offices dealing with the work of the Circuit Court and District Court. The total volume of transactions – both receipts and payments – for 2015 was 560,972 (566,753 in 2014) with a monetary value of €71.8m (€73.4m in 2014).

#### FINES

The Service manages the receipt of fines imposed by the courts. Court fines received are transferred to the Exchequer and a number of other government departments and agencies.

Court fines collected and transferred	2015 (€'000's)	2014 (€'000's)
Exchequer (motor fines)	6,734	6,889
Exchequer (general) *	4,217	4,234
Revenue Commissioners	1,633	1,885
Department of Communications, Energy and Natural Resources	25	19
Department of Agriculture, Fisheries and Food	774	216
<b>Total</b>	<b>13,383</b>	<b>13,243</b>
* Includes monies transferred to the Exchequer in relation to unclaimed bail monies over 3 years old of €0.295k for 2015 and €0.424k for 2014		

#### Fines collection rate

The fines collection rate relates to fines paid for the District Court, Circuit Court and High Court jurisdictions.

The table below provides an analysis of courts imposed fines for the year to 31st December 2015 together with the comparative figures for 2014. Fines imposed relate to the period January to December 2015. Fines received relate to fines paid in 2015 irrespective of when they were imposed.

The table highlights that the collection rate in volume terms has increased from 90% in 2014 to 101% in 2015. Furthermore the collection rate in value terms has increased from 89% in 2014 to 103% in 2015. The current collection rates are slightly distorted due to: (a) higher level of reversals and (b) a reduction in the volume of fines imposed.

Analysis of fines collection	2015		2014	
	€'000	Volume	€'000	Volume
Fines imposed	€1,360	89,182	€0,500	91,640
Less reversals	(€17,079)	(45,487)	(€14,916)	(42,368)
Net fines due	€4,281	43,695	€15,584	49,272
Fines paid *	€4,681	44,181	€13,940	44,520
Collection rate	103%	101%	89%	90%
<b>Average value of fines imposed</b>	<b>€352</b>		<b>€333</b>	
	€'000	Volume	€'000	Volume
Fines paid on-line	€1,222	€16,148	€1,116	15,703
% Fines paid on-line	29%	37%	30%	35%

\* Reversals come about due to fines being appealed, jail mitigation and warrants cancelled.

## FAMILY LAW

The Service processes family law payment for both maintenance debtors and creditors.

Family law: Receipts and Payments				
	2015		2014	
	€'000	Volume	€'000	Volume
Receipts	€17,925	222,227	€18,305	224,088
Payments	€17,943	216,489	€18,359	219,801

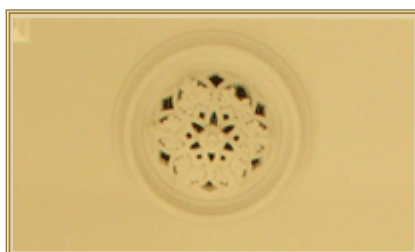
The Service continues to encourage users to avail of electronic funds transfer (EFT) as the preferred method of payment with 93% of family law maintenance creditors paid by EFT in 2015, and 76% of family law maintenance debtors making payment by standing order.

Family Law: Electronic Funds Transfer	2015	2014
% family law paid <i>via</i> electronic funds transfer (% volume)	93%	92%
% family law received <i>via</i> electronic funds transfer	76%	72%

## 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.

	Balance at 01/01 €	Receipts €	Payments €	Balance at 31/12 €
District Court and combined court offices	€95,916.93	€1,498,609.95	€1,295,347.49	€99,179.39



## CHAPTER 6 – 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 2015

The Chief Justice, the Hon. Mrs Justice Susan Denham (Chairperson)  
 The President of the Court of Appeal, the Hon. Mr Justice Sean Ryan (Vice Chairperson)  
 The President of the High Court, the Hon. Mr Justice Peter Kelly (Vice Chairman)  
 The Hon. Mr. Justice William McKechnie, judge of the Supreme Court  
 The Hon. Ms. Justice Mary Laffoy, judge of the Supreme Court  
 The Hon. Mr Justice Michael Peart, judge of the Court of Appeal  
 [Vacancy], judge of the Court of Appeal  
 The Hon. Mr Justice Anthony Barr, judge of the High Court  
 The Hon. Ms Justice Deirdre Murphy, judge of the High Court  
 The Master of the High Court, Mr. Edmund W. Honohan S.C.  
 Mr. Conor Dignam 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. Stuart Gilhooly, solicitor, nominated by the Council of the Law Society of Ireland  
 Mr. Michael Kavanagh, 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  
 Mr. John Mahon, Registrar of the Supreme Court

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

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

The Committee met on 5 occasions during 2015. The following rules of the Superior Courts were signed by the Minister for Justice and Equality between the 1st January 2015 and the 31st December 2015:-

S.I. No.	Title	Signed by Committee	Operative date
255 of 2015	RSC (Companies Act 2014) 2015	21 May 2015	1 July 2015
345 of 2015	RSC (Judicial Review) 2015	18 December 2014	17 August 2015
469 of 2015	RSC (Order 70A) 2015	18 December 2014	23 November 2015
470 of 2015	RSC (Bail Hearings) 2015	18 December 2014	23 November 2015
507 of 2015	RSC (Personal Insolvency) 2015	29 October 2015	20 November 2015
616 of 2015	RSC (Companies) (No. 2) 2015	29 October 2015	30 December 2015

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

Title	Signed by Committee
RSC (Jurisdiction, Recognition and Enforcement of Judgments) 2015	12 February 2015
RSC (Order 122) 2015	12 February 2015
RSC (Order 15) 2015	12 February 2015
RSC (Jurisdiction, Recognition and Enforcement of Judgments)(No. 2) 2015	28 April 2015
RSC (Appeals from the Circuit Court) 2015	28 April 2015
RSC (Chancery and Non-Jury Actions and other designated proceedings: Pre-trial procedures) 2015	29 October 2015
RSC (Children and Family Relationships Act 2015) 2015	29 October 2015
RSC (Service of Documents) 2015	29 October 2015

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

- o Draft Rules of the Superior Courts (Child Care)
- o Draft Rules of the Superior Courts (Recovery of Benefits and Assistance Scheme)
- o Draft Rules of the Superior Courts (Hague Convention on Choice of Court)

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 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 2015

The Hon. Mr. Justice Raymond Groarke President of the Circuit Court (Chairman)  
 Her Honour Judge Alison Lindsay, judge of the Circuit Court  
 Her Honour Judge Sarah Berkeley, judge of the Circuit Court  
 Ms. Dervla Browne S.C., nominated by the Council of the Bar of Ireland  
 Mr. David Dodd B.L., nominated by the Council of the Bar of Ireland  
 Ms. Fiona Duffy Coady, solicitor, nominated by the Law Society of Ireland  
 Mr. Keith Walsh, 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 Rita Considine, County Registrar, Dublin  
 Ms. Mairead Ahern, County Registrar, Louth, 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:* Liz Hughes, Directorate of Reform and Development, Courts Service

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

The Committee met on 3 occasions in 2015. The following rules of the Circuit Court were signed by the Minister for Justice and Equality between the 1st January 2015 and the 31st December 2015:

S.I. No.	Title	Signed by Committee	Operative date
142 of 2015	Circuit Court Rules (Sex Offenders Act 2001) 2015	27 Jan. 2014	11 May 2015
346 of 2015	Circuit Court Rules (Actions for Possession and Well-charging Relief) 2015	14 Jul. 2015	17 Aug. 2015
471 of 2015	Circuit Court Rules (Companies Act 2014) 2015	14 Jul. 2015	9 Nov. 2015
506 of 2015	Circuit Court Rules (Personal Insolvency) 2015	20 Oct. 2015	20 Nov. 2015
618 of 2015	Circuit Court Rules (Jurisdiction and the Recognition and Enforcement of Judgments in Civil or Commercial Matters) 2015	2 Mar. 2015	30 Dec. 2015

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

- o Circuit Court Rules (Criminal Law (Insanity) Act 2006) 2014
- o Circuit Court Rules (Local Elections (Petitions and Disqualifications) Act 1974) 2015
- o Circuit Court Rules (Gender Recognition Act) 2015
- o Circuit Court Rules (Children and Family Relationships Act 2015) 2015

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

- o Circuit Court Rules (Hague Convention on Choice of Court) 2015

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.

### MEMBERSHIP OF THE COMMITTEE AT YEAR ENDING 31ST DECEMBER 2015

The President of the District Court, Her Honour Judge Rosemary Horgan (Chairperson)  
 Judge Mary Devins, judge of the District Court  
 Judge Brian Sheridan, judge of the District Court  
 Judge Conal Gibbons, judge of the District Court  
 Judge Anne Watkin, judge of the District Court  
 Ms. Fiona Twomey, solicitor, nominated by the Law Society of Ireland  
 Mr. Shane McCarthy, solicitor, nominated by the Law Society of Ireland  
 Ms. Gráinne Larkin, 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:* Liz Hughes, Directorate of Reform and Development, Courts Service

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

The Committee met on 5 occasions during 2015. The following rules of the District Court were signed by the Minister for Justice and Equality between the 1st January 2015 and the 31st December 2015:

S.I. No.	Title	Signed by Committee	Operative date
141 of 2015	District Court (Family Law Reporting) Rules 2015	14 Jul. 2014	11 May 2015
143 of 2015	District Court (Child Care) Rules 2015	14 Jul. 2014	11 May 2015
256 of 2015	District Court (Companies Act 2014) Rules 2015	11 May 2015	1 July 2015
617 of 2015	District Court (Jurisdiction and the Recognition and Enforcement of Judgments in civil or commercial matters) Rules 2015	11 May 2015	30 Dec. 2015

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

- o District Court (Children) Rules 2014
- o District Court (Child Care) Rules 2014
- o District Court (Family Law Reporting) Rules 2014

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

- o District Court (Solicitors' Costs) Rules 2015
- o District Court (Form 34.47) Rules 2015
- o District Court (Children and Family Relationships Act 2015) Rules 2015
- o District Court (Criminal Justice Act 2006) Rules 2015
- o District Court (Fines) Rules 2015
- o District Court (Children) Rules 2015

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

- o District Court (Criminal Justice (Forensic Evidence and DNA Database System) Act 2014) Rules 2015
- o District Court (Housing) Rules 2015

Liz Hughes  
 Secretary



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## CHAPTER 7 – LEGISLATIVE PROVISIONS

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The Service operates in an ever changing legislative environment. The implementation of new legislative initiatives impacting on the range and type of criminal proceedings and civil actions which come before the courts can place significant demands on the resources of the Service. Procedural changes, such as alterations in jurisdiction or the manner in which remedies may be sought, must also be considered by the Service in advance of their introduction. Accordingly, the Service must constantly monitor the legislative landscape and plan for the potential impact on its work, particularly the work of court offices.

Legislative provisions with particular significance for the operation of the courts in 2015 included:

### **FINES (PAYMENT AND RECOVERY) ACT 2014**

This Act, signed into law on 16th April 2014, provides for the payment and recovery of fines imposed on persons convicted of offences. The Act allows the payment of a fine by instalment where the fine exceeds €100 and it provides for a range of possible sanctions where a fine is unpaid, including attachment of earnings, the appointment of a receiver where the amount of a fine imposed on an individual exceeds €500, the making of a community service order, or, where none of the other sanctions are considered appropriate, the commitment to prison of the fined person.

The Act had not come into operation as of 31st December 2015.

### **COMPANIES ACT 2014**

This Act, signed into law on 23rd December 2014, consolidates, with amendments, the Companies Acts 1963 to 2013. The Act came into operation on the 1st June 2015 save in respect of certain specified provisions.

### **ASSISTED DECISION-MAKING (CAPACITY) ACT 2015**

This Act, signed into law on 30th December 2015, provides for the reform of the law relating to persons who require or may require assistance in exercising their decision-making capacity. The Act includes provision for

- o presumption of decision making capacity unless the contrary is shown
- o replacement of the existing general test of capacity with a new ‘functional’ approach
- o replacement of the existing wardship jurisdiction with new decision-making support arrangements, including decision-making assistants, co-decision-makers and decision-making representatives, the latter being appointable by the court
- o establishment of a Decision Support Service tasked with regulating the above functionalities, promoting public awareness relating to the exercise of capacity by persons who may require assistance in doing so
- o extension of the scope of Enduring Powers of Attorney to include healthcare matters. provision for legally binding Advance Healthcare Directives
- o application in the State of the Convention on the International Protection of Adults.

The Act had not come into operation as of 31st December 2015.

### **BANKRUPTCY (AMENDMENT) ACT 2015**

This Act, signed into law on 25th December 2015 includes provision for reduction of the duration of bankruptcy ordinarily applicable and for the automatic re-vesting in the bankrupt of his or her family home, shared home or principal private residence in certain circumstances.

The Act had not come into operation as of 31st December 2015.

### **CHILDREN AND FAMILY RELATIONSHIPS ACT 2015**

An Act to:

- o provide for certain matters relating to donor-assisted human reproduction and the parentage of children born as a result of donor-assisted human reproduction procedures

- o provide for the establishment and maintenance of a register to be known as the National Donor-Conceived Person Register
- o amend and extend the law relating to the guardianship and custody of, and access to, children and for those purposes to amend the Guardianship of Infants Act 1964
- o extend the category of persons who may be liable for the maintenance of children and for that purpose to amend the Family Law (Maintenance of Spouses and Children) Act 1976, and for that and other purposes to amend the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010
- o provide for the use in certain circumstances of DNA testing to determine parentage and for that and other purposes to amend the Status of Children Act 1987
- o amend the Family Law Act 1995
- o amend the category of persons who may adopt children and for that and other purposes to amend the Adoption Act 2010
- o make consequential amendments to the Succession Act 1965, the Civil Registration Act 2004 and other enactments; and
- o provide for related matters.

Only part of the Act had come into operation as of 31st December 2015.

#### **CIVIL DEBT (PROCEDURES) ACT 2015**

An Act to provide for the enforcement of court judgments in relation to certain debts; to provide for the making by the District Court of attachment of earnings orders and deduction from payments orders in certain circumstances; to amend the Debtors Act (Ireland), 1872 and section 6 of the Enforcement of Court Orders Act 1940 to remove references to the imprisonment of debtors for non-payment of debt; and to provide for related matters.

This Act had not come into operation as of 31st December 2015.

#### **COURTS ACT 2015**

An Act to increase the number of ordinary judges of the High Court; for that purpose to amend the Courts and Court Officers Act 1995; and to provide for related matters.

#### **PERSONAL INSOLVENCY (AMENDMENT) ACT 2015**

An Act to amend the Personal Insolvency Act 2012 in relation to the procedures for the approval of Debt Settlement Arrangements and Personal Insolvency Arrangements under that Act; to provide for court review of proposed Personal Insolvency Arrangements in certain circumstances; to amend the eligibility criteria for Debt Relief Notices; to further provide for the regulation and supervision of personal insolvency practitioners; and to provide for related matters.





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## ADDITIONAL INFORMATION

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### 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).

### 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

The Legal Diary with details of cases listed in the Supreme Court, the Court of 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 and other publications are on the website.

A Guide to the Courts Service published in compliance with the Freedom of Information Act is on the website. The guide includes a general description of the structures of the Service, its functions, the services it provides to the public and how to access them together with a general description of the classes of records held.

### WEBSITE

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

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### AUDITORS

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Dublin Castle,  
Dublin 2.  
*(Appropriation Accounts)*

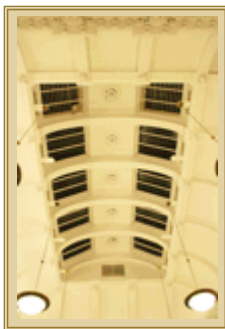
Grant Thornton,  
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*(Financial Statements of the Office of the Accountant of the Courts of Justice).*







An tSeirbhís Chúirteanna  
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