



# Courts Service

## Annual Report 2021



An tSeirbhís Chúirteanna  
Courts Service

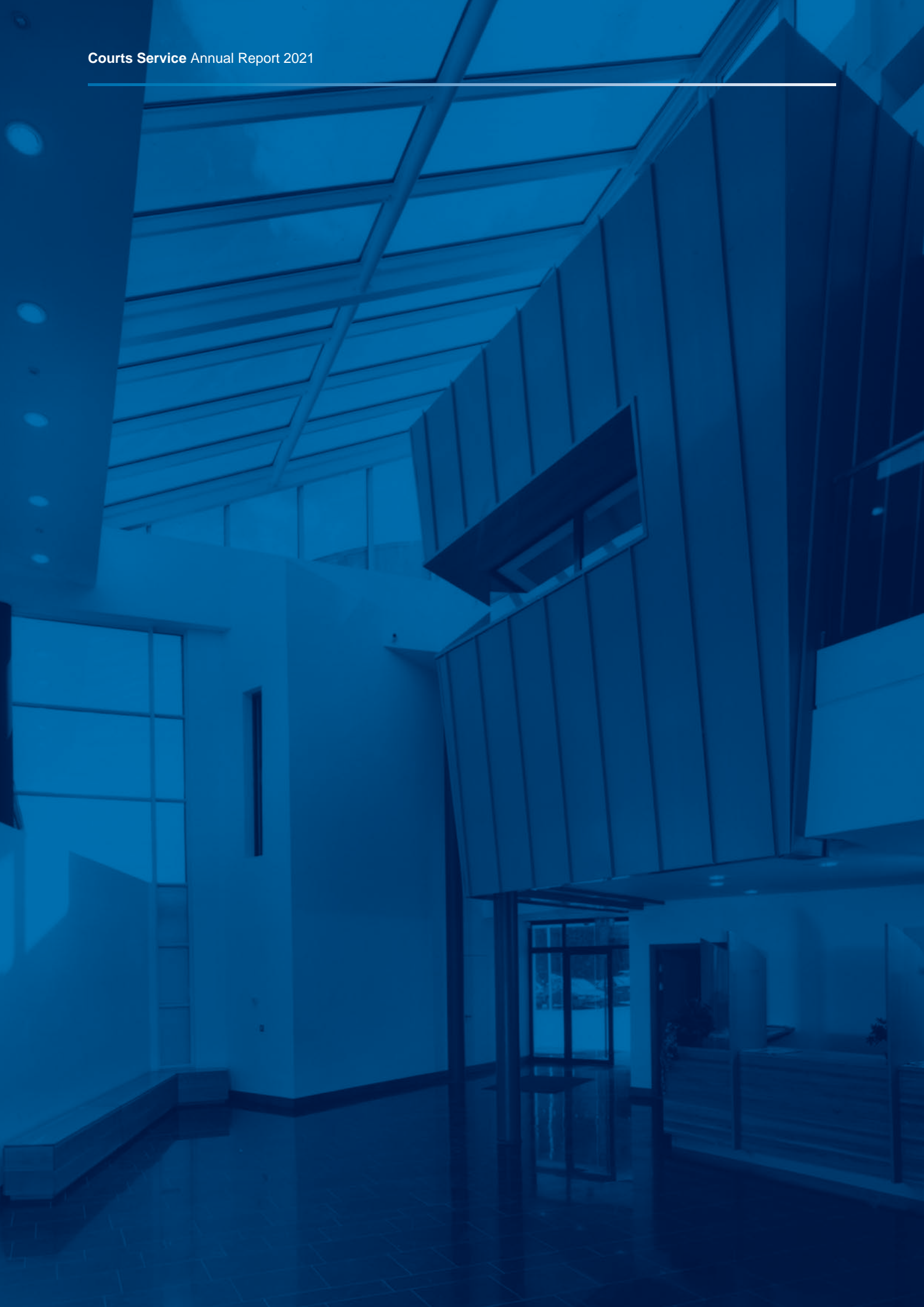
# Mission Statement

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



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## Glossary of Terms

**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.

**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 civil 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 case in the District Court, it gives details of the parties to the case and details of the claim being made.

**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** – 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 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 ('the respondent') 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.

**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.

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

**National Development Finance Agency** – The NDFA is an integrated finance, procurement and project delivery model established within the National Treasury Management Agency to bring a unified commercial approach to the procurement and project management of new public sector projects, including Public Private Partnerships.

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

**Personal insolvency arrangement** – 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 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 ('the respondent') from committing further acts of violence or threatening violence.

**Safety order** – an order prohibiting the person against whom the order is made ('the respondent') from committing further acts of violence or threatening to do so. It does not prevent the respondent from entering the family home.

**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).

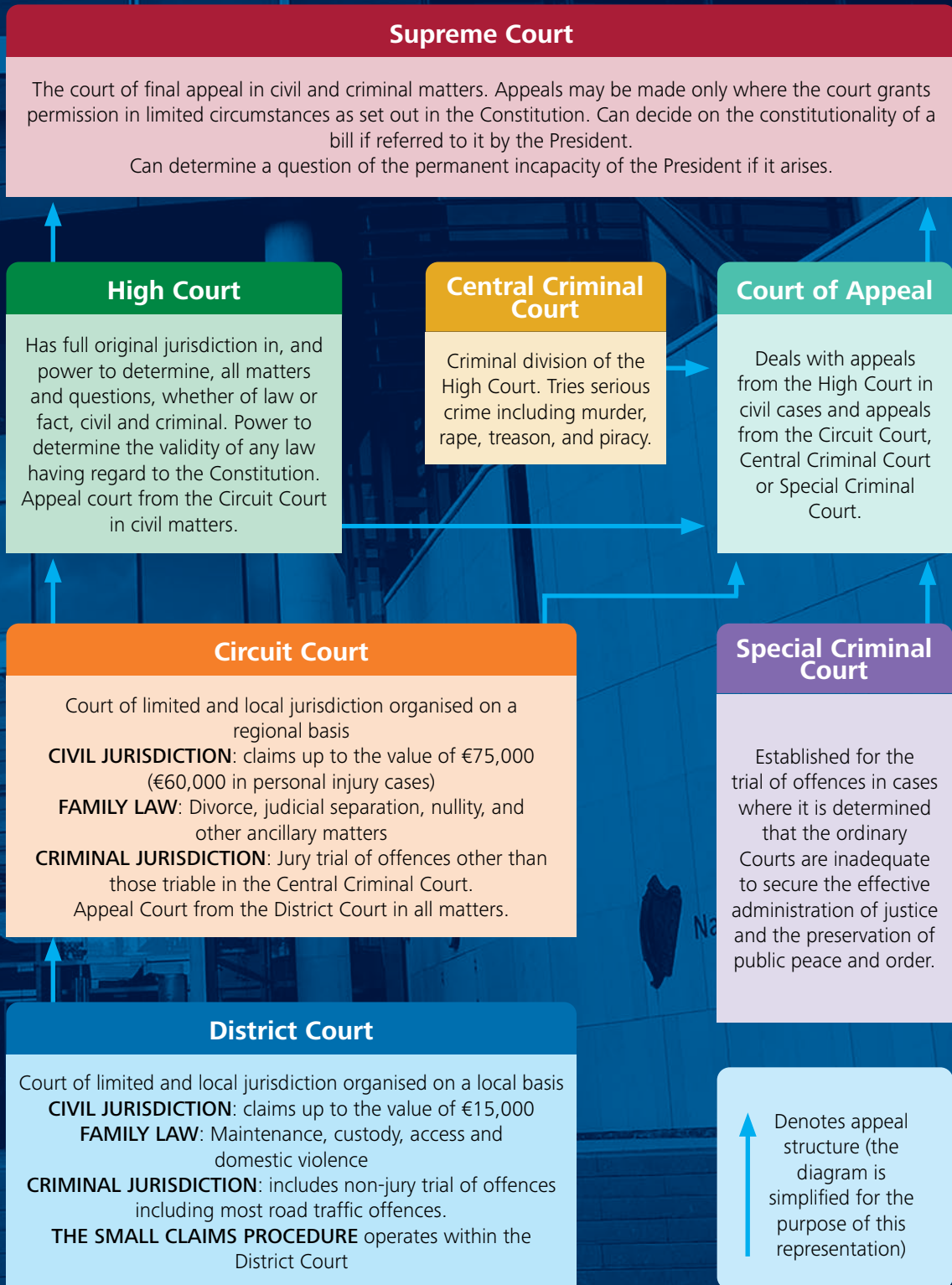
**Specific performance** – an order of a court which requires a party to perform a specific act, usually what is stated in a contract e.g., contracts for the sale, purchase, or lease of land. It is an alternative to awarding damages and is a discretionary equitable remedy.

**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 or her home environment. A supervision order is for a fixed period of time not longer than 12 months initially.

# Structure of the Courts





# Foreword by the Chief Justice and Chairperson of the Board

Adaptation and innovation are two words which might best describe our efforts in 2021, as we dealt with the ongoing effects of a worldwide pandemic, and the impact it had on people's right of access to justice, and on the administration of justice more generally. Those efforts saw many matters dealt with in new and flexible ways including the extension of remote hearings (virtual courts), the use of non-Courts Service venues, such as Croke Park, for trial hearings, and the large-scale take-up and efficient use of appearances by video-link between Courts and prisons. The remote links (for example) improved security, lessened disruption, and reduced the risk of the spread of Covid between prisons and Court, while producing savings to the taxpayer.

I start with these practical examples as a way of illustrating the efforts made by the Courts Service and judiciary which are detailed and recalled throughout this report.



## Decreases and increases in work

Each year brings with it inevitable changes to certain areas and levels of work, and the Courts Service has to be conscious to try to channel resources and court space appropriately. For example:

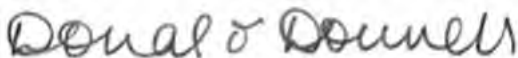
- At Circuit Court levels new Personal Injury actions were down by 12%, whereas property (possession) cases were up 75% from 272 to 477. Likewise, there was a reduction of a quarter in new defamation cases at Circuit level.
- The reduction in high street commerce during the pandemic may be reflected in District Court small claims being down 40%, having already dropped 20% the previous year.
- Increases in the area of family law saw new Circuit Court divorce applications increase by 11%; nevertheless, the Court was able to increase family law progression hearings by almost a quarter, and attain a 35% increase in finalised cases.
- The effect of the economic changes brought about by Covid can be seen in the area of Licensing – where applications were down 18% across the District and Circuit Courts, following a 70% decrease in 2020.
- In the area of less serious criminal offences, although new matters decreased before the District Court by 7.5%, the Court saw a 35% increase in cases resolved, with a 40% increase in orders made in respect of Road Traffic offences and a 37% increase across orders made in summary cases generally.
- The District Court also recorded a 31% increase in indictable offences dealt with summarily.

These are a few examples of case types and applications across the Courts which have changed as the world we operate in changes. It is to the credit of the Judiciary and the staff of the Courts Service that they, every year, show a flexibility and commitment which allows the Courts deal with a changing world.

I would like to express my gratitude and that of the board of the Courts Service, to the judges, and to Courts Service staff for their continued efforts.

We also very much appreciate the co-operation and input of the legal community, from the legal professions to members of An Garda Síochána, the Irish Prison Service, the Probation Service, and the various NGO's and voluntary agencies who support court users and victims of crime. Their input and insight are always valuable and generously given.

I commend this report to you as an insight into an important area of our society where conflict and harm, right and wrong, accusation and defence, power and weakness, can all be encountered daily. The Courts Service will continue to work and adapt to meet the challenges.



**Donal O'Donnell**  
Chief Justice  
Chairperson of the board of the Courts Service



# Chapter 1

## About the Courts Service



# About the Courts Service

The Courts Service is responsible for the administration and management of the Courts in Ireland. Our primary functions are to manage the Courts, provide support services to the Judiciary, provide information on the courts system to the public, and provide court buildings and facilities for court users. Our ancillary powers include acquiring, holding, and disposing of land, entering into contracts, designating court venues, and making proposals to the Minister for Justice regarding, for example, reform and development matters.

We are responsible for the management of all aspects of court activities (with the exception of judicial functions which are a matter exclusively for the Judiciary). In fulfilling our functions our 1,100 people, across a nationwide network of offices and court venues, provide services in Civil, Criminal and Family Law to court users daily. These offices, supported by directorates established as part of our management structure, working with the Judiciary, facilitate the work of the Supreme Court, Court of Appeal, High Court, Circuit Court and District Court.

## The Courts Service Board

The Courts Service is governed by a Board consisting of a chairperson and 17 other members. The Courts Service Act, 1998 provides that the chairperson of the Board should 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 Board considers and determines policy in relation to the Courts Service and oversees the implementation of that policy by the Chief Executive Officer. The Courts Service Act provides that the Board consider the most beneficial, effective, and efficient use of organisation resources and how any policy or objective of the Government or Minister might affect or relate to the functions of the organisation. The Act also 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. Committees and their actions are subject to confirmation by the Board as deemed necessary. The committees of the Board as at 31 December 2021 were:

- Finance Committee
- Audit and Risk Committee
- Family Law Court Development Committee
- Building Committee
- Modernisation Committee

# The Courts Service Board



**Mr. Justice Donal O'Donnell**  
Chief Justice and Chairperson  
of the Board\*



**Mr. Justice George Birmingham**  
President of the Court of Appeal



**Ms. Justice Mary Irvine**  
President of the High Court



**Ms. Justice Elizabeth Dunne**  
Elected by the ordinary judges  
of the Supreme Court



**Mr. Justice Patrick McCarthy**  
Elected by the ordinary judges of  
the Court of Appeal



**Mr. Justice Tony O'Connor**  
Elected by the judges of the  
High Court



**Ms. Justice Patricia Ryan**  
President of the Circuit Court



**Her Honour Judge Alice Doyle**  
Elected by the ordinary judges  
of the Circuit Court



**His Honour Paul Kelly**  
President of the District Court\*\*



**Judge Conal Gibbons**  
Elected by the judges of the District Court



**Ms. Angela Denning**  
Chief Executive Officer, Courts Service



**Ms. Maura McNally SC**  
Chair and Nominee of the Bar Council



**Ms. Michele O'Boyle**  
Nominee of the Law Society



**Ms. Hilary McSweeney**  
Elected by the staff of the Courts Service



**Mr. Doncha O'Sullivan**  
Official of the Department of Justice nominated by the Minister



**Ms. Karen Kiernan**  
Nominated by the Minister to represent consumers of the services provided by the Courts



**Ms. Patricia King**  
General Secretary and nominee of Irish Congress of Trade Unions



**Ms. Deirdre Kiely**  
Nominated by the Minister because of her relevant knowledge and experience in commerce, finance or administration

\*Mr. Justice Donal O'Donnell replaced Mr. Justice Frank Clarke as Chief Justice and Chairperson of the Board in 2021

\*\* His Honour Judge Paul Kelly, replaced His Honour Colin Daly as President of the District Court in 2021

#### **Gender Balance in the Board membership**

As at 31 December, the Board had 10 female and 7 male members, with no positions vacant. The Board therefore meets the Government target of a minimum of 40% representation of each gender in the membership of State Boards.

## Committees of the Board

### Audit and Risk Committee

Ms. Deirdre Kiely - Member of the Courts Service Board (representative of commercial and financial interests) - Chairperson  
The Hon. Mr. Justice Seamus Noonan, Judge of the Court of Appeal  
His Honour Judge Francis Comerford, Judge of the Circuit Court  
Judge John Hughes - Judge of the District Court  
Mr. Doncha O'Sullivan - Board member representing the Department of Justice and Equality  
Ms. Michelle Mc Greal - External Member  
Mr Andrew O'Sullivan - External Member, An Garda Síochána

### Buildings Committee

The Hon. Mr. Justice Patrick Mc Carthy, Judge of the Court of Appeal, Chairperson  
The Hon. Mr. Justice Seamus Noonan, Judge of the Court of Appeal  
The Hon. Mr. Justice John Jordan, Judge of the High Court  
The Hon. Judge Kathryn Hutton, Judge of the Circuit Court  
Judge Paula Murphy, Judge of the District Court  
Ms. Angela Denning, Chief Executive Officer of the Courts Service  
Ms. Patricia King, Member of the Courts Service Board  
Mr. John Cleere, Head of Corporate Services  
Mr. Peter Mullan, Head of Circuit and District Court Operations  
Mr. Jack Nicholas, Nominee of the Bar Council  
Mr. Ciaran O'Connor, Representative of the Office of Public Works

### Family Law Court Development Committee

Karen Kiernan, Member of the Courts Service Board, Chairperson  
Her Honour Judge Alice Doyle, Judge of the Circuit Court, Member of Court Service Board  
Her Honour Judge Petria McDonnell, Judge of the Circuit Court  
Her Honour Judge Sarah Berkeley, Judge of the Circuit Court  
Judge Carol Ann Coolican - Judge of the District Court  
Judge Gerard Furlong - Judge of the District Court  
Mr. John McDaid, Legal Aid Board  
Mr. Seán O'hUallachain, Nominee of the Bar Council  
Ms. Helen Coughlan, Nominee of the Law Society  
Mr. Tom Ward, Head of Superior Courts Directorate  
Ms. Hilary McSweeney, Member Courts Service Board  
Ms. Emer Darcy, Head of Family Law Reform  
Mr. Peter Mullan, Head of Circuit and District Court Operations Directorate  
Mr. Alan A Byrne, Family Law Reform (Secretary)  
Ms. Rita Considine - Dublin County Registrar  
Ms. Sarah Benson - CEO Women's Aid

### Finance Committee

The Hon. Mr. Justice George Birmingham, President of the Court of Appeal - Chairperson  
The Hon. Ms. Justice Mary Irvine, President of the High Court  
The Hon. Ms. Justice Patricia Ryan, President of the Circuit Court  
His Honour Judge Paul Kelly, President of the District Court  
Ms. Angela Denning, Chief Executive of the Courts Service  
Mr. Doncha O'Sullivan - Board member representing the Department of Justice and Equality  
Ms. Deirdre Kiely - Board member representing commercial and financial interests  
Ms. Amelia Casey - External member

### Modernisation Committee

The Hon. Mr. Donal O'Donnell, Chief Justice, Chairperson  
His Honour Judge Colin Daly, President of the District Court  
Mr. Michael Quinlan, nominated by the Law Society  
Ms. Catherine Treacy, External member  
Ms. Angela Denning, Chief Executive Officer of the Courts Service



# Organisation 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 Courts Service and is also the Accounting Officer for the Courts Service. The Chief Executive Officer is supported by the Senior Management Team comprising Assistant Secretaries with responsibility for Superior Courts, Circuit and District Courts, Strategy and Reform, Corporate Services, the Chief Information Officer together with the Head of Strategic Human Resources, a representative of the Principal Officers and the Principal Officer in the Office of the CEO and Communications.

### Organisation structure

The Courts Service is a largely decentralised organisation with administrative responsibility for courthouses and court venues throughout Ireland. In Dublin, court offices support the work of the Supreme Court, Court of Appeal, High Court, Dublin Circuit Court and Dublin Metropolitan District Court in the Four Courts, Criminal Courts of Justice, Dolphin House, Swords, Dun Laoghaire and Cloverhill.

Outside of Dublin, 25 court offices support the work of both the Circuit Court and the District Court, and eight offices support the work of the District Court only.

The Southern Regional Office includes the administrative area of counties: Cork, Limerick, Tipperary, and Kerry.

The Eastern Regional Office includes the administrative area of counties: Kildare, Wicklow, Carlow, Kilkenny, Wexford, Laois, and Waterford.

The Western Regional Office includes the administrative area of counties: Mayo, Galway, Clare, Sligo, Roscommon, Donegal, and Leitrim.

North Midlands Regional Office includes the administrative area of counties: Louth, Meath, Monaghan, Westmeath, Offaly, Longford, and Cavan.

# Virtual Courts Case Study

James Seymour, County Registrar



## Why use virtual courts?

To minimise travel as provided by Covid-19 guidance at the time, I was still able to provide County Registrar service either fully remotely, or by hybrid support.

Virtual courtrooms supported reduced footfall at these locations as well.

Worked very well for:

- Civil and Family Law motions
- Case progression hearings
- Stakeholder meetings and department meetings
- Callovers
- Taxations

## What was involved?

Working with relevant judges to ensure they approved of and were aware of any changes.

Working with local courts staff, management and the local legal practitioners to ensure continuity of service.

Worked best for all parties when able to use video enabled courtroom.

All parties need reliable broadband.

## Benefits using virtual courtrooms?

Provide support to other countries and court offices, even if unable to attend in person.

More time efficient for some matters.

Frees up court time for matters that need to be held in-person.

Supports Courts Service and Ireland's sustainability goals with significantly reduced travel.

“Virtual hearings give me more flexibility to schedule taxation hearings on days which suit parties. As we get more skilled in using these tools we will wonder how we got so much work done without them.”

Find out more at [courts.ie/modernisation](https://courts.ie/modernisation)

### Tipperary

90% of all registrar courts were remote  
99% of all taxation were remote

### Kilkenny & Wexford

95% of all taxations were remote  
90% of all civil and family law motions

### Laois & Offaly

100% of all taxations were remote  
75% of all matters before me





# Chapter 2

## The year in review

## Introduction by Angela Denning, Chief Executive Officer

In 2021 the pandemic continued to pose unprecedented challenges for our people and all of the users of the courts system in Ireland. As restrictions eased and increased in response to public health advice, we continued to focus on keeping Courts and our services open and safe for our users. The pages of this Annual Report provide an insight into how Courts Service colleagues adapted to the new ways of working introduced in the first year of pandemic and tried to embed and strengthen the good practices learnt in 2020. What the report doesn't mention are the colleagues who continued to provide the public with access to justice despite having vulnerable family members at home, or concerns for their own wellbeing during the ongoing global pandemic. For a second year running I would like to open this chapter with a word of thanks to all our colleagues across the organisation who worked hard every day in 2021 to overcome the challenges of the pandemic to continue to provide services to the public. As demonstrated further on in this chapter, the extra weeks of additional sittings which we facilitated in collaboration with the judiciary and partner agencies across the justice

sector show the dedication to alleviating the build-ups from the first year of the pandemic.

We couldn't have continued to keep Courts open and safe without the support and collaboration of the Chief Justice, the Presidents of the jurisdictions and members of the judiciary, as well as our partners right across the justice sector. We are grateful and appreciative to work within a community strongly dedicated to the provision of access to justice. As we start to move beyond the pandemic, I am confident that the joint efforts of the past two years will serve us well, as we make the most of the newly established ways of collaborative working to continue to reform the court system for the benefit of modern users.

The Chief Justice and Chairperson of the Courts Service Board Mr. Justice Frank Clarke left an impressive legacy when he retired in October. His contribution to the work of the organisation will be long remembered. We welcomed his successor, Chief Justice Mr. Justice Donal O'Donnell and are working with him, to continue to modernise the Courts. We are grateful for the support we receive from the other members of the Board and also acknowledge the continued assistance we receive from the Minister for Justice and the staff of her Department.

Our second priority in 2021 was to make progress with the initial stages of our Modernisation Programme which aims to achieve our Strategic Vision 2030 of a modern, digital first, user focused courts system. Our Corporate Strategic Plan 2021 - 2023 sets out, through six strategic goals, how we plan to implement the second phase of the Modernisation programme 'the transition phase 2021 - 2023'. This phase aims to build the capacity and capability for change across the organisation, to establish and define our technology platforms and long-term ICT approach as well as maturing



our user-centric design thinking and commencing pilot projects. At the end of this chapter, we report under each of the six corporate strategic goals and the actions we succeeded in taking in 2021 towards meeting those goals by 2023.

An important part of laying the foundations for modernisation in 2021 was the development of a number of key strategies to support the large-scale transformational change we envisage. The Learning and Development Strategy 2021 - 2023 launched at the start of the year sets out how training can help build the required capabilities. We also published the Communications and Stakeholder Engagement Strategy 2021 - 2025 in the first half of 2021 which demonstrates how we plan to better engage and collaborate with our internal and external users as we modernise the courts system. In the second half of 2021 we released both the ICT and Data Strategies setting out our IT approach to modernisation whilst aligning with wider Government strategies such as the Public Service ICT Strategy (2015) and Public Service Data Strategy (2019 - 2023). All four strategies align with the Civil Service Renewal 2030 Strategy.

At the end of the year, we launched the first Courts Service Environmental Sustainability Strategy, 2021-2024, which seeks to achieve a balance in reflecting our modernisation agenda, Ireland's climate action goals and the challenges of our historic estate. The strategy is our first step to start the transition to improved sustainability and laying the groundwork to realise our ambition of meeting our 2030 public sector targets.

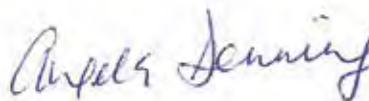
In 2021 we also started consultations on our People and Organisation strategy and our Estates strategy which aim to set up our people, our organisation and our estate for success in meeting our modernisation goals and wider Government objectives. Both strategies will be finalised in 2022.

As the Chief Justice notes in the Foreword, the data in Chapter Three gives a detailed account in numbers of the work carried out across the Courts

in 2021 which is synthesised in this chapter. Every year we remark how the work of the Courts reflect societal trends, and 2021 was no different. The impact that Covid had on families in 2021 is seen in the ongoing high volumes of domestic violence and divorce related applications, which we prioritised throughout the pandemic. The sheer volume of matters through the courts system demonstrates how we kept Courts open and safe. Our ability to convene juries, as restrictions eased periodically during 2021, demonstrates the appreciation citizens have for the importance of jury duty and their own resilience.

I believe that colleagues across the Courts Service and the justice sector have experienced a renewed sense of purpose during the pandemic and have deepened their understanding of the importance of access to justice particularly for the more vulnerable in society. Coming out of this pandemic is reason for hope however there are testing times ahead. We are no different to the rest of the employers in the country experiencing difficulties accessing a skilled workforce to fill vacancies. Coping with strong staff turnover is a real challenge for all organisations in particular for frontline services operating in complex and challenging environments such as ours.

I hope that our renewed sense of purpose and the collaboration demonstrated over the last two years will help us to work together to find the solutions needed for these complex times. I look forward in 2022 to moving forward with the reform and modernisation of the courts system for the benefit of all users.



**Angela Denning**  
Chief Executive

## About this Chapter

We are a goal orientated organisation and since the start of the pandemic our main goal has been to keep Courts open and safe. Following an incredibly challenging 2020 providing frontline services, our people drawing from depleted reserves found the resilience to continue to go above and beyond for a second year in 2021. Changing the way we worked, to surmount the challenges presented by the various twists and turns of the pandemic, continued to be our response, so that we could provide access to justice, prioritising the most vulnerable users.

At the same time the organisation kept a focus on the ambitious goals set out in our Corporate Strategic Plan 2021 – 2023. In this chapter, through a series of tables, we detail the key activities for 2021 mapped against our Corporate Strategic Goals 2021 -2023, to track our annual performance.

To provide context to the information contained in the tables, the chapter opens with an overview of our work to keep Courts open and safe, the type of business which came through the Courts, the challenges we faced, our ongoing health and safety management, the progress of the Modernisation Programme and the impact of new guidelines, legislation and sustainability progress in 2021.

### 2.1 How we kept Courts open and safe in 2021

2021 was characterised by periods of reduced service during heightened restrictions, requiring us to work with the Court Presidents to prioritise essential and urgent cases especially urgent family law (including domestic violence) and criminal matters. The pandemic continued to seriously challenge the work of the Courts in 2021. We responded quickly by strengthening best practices introduced in 2020, such as remote courts, staggered court lists, the people management of our buildings and the modification of courthouses and courtrooms to maximise the amount of case proceedings that could be dealt with safely for our people, the judiciary and all court users. Remote courts, first introduced in 2020, enabled

many of the Courts to stay on top of their workloads as well as providing enhanced access to justice. The Supreme Court and the Court of Appeal, in particular, were able to benefit from remote courts. The nature of the work of these appellate Courts is predominantly taken up with the written submissions of the parties. As a result, hearings in those jurisdictions are very focused, with little oral evidence. Both Courts sat throughout the pandemic using the Pexip remote hearing facility.

Video technology has also been used extensively in the High Court. Motion lists on Mondays in the High Court continue to be heard remotely. These have been of benefit to legal representatives who no longer have to spend time in Court waiting for relatively short matters to be dealt with. Other significant areas that have embraced the use of this technology include the Wards of Court list where hearings of applications for people to be made Wards of Court continued to be held remotely, or on a hybrid basis (remote and in-person), allowing members of families observe the proceedings and as appropriate, participate in them, who previously may not have attended. The Examiners Office was also able to continue to conduct its business using the remote court technology, allowing more people take part in the proceedings, who previously would not have attended because of the time and expense involved.

The Courts also continued to embrace the use of technology to allow medical and other experts attend Court remotely in hybrid hearings. This allowed more experts take part and minimized the loss of time from their busy schedules.

The use of the technology for positive call overs of cases also allowed the Courts clarify exactly how many cases remained in their lists and the progress of cases that were due to be heard.

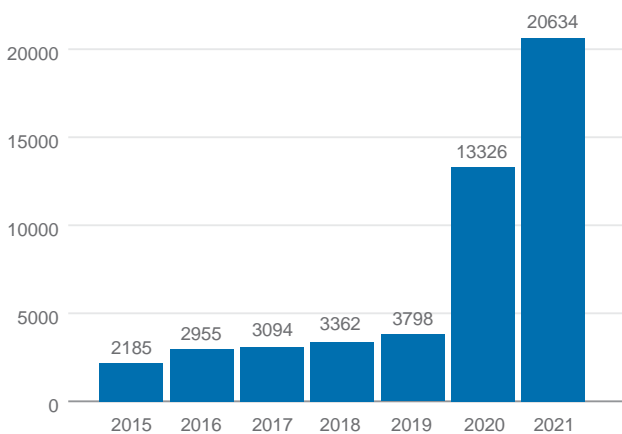
During the most severe periods of restrictions some court sittings had to be cancelled. All Courts responded quickly to easing of restrictions and returned to near normal levels of operation once public health guidelines were eased. Courts sat



during vacation to try to make-up for lost sitting times. The Central Criminal Court ran six separate Courts during the long vacation in September 2021. This added a total of 18 weeks of additional sittings. The Circuit Court also sat for an additional 12 weeks during the same period.

The use of video-links enabled an increase in the levels of remand hearings to be dealt with from prisons without the need to bring prisoners to courtrooms across the various jurisdictions. The High Court bail list continued with those in custody participating over video-link, thereby supporting the efforts of the Irish Prison Service to keep the prisons largely Covid-19 free.

**Figure 1. Irish Prison Courtroom video appearances 2015 - 2021**



In addition to reducing Covid cases in prisons increased Courtroom video appearances in this case type have resulted in savings to the Irish State. €7,127,400 is calculated in savings as a result of these appearances in 2021.

At the start of the pandemic, many courthouses had not been able to accommodate criminal trials because of social distancing requirements and initially there were only eight courthouses outside of Dublin able to accommodate jury trials. By the end of 2021, we managed to double this to 16 by modifying courtrooms, installing video-link equipment to link multiple courtrooms and, when required, hiring additional outside venues for standalone facilities or to facilitate the overflow of attendees. We progressed from only being

able to deal with single defendant trials to being able to accommodate multi defendant hearings, safely accommodating all the increased number of attendees required. Throughout the pandemic, our more modern facilities across the country, which operate under two public private partnerships, remained operational and facilitated court business with services provided to a high standard even during times of heightened Covid-19 restrictions.

We have also seen the continuation of the practice of the Central Criminal Court sitting outside of Dublin. In 2021 hearings were held in Cork, Castlebar, Kilkenny, Sligo, Tullamore and Waterford. Five new judges were appointed to the High Court in September, and this allowed the President of the High Court assign two additional judges to the Central Criminal Court. Up to 10 Central Criminal Courts may now be sitting at any one time.

**The Courts during the pandemic 2021**

We provide a more detailed breakdown of the figures from all Courts in Chapter 3 – The Year in Numbers, here we provide highlights of the business on and business off situation as restrictions fluctuated in year two of the pandemic. Overall, waiting times in the Supreme Court and Court of Appeal are at historic lows due to the work carried out by the Courts, combined with a reduction in the numbers of cases coming to both Courts from the other jurisdictions. Appeals on hand in the Supreme Court at end December 2021 were 43 compared with 57 at 2020 year end. In the Court of Appeal, there were 420 pending civil appeals and 388 criminal appeals at year end compared with 534 and 398 at year end 2020.

Notwithstanding the interventions we put in place to manage the pandemic restrictions, some court sittings were reduced across the Circuit and District Courts which led to increased waiting times in some business areas. Waiting times started to stabilise during 2021 in line with the gradual reopening of the country and easing of restrictions. Activity in both Circuit and District Courts also rebounded to near pre-pandemic levels. Indeed, criminal and family law business were near to or exceeded 2019 levels of activity.

District Court: Domestic violence				
	2021	2020	2019	2018
Barring order applications	2987	3,577	3,323	3,343
Barring orders granted	810	1,159	1,137	946
Protection order applications	8269	7,649	7,049	6,390
Protection orders granted*	6917	6,592	5,864	5,515
Safety order applications	8918	8,887	8,061	7,280
Safety orders granted	2461	2,467	2,688	2,327
Interim barring order applications	1917	1,918	1643	1270
Interim barring orders granted	1141	1,251	1209	982
Other applications	505	915	418	289
Orders granted	291	376	184	147

However, this was not uniform across all areas of business as new civil law applications remained suppressed. In the Circuit Court for example incoming civil applications were 67% of 2019 volumes. The same is true of the District Court where incoming civil applications were even lower at 52% of 2019 volume. Notably, by year end levels of civil cases being heard had begun to rebound with 'disposed of applications' in the Circuit Court at 73% of 2019 volumes and in the District Court at 69% of 2019 volumes.

Divorce cases saw an increase in 2021 as compared to 2020 by 11% incoming and an impressive 35% resolved. Since 2018 there has been a year-on-year increase in protection order applications.

### Our Covid 19 health and safety management response

Our Covid-19 Safety Management approach kept Courts open and safe in 2020. We successfully continued this approach in 2021, key elements of that included our Covid-19 Safety Management programme, our collaborative work with the judiciary and our innovative approach to managing the pandemic. After each amendment to protocols and/or government health decisions related to safe ways of working, we reviewed the measures and our Covid-19 Safety Management programme.

Operational decisions were discussed and agreed with the Chief Justice and Presidents of all jurisdictions and communicated to our people and court users through courts.ie, our social media channels and through our justice sector partner communication channels.

We continued to hold regular meetings between the Courts Service Covid-19 Response Management Team and the Judicial Liaison Group to ensure ongoing communication and resolution of issues as part of our Covid-19 response.

Our Covid-19 worker representatives continued to submit real time compliance reports on our Covid-19 health and safety processes. These reports were submitted using iAuditor, a digital tool to enable quicker reporting and responses to issues arising. Our innovative approach to implementing iAuditor as a support tool to enable Courts to stay open and safe was shortlisted for the Civil Service Excellence and Innovation Awards for 2021.

As the year progressed, we started reviewing how to broaden the role of the current Covid-19 worker representatives to support the Occupational Health and Safety Management System of the Courts Service. This work continues into 2022.

## 2.2 Modernising benefits brought about by the pandemic

### Video technology enabled Courts providing improved options

The introduction of remote courts during the pandemic has provided greater options for hearing certain case types and has allowed participants to attend who otherwise might not have been able. We increased the number of video technology enabled courtrooms by 48 in 2021 bringing the number of courtrooms across the country that can support remote courts and video-link appearances to 106. With a further 17 courtrooms planned for 2022 this technology is an important part of the Courts Service’s efforts to provide access to justice in a modern digital Ireland.

In 2020 and 2021 the Courts Service facilitated almost 34,000 video-links to prisons, in addition to video link appearances by vulnerable witnesses and specialist witnesses from other jurisdictions. The feedback from court users, the judiciary, Courts Service colleagues, victim groups, and our justice sector partners has been very positive in relation to the options video-links and remote courts can offer the respective parties, where appropriate.

At a meeting of the Joint Oireachtas Committee on Justice in on 28 September 2021, VSAC (Victim Support at Court) confirmed that measures taken in Courts during the pandemic such as the staggering of lists, meant less time waiting around to give evidence and less crowded court spaces, plus the option to provide evidence remotely had positively impacted on the experience of their clients. They

particularly noted how these measures had reduced the anxiety of their clients.

Figure 2. The number of new video technology enabled Courtrooms from 2019 - 2021

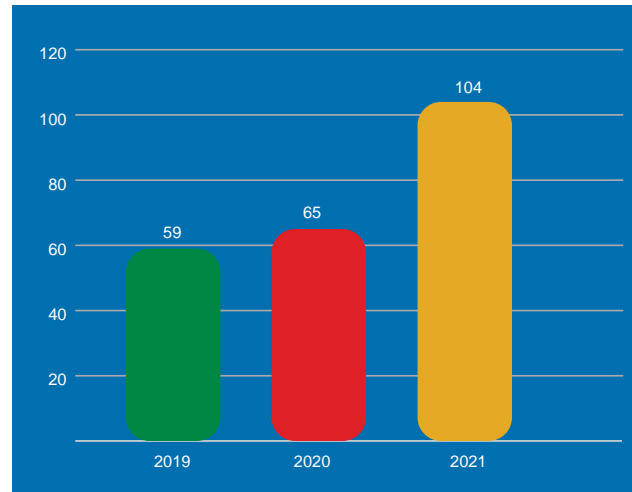
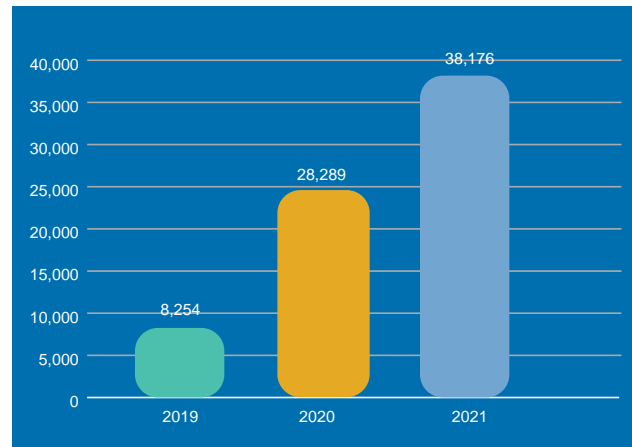


Figure 3. Increase in total remote calls year on year 2019 - 2021



### Video technology enabled courts: everyday benefits

“An application to adjourn a case, due to an increase in the number of witnesses and interested parties wishing to attend to hear evidence, was overcome by the ability to offer a blended hearing using video technology in the Courts which ensured that the case proceeded as scheduled...It has made the proceedings so much easier to access”

His Honour Colin Daly, Circuit Court judge commenting on a planning dispute case that he had presided over in January 2022 which concluded two days ahead of schedule.

### Appointment systems in court offices

The pandemic necessitated the introduction of restrictions on travel by people, including our customers attending court offices. This was a particular problem for offices with high numbers of people attending every day, especially for those attending the Central Office of the High Court as well as Dolphin House, where the Dublin District Family Court sits. To manage the numbers of attendees and applying our digital first modernisation approach, we introduced an online system for booking appointments in both offices. This new approach provided certainty to customers as to when they would receive the service and facilitated social distancing arrangements.

Customers who attended these offices pre-pandemic would have endured long waiting times for service and as the restrictions were lifted, we decided to keep the appointments systems in place. As a result, customers can continue to pick the times that suit them for their appointments, and they can now conduct their business with the minimum of delay. This move has been broadly welcomed by legal practitioners and the online system will be rolled out across other offices in 2022.



### 2.3 Modernisation Programme continued at pace in 2021

The Courts Service Strategic Vision 2030 sets out how we plan to modernise the organisation and the services we provide over the coming decade. Through our Courts Service Modernisation Programme, we aim to deliver on this vision and our implementation plan is stepped out over three phases. The second phase, the 'Transition' stage, is detailed in our Corporate Strategic Plan 2021 – 2023. To realise our Strategic Vision 2030, we aim to bring new digital technology and modern ways of working to the administration of justice, making access to justice easier and quicker to navigate, better responding to the needs of court users.

The delivery commitments for 2021 under the Modernisation Programme were wide ranging and ambitious, particularly with the additional challenges of maintaining operations during the pandemic. Despite the challenges, in 2021 we persevered with our plans to put in place the foundations for change, required for the large-scale modernisation we're proposing. Key to this approach are the strategies we developed in 2021 namely the Learning and Development, Innovation, Communications and Stakeholder Engagement, ICT, Data, Environmental Sustainability, and People and Organisation strategies. We agreed on a foundation IT platform for development of a single unified case management system, (one consistent case management system across the organisation). We also committed dedicated resources to our Civil and Family Law reform programmes, and our ICT and change functions. In 2021, as mentioned above, we also moved quickly to strengthen some of the innovations put in place in response to the pandemic such as video-links to prisons and remote courts as well as initiating new change projects.

#### Enabling our digital journey

- We adopted the Microsoft Power Platform as the technology to underpin all future digital services, which will include our unified case management systems.
- Providing our people with access to service

design specialists, new and more efficient project and change management skills and training as well as modern and easy to use technology has greatly increased our digital capabilities. We also commenced the development of easy to access digital information prototypes which are aimed at giving users different information options depending on their needs.

- We've started to deliver new ways of working for example, we commenced the rollout of our digital desktop project, which will give everyone in the organisation the same modern Microsoft products and tools to increase collaboration, acting as a key enabler for a digital organisation.
- We are working with the Department of Justice and our other justice community partners (i.e. An Garda Síochána, the Irish Prison Service, the Probation Service etc) on a programme of work to electronically share data which currently happens in paper form. It is a multi-year programme made up of many sub-projects all aimed at eliminating duplication of data entries, improving data quality, and increasing efficiencies in the Criminal Justice system. The first results of this work went live in 2021, involving the electronic transfer of Court lists with the Prison Service. This will allow them to improve the logistics of managing prisoner appearances before Court.
- A second project to electronically transfer charge sheet offences from An Garda Síochána commenced its pilot phase in the last quarter of 2021. Every year, the Courts Service receives over a hundred thousand charge sheet offences from An Garda Síochána. Each of these is currently received in paper format and the data must be re-typed onto our computer systems even though it is already on the Garda system. This data entry duplication will be eliminated with the full rollout of the charge sheet project across all criminal court offices. The initial results of the pilot are promising, and it is expected the roll out of the project will be completed in mid-2022. This will allow vital resources in court offices to be redirected to value adding work.

### Collaborating and communicating for change

- One of our biggest challenges is transforming the way we communicate and engage – across a range of channels we are now regularly sharing and capturing feedback and insight from our people, users, justice sector partners and the judiciary.
- The establishment of new committees with the judiciary and legal practitioners enable us to improve collaboration and build engagement for system wide changes - the Judicial Engagement Working Group, and Legal Practitioner Engagement Working Group provide a structure for discussing potential system changes, innovative approaches, and better ways of working. The Modernisation Programme Advisory Group, also established in 2021, provides expert input from respected leaders in modernisation and transformation from across the world.
- The adoption of a user-centric approach to our Civil and Family Law Reform programmes, incorporating user testing and stakeholder engagement at all stages in the design of new services, has transformed the way we design and interact with users and their representatives, NGOs, legal practitioners, and the judiciary. The Family Law Buildings – Future State Design document is a good example of our user centric approach – it addresses the pain points felt by users and presents a shared vision of the future.

### Building effective governance and decision making

- The evolution of our Governance Model in 2021 has greatly enhanced our ability to make decisions and share information through bi-monthly Modernisation Programme Board meetings including the senior management team. We also established an Enterprise Change Board which, for the first time, enables us to see all change activities across the organisation and sequence projects in accordance with organisational priorities.
- Maturing the organisation's approach to data governance including data retention approach,

business continuity, and benefits management significantly progressed in 2021. These new capabilities (and supporting structures) are informing key decision makers and have increased the demand for better data and data retention approach – a priority for 2022 - 2023.

The goals and actions tables below set-out the specific activities achieved in 2021, to ensure we meet our strategic goals as mapped out in our Corporate Strategic Plan 2021 – 2023.

**Innovation and customer service**

Putting in place the key elements needed to support a culture innovation in the organisation included developing and implementing our Innovation Strategy and mobilising our innovation networkers. One such idea was the JAM Card initiative. As part of a collaborative project with our justice sector colleagues, the Coroner’s Court, the Irish Prison Services, and the Courts Service secured funding from the Public Service Innovation Fund 2021 to support our organisation becoming JAM Card friendly.

A JAM Card allows people with a learning difficulty, autism, or a communication barrier to tell others

that they need ‘Just A Minute’ discreetly and easily. Those with a communication barrier are often reluctant or unable to tell others about their condition. JAM Card allows this to happen in a simple, effective non-verbal manner. This initiative was launched in September 2021 across the three agencies and anyone with a communication barrier can now present a physical JAM Card or electronic JAM Card via an app in any of our public service offices to request an additional amount of time to deal with their query.

Our commitment to become a JAM Card friendly organisation sends out a clear message of inclusion, access, and quality customer service to all our users. This initiative is another example of how the Courts Service continues to develop a human centered approach, putting users at the center of our innovation efforts.

Another small but practical initiative was the introduction of a central service to solicitors who wish to be included on the Free Legal Aid Scheme. Previously, a solicitor had to make an application to each County Registrar to be included on the panel. Now only one request, indicating which panels the Solicitor wishes to be included on, is required.



## 2.4 New Guidelines and legislation

### Personal Injuries cases in the High Court

One of the most significant developments in 2021 was around personal injuries. The announcement on 13 April 2021 by the Minister for Justice, Helen McEntee TD, that the Personal Injuries Guidelines prepared by the Judicial Council would come into effect on Saturday 24 April, set out the level of damages that may be awarded or assessed in respect of personal injuries. The Guidelines apply to applications already made to the Personal Injuries Assessment Board (PIAB), except where an assessment had been made.

The announcement had an immediate impact on the numbers of new personal injuries cases which commenced in the High Court during 2021 (see graphic below)

As can be seen, there was a spike in new applications in April and especially in the two weeks after the Minister’s announcement with numbers of applications averaging just under 280 per month for the rest of the year.

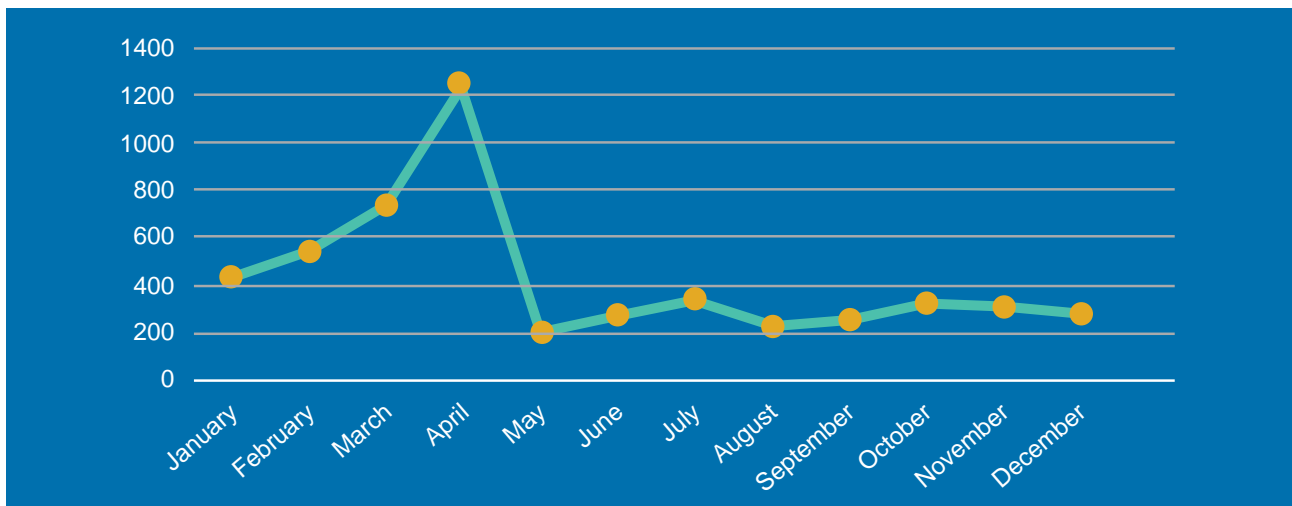
On the issue of the impact of the new guidelines on the awards from the Courts, it is too early to determine at this stage as the numbers of cases that have progressed to final order is relatively low. Of the 27 cases commenced after 24 April 2021 that proceeded to final order, 16 were settled with the

terms not revealed to the Court. The average award for the remaining 11 came in at just under €136,000, with awards ranging from over €450,000 to €30,000. The Courts Service will continue to report on the impact of the new Guidelines over the years ahead. The Guidelines are required, under the terms of the Judicial Council Act 2019, to be reviewed within three years of being adopted and every three years thereafter.

### Assisted Decision Making Capacity Act 2015

The Ward of Court system will be replaced by a new Assisted Decision Making (ADM) system in 2022. The Assisted Decision Making (Capacity) Act, 2015 is anticipated to commence now in July 2022. This Act sets out a new way to promote and protect the rights and interests of people who may need support with decision making. In some circumstances, applications will need to be made to the Circuit Court and over a period of time this new area of work will bring a significant volume of new cases before the Circuit Court. Planning for this started in 2021 when a multi-disciplinary team was set up by the Courts Service to prepare court offices for ADM. New practices and procedures, a new ICT system and Court Rules all need to be in place, we also need to train our people to support ADM cases from the start date (middle of 2022). The team is working closely with Judicial support staff to ensure that the Judiciary are kept informed of all steps being taken.

Figure 4. Personal Injury cases commenced in the Central Office of the High Court - Months 2021



## 2.5 Environmental Sustainability in 2021

In 2021 we launched our first Courts Service Environmental Sustainability Strategy 2021-2024, which provides a link between the modernisation agenda of the Courts Service, Ireland's climate action goals and our historic estate. In addition to this we invested €1.5m in sustainability initiatives throughout the country and achieved the following:

- Replacement of large, inefficient plant (boilers and chillers) with high efficiency alternatives.
- Upgrade to intelligent electric heating systems.
- Modernisation and standardisation of our building control systems.
- Upgrades to lighting and lighting controls.
- Installation of and upgrades to systems insulation.
- Biodiversity initiatives including rewilding and insect hotels as public sector partners in the All-Ireland Pollinator plan.

### Energy Data

In 2021 the Courts Service reported the following:

- Total energy expenditure €2,641,853.
- Total energy consumption of 33,508,956 kWh.
- Carbon emissions of 6,259,637 kgCO<sub>2</sub>.
- Contribution from renewables 0.2% (biomass boilers).
- The Sustainable Energy Authority of Ireland public sector annual report indicated the Courts Service was 25.7% more energy efficient in 2021 than in 2009.
- Covid-19 had a significant impact on our energy utilisation in 2021 due to system operation to support increased ventilation in line with Health and Safety guideline.

## 2.6 Strategic Goals 1 - 6: Actions and Deliverables 2021

In this section we map our strategic goals and priority actions detailed in our Corporate Strategic Plan 2021 -2023 to the activities delivered in 2021, demonstrating how annually we are working to reach our medium-term goals to 2023. Our Corporate Strategic Plan 2021 -2023 covers the 'transition' phase of our 10-year Modernisation Programme to reach our Strategic Vision 2030. Our 2021 deliverables are aimed at embedding the work achieved during our mobilise stage which was the initial set-up stage and transitioning to new ways of working.

Across the following six tables we provide a snapshot of the activities delivered in 2021 to keep us on track for reaching our 2023 goals.







## Goal 1: Take a user-centric approach

### Strategic Goal

We will adopt new collaborative ways of working, taking a user-centric approach, to provide improved and enhanced service delivery.

### Key Outcomes 2021 - 2023:

- A Service Delivery Model in place that supports a user-centric, evidence-based approach to provide equal service to all sectors of society.
- Better understanding of the needs of all service users.
- Culture of collaborative working.
- User-friendly and efficient experience for those who engage with the Courts System

Priority Actions 2021 - 2023	2021 Deliverables	
	Activity	Status/ Update/ Comment
Establish User Research and Service Design function to partner with the Judiciary and stakeholders to ensure best outcomes for all court users, with a specific focus on vulnerable users.	We developed a services catalogue and service design priorities were agreed, we also initiated our user research.	Goal was amended in 2021, the Modernisation programme workstreams identified service catalogue, user research, and service design methodology as an integral part of the approach being taken to inform development of modernised services.
Develop and implement a Communication and Stakeholder Engagement Strategy and plan to effectively engage stakeholders.	We developed and started to implement the Communication and stakeholder engagement strategy 2021-2025.	The strategy was published in Q2 2021.
	We produced a specific communications plan for the Modernisation Programme.	The plan was agreed with the Modernisation Programme Board in early 2021 and progress reports were delivered monthly as part of the updates of the Partner Coalition and Communications work stream of the Modernisation Programme.
Standardise and simplify appropriate court procedures.	We developed Civil and Family law reform programmes to initiate projects to meet this objective. Projects were prioritised and commenced.	<p>Family Law Reform programme: We engaged extensively through different user groups and workshops and completed the Family Law Buildings, Future State Design document which addresses the pain points felt by users and presents a shared vision of the future.</p> <p>We initiated an ICT 'Proof of Concept' for a fully Integrated Family Law system starting with Maintenance Applications. The application will be more fully developed with users in 2022.</p>



## Goal 1: Take a user-centric approach cont'd

Priority Actions 2021 - 2023	2021 Deliverables	
	Activity	Status/ Update/ Comment
Standardise and simplify appropriate court procedures.	We developed Civil and Family law reform programmes to initiate projects to meet this objective. Projects were prioritised and commenced.	<p>We also initiated a Proof of Concept for the provision of information on Maintenance Applications to provide information to user through various options. We also started working on improving “Pre-Court” information for Family Law Users.</p> <p>Civil Reform programme: As per the Civil Justice Review recommendations, we focussed on understanding the information needs and journey of unrepresented litigants. As a result, we developed a 360° visualisation tour of Aras Ui Dhalaigh with audio-visual information of what to expect when visiting the Civil Courts in the Four Courts complex.</p> <p>We engaged extensively with legal practitioners, financial institutions, support/ advocacy groups, Judiciary, regarding the Debt Recovery process. Based on the feedback received we initiated an ICT Proof of Concept to develop a civil case management system to be rolled out to users in 2022.</p>
Support legislative initiatives as prioritised in the Programme for Government such as the Family Courts Bill.	<p>We assisted with the enactment and preparation of legislation including the Courts Bill and the Family Courts Bill.</p> <p>We developed arrangements for the commencement of the Assisted Decision Making (Capacity) Act 2015 which is expected in June 2022.</p>	<p>Family Law Reform: We provided a submission on Family Courts Bill to the Oireachtas Committee.</p> <p>The Courts Service provided observations on the Courts and Civil Law (Miscellaneous Provisions) Bill, 2021.</p> <p>The Courts Service is represented on an Inter-Departmental Steering Group to support the commencement of the Act. An Interagency working group with the Decision Support Services (DSS) and an internal working group were established with the aims of overseeing the implementation of the Assisted Decision Making (Capacity) Act in court offices and enhancing the collaboration between the Courts Service and the DSS.</p>



## Goal 2: Provide support services to the judiciary

### Strategic Goal

We will work collaboratively with the Judiciary to define and provide the resources needed to effectively carry out their judicial functions.

### Key Outcomes 2021 - 2023:

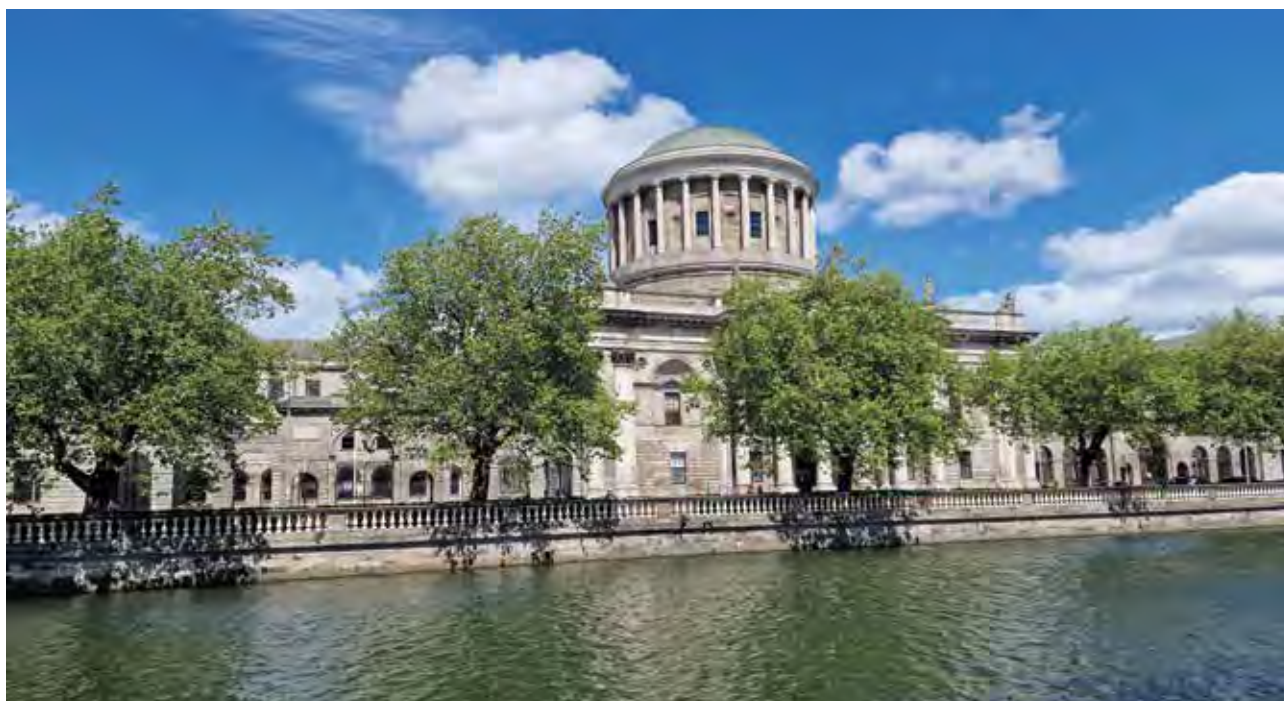
- A Service Delivery Model in place that supports a user-centric, evidence-based approach to provide equal service to all sectors of society.
- Better understanding of the needs of all service users.
- Culture of collaborative working.
- User-friendly and efficient experience for those who engage with the Courts System

Priority Actions 2021 - 2023	2021 Deliverables	
	Activity	Status/ Update/ Comment
Engage with the Judiciary to define requirements, to improve efficiencies, and share information and best practice.	We established a joint working group to develop and implement a communications framework for the sharing information between the Courts Service and the Judiciary.	Nominations for a Judicial Engagement Committee on Modernisation were received, the group was established, and work commenced in 2021.
	We upgraded the Judges Portal including an integrated search functionality.	We launched the 'Knowledge Hub' portal with integrated search tool and other built-in improvements.
	The Courts Service agreed recommendations of Civil Justice Review Report.	The Civil reform programme team under the Courts Service Modernisation Programme continued to work with the Department of Justice to prioritise the recommendations of the Civil Justice Review and align with the modernisation programme throughout 2021. The Review's implementation plan is due to be published by the Department in 2022.
Review and restructure Judicial and Library Research Services, with a focus on improved Judicial research functionality.	We established the Research Support Office.	The Office was established in early 2021.
	We reviewed the Library resources and the review was integrated with Legal Search Connect project.	All online books, journals and materials have been made available and are searchable through the 'Knowledge Hub' search as well as browsable pages for access to material created.



## Goal 2: Provide support services to the judiciary cont'd

Priority Actions 2021 - 2023	2021 Deliverables	
	Activity	Status/ Update/ Comment
Develop and implement a framework for collaborative working with Judges, the Judicial Council, and the Courts Service.	We finalised arrangements on the support services for Judicial Studies between the Courts Service and the Judicial Council. We also developed a Memorandum of Understanding with Judicial Council.	The Memorandum of Understanding was agreed and signed between both organisations.
Support strategy to promote Ireland as the leading venue for dispute resolution in the EU.	We worked with members of the judiciary and stakeholders to develop materials for the promotion of Ireland post Brexit.	<p>Throughout 2021, we supported the strategy to promote Ireland as the leading venue for dispute resolution in the EU by supporting the Chief Justice and members of the Judiciary with their involvement in the Ireland for Law initiative in addition to other international engagements. We also used our involvement in international networks and organisations to disseminate information on the Irish legal system.</p> <p>Our Legal research and library service worked with the judiciary to develop various policies, protocols, and information throughout 2021.</p>





## Goal 3: Digital First

### Strategic Goal

We will adopt a digital first approach.

### Key Outcomes 2021 - 2023:

- Digital channels in place reflecting user-centric approach and best practice in online service design.
- Reduced reliance on paper-based processes and outdated technology.
- Improved customer service that is inclusive and provides for digital first solutions, taking account of human and equality rights of all users and ensures that no user is disadvantaged when interacting with the Courts.
- A robust, secure, and transparent data ecosystem supporting the functioning of the Courts, effective decision making, and collaboration with justice agencies and government in line with GDPR

Priority Actions 2021 - 2023	2021 Deliverables	
	Activity	Status/ Update/ Comment
Develop an ICT and data strategy to define the application, infrastructure, and data architecture to support a modern and digitally enabled Courts Service.	We developed the three-year ICT strategy, 2021 - 2024.	The ICT strategy was published in Q3 of 2021.
	We developed a three-year Data strategy, 2021 - 2024.	The Data strategy was published in Q4 of 2021.
	We established a modern ICT application architecture to support the secure and efficient provisioning of services online.	Complete.
	We introduced a pilot online appointment booking system.	Pilot completed across three offices in 2021.
	Expanded Video Courtroom technology estate by over 50%	By the end of 2021 over 100 courtrooms were technology enabled.
	We identified and implemented digital first projects through the Modernisation Programme.	Ongoing.
	We introduced first phase of cashless payments (in-office chip and pin).	Five test sites were live as at end 2021.



### Goal 3: Digital First cont'd

Priority Actions 2021 - 2023	2021 Deliverables	
	Activity	Status/ Update/ Comment
Develop an ICT and data strategy to define the application, infrastructure, and data architecture to support a modern and digitally enabled Courts Service.	We carried out broad-based consultation to define the medium-long term courtroom video conferencing platform requirements.	Complete.
Engage in collaborative digital initiatives with other agencies to drive efficiencies.	We implemented a digital Court Lists project as part of Criminal Justice Operational Hub (CJOH) programme	Complete.
	We implemented digital Charge Sheets project as part of CJOH programme.	This project was initiated in 2021. Three sites were initiated in Cork, Ennis, and Limerick, and the rest of deployment is scheduled and due for completion before end of Q3 2022.
	We supported the Department of Justice (DOJ) in defining and implementing the of sharing of anonymous data for statistical purposes.	We engaged in a number of DOJ initiatives in 2021 including Data as Driver, and the Crime and Migration Statistics User, and Information group.





## Goal 4: Better ways of working

### Strategic Goal

We will continue to invest in and support our people to create a high- performing organisation, delivering on the modernisation agenda and broader government priorities.

### Key Outcomes 2021 - 2023:

- Learning and development supporting delivery of user centric services to court users and staff learning for the new skills required to deliver the Modernisation Programme.
- A culture of continuous improvement with flexible working arrangements in place which maximise staff members' contribution to a high-performing organisation.
- Skilled staff with the capability to deliver on the Modernisation Programme, public service, and court reform.
- Innovation culture embedded where staff are inspired, empowered, and equipped to innovate.

Priority Actions 2021 - 2023	2021 Deliverables	
	Activity	Status/ Update/ Comment
Develop a people and organisation strategy to create a diverse organisation that supports digitally enabled operations and new ways of working.	People and organisation strategy developed.	Complete to be implemented in 2022.
	Workforce Plan developed and delivery requirements defined.	Implementation in progress.
	Defined the competence, behaviours, management, and leadership required to deliver the Modernisation Programme.	Complete.
	Location Independent Working Protocol and supporting arrangement finalised.	Delayed awaiting.
	Established an ICT Desktop programme of work in line with the Modernisation Programme.	Business case approved and programme commenced.
Build on existing Health and Safety Authority 'Work Positive' programmes.	Designed and agreed Health & Wellbeing Plan for 2021 to 2023.	Complete.
	Rolled out Health and Wellbeing awareness for managers and key personnel.	Ongoing awareness building.
	Undertook baseline survey on well-being and positive working environment.	Complete.



## Goal 4: Better ways of working cont'd

Priority Actions 2021 - 2023	2021 Deliverables	
	Activity	Status/ Update/ Comment
Implement our three-year Learning and Development strategy, 2020-2023 including training to develop awareness of human rights, equality and supporting those who are vulnerable.	Under Diversity & Equality in the Workplace, we introduced a HR Module as part of the Induction process with a link to the IHREC eLearning module.	119 staff members completed our Induction in 2021.
	We made the 'Equality and Diversity in the Workplace' e-learning module available to all users.	62 staff completed the module which is ongoing.
	We introduced Trauma Informed Practice (TIP) training.	TIP training introduced and 45 staff completed it, this training is ongoing.
	We continued Video Link Assistance training for working with Vulnerable Witnesses.	14 staff completed this training (on request).
	We continued online Domestic Violence Training.	Training introduced and 211 staff completed, the training is ongoing.
Implement our Innovation Strategy and initiatives	In implementing the strategy we introduced a structure/ pipeline for ideas to be considered and developed.	We developed a "Pathway for Ideas" to follow a process to collate and review ideas through to the ideation stage and onto the implementation stage. We also developed an Innovation Team, Innovation Advocates, and Innovation Networkers to support this process at a local and central level.
	As part of a collaborative project with our Justice Sector colleagues, the Coroner's Court, the Irish Prison Services. We secured funding from the Public Service Innovation Fund 2021 to support our organisation becoming Just A Minute (JAM) Card friendly.	A JAM Card allows people with a learning difficulty, autism, or a communication barrier to tell others that they need 'Just A Minute' discreetly and easily.  This initiative was launched in September 2021 across the 3 agencies and is another example of how the Courts Service continues to develop a human centred approach, putting users at the centre of our innovation efforts. JAM Card initiative was implemented October 2021.
Prevent discrimination, promote equality of opportunity, and protect the human rights of staff and of those to whom we provide services and meet our obligations under the Irish Human Rights and Equality Act 2014.	Our plan for delivering on our Public Sector Duty was agreed by a newly set up Human Rights and Equality Group.	Human Rights & Equality Group together with a Leadership Group on Diversity & Inclusion are implementing our Public Sector Duty commitments and People & Organisation actions.





## Goal 5: Provide a modern and improved estate and facilities

### Strategic Goal

Provide buildings that are modern, fit-for-purpose, safe and accessible and support the new ways in which we will conduct business.

### Key Outcomes 2021 - 2023:

- Enhanced facilities in our buildings for court users.
- Advanced progress on the development of user informed Family Law Court, supporting objectives of the Programme for Government.
- Biodiversity programme
- Implementing and meeting our public service energy usage targets.
- An emphasis on sustainability is included in our fiscal, enterprise, innovation, and environmental approach and policies.

Priority Actions 2021 - 2023	2021 Deliverables	
	Activity	Status/ Update/ Comment
Conduct a National Review of venues and develop an Estates Strategy to align with the future operating model.	Initiated the development of the Estate Management Strategy incorporating the output from venue review.	Work on the development of an Estates Strategy 2022 - 2025, was well advanced in 2021 and completed in 2022. The process included extensive consultation across both internal and external stakeholders.  The venue review is identified as a key action to be progressed under the Estate Strategy and work is planned to begin in 2022.
Review condition assessment surveys and develop a strategy to move towards a Planned Preventative Maintenance (PPM) regime.	Completed condition assessment surveys.	The four remaining courthouses were completed during 2021. All 60 condition surveys are now completed.
	Reviewed output from surveys, venue review and strategy to determine optimal long term maintenance arrangements.	The transition to an enhanced maintenance regime is identified as a key action in our Estate Strategy 2022 - 2025. The process of moving towards a PPM will commence and be progressed in 2022 and over the lifetime of the strategy.
Develop a user-centric approach to the development of new specialist Family Law Courts at Hammond Lane in Dublin.	As part of the Modernisation Programme consulted with stakeholders to ensure the building is developed around needs of court users and supports proposed reforms in the area of family law.	The Family Court complex at Hammond Lane will be developed with the specific needs of family law court users. Consultations were undertaken with external stakeholders operating in area of family law during 2021.



## Goal 5: Provide a modern and improved estate and facilities cont'd

Priority Actions 2021 - 2023	2021 Deliverables	
	Activity	Status/ Update/ Comment
Develop a user-centric approach to the development of new specialist Family Law Courts at Hammond Lane in Dublin.	As part of the Modernisation Programme consulted with stakeholders to ensure the building is developed around needs of court users and supports proposed reforms in the area of family law.	<p>During 2021 and following extensive consultation with users our Family Law Reform Team development a future state document on Family Law courts, which sets out an ideal future state from the user perspective, it also informs the design of the building.</p> <p>The outcome of all consultation will be used to inform and contributed towards the schedule of accommodation and the design of the complex.</p> <p>Further consultations will be undertaken with key stakeholders once designs and layouts for the new building have been developed to an advanced stage.</p>
	Hammond Lane Business Case and governance arrangements completed and approved.	<p>Completed - The Preliminary Business Case (PBC) was approved by the Courts Service Board during 2021. As required under the Public Spending Code, the PBC successfully underwent a technical review by Department of Public Expenditure and Reform.</p> <p>The Family Law Complex at Hammond Lane will be procured as part of a Justice Sector PPP initiative which will also see the development of 2 new Garda stations.</p> <p>Governance arrangements for the joint Hammond Lane/Garda project were at an advanced stage of development at year end and will be finalised in early 2022.</p>
	Sanction to proceed obtained in accordance with Public Spending Code.	The Hammond Lane PBC was successfully completed in 2021 and submitted to the Department of Justice (the sanctioning authority) in early 2022 for approval.



## Goal 5: Provide a modern and improved estate and facilities cont'd

Priority Actions 2021 - 2023	2021 Deliverables	
	Activity	Status/ Update/ Comment
Progress preparatory work on the priority capital projects in the National Development Plan 2018 - 2027	Submission made to new National Development Plan to 2030.	Completed, the National Development Plan 2021 - 2030 was published in October 2021. Included in and over the lifetime of the Plan it provides for: <ul style="list-style-type: none"> <li>further new or refurbished courthouses in cities and county towns where facilities remain substandard. Locations where investment is needed include Galway City, Wicklow Town, Portlaoise, Tralee, Roscommon, Naas, Bray, Navan, Swords, Tallaght &amp; Dun Laoghaire. In some of these locations, the proposed projects will include the provision of facilities for Regional Family Law Centres.</li> <li>Family Law Complex on Hammond Lane to be developed by PPP.</li> <li>A new Children's Court in Dublin and modernisation of the Four Courts complex.</li> </ul>
	Completed acquisition of sites at Galway, Tralee, Naas, and Navan.	We continue to progress the identification of suitable sites across the estate.
Develop an Environmental Sustainability vision for the Courts Service, including a strategy to achieve 2030 public sector energy and carbon targets.	We developed the first Courts Service Environmental Sustainability Strategy 2021-2024.	The strategy was published in November 2021. It incorporates the public sector body requirements as set out in the Climate Action Plan published the same month.
	We developed initial pilot biodiversity projects for more widescale roll out at multiple venues as partner organisation in All-Ireland pollinator plan.	The Courts Service are members of the public sector All Ireland Pollinator plan since 2021. Pilot rewilding and biodiversity projects are currently under way and a perception survey is planned for 2022.



## Goal 5: Provide a modern and improved estate and facilities cont'd

Priority Actions 2021 - 2023	2021 Deliverables	
	Activity	Status/ Update/ Comment
Develop an Environmental Sustainability vision for the Courts Service, including a strategy to achieve 2030 public sector energy and carbon targets.	We will complete a gap analysis following government finalisation of 2030 targets and updated reporting tool.	The Sustainable Energy Authority of Ireland (SEAI) is currently managing the development of new software and procedures to reflect public sector body energy efficiency and decarbonisation targets for 2030, as set out in the Climate Action Plan 2021. The Courts Service gap-to-target analysis will be completed within 3 months of SEAI software completion.
	Initiated a staff engagement program to increase awareness of support for and inclusion of sustainability objectives in all areas of business.	A large-scale staff engagement campaign was carried for one month in autumn 2021, with the launch coinciding with the OPW Energy Efficiency week. Titled 'One Small Change', the campaign set out simple but effective actions which Courts Service colleagues could take to make our organisation more energy efficient.





## Goal 6: Accountability and Leadership

### Strategic Goal

We will put in place robust governance structures to ensure effective accountability and leadership for our modernisation and reform agenda.

### Key Outcomes 2021 - 2023:

- A single organisational approach to managing change is embedded.
- Robust business continuity, analysis, and risk structures in place.
- Benefits of Modernisation Programme and reform agenda are realised.

Priority Actions 2021 - 2023	2021 Deliverables	
	Activity	Status/ Update/ Comment
Develop and implement a Single Change Governance Framework.	Developed Single Change Governance Framework for the Courts Service.	<p>Cross-functional / multidisciplinary teams established to drive iterative project delivery.</p> <p>We've adopted modern and efficient approaches to project and change management. We are embedding these approaches into project governance and delivery.</p> <p>We established an Enterprise Change Board which sequences projects based on the strategic objectives and priorities of the Courts Service.</p>
Ensure the governance framework for the Modernisation Programme is reviewed and monitored regularly.	Regular review meetings held to monitor and update framework as necessary, necessary reporting protocols in place.	<p>The Modernisation Programme Board sits twice a month to provide sufficient time to monitor the programmes of work and for approvals to ensure effective and speedy decision making.</p> <p>The Modernisation Committee of the Courts Service Board sits quarterly and has oversight of the modernisation programme.</p>
Ensure a process to review, adapt, evaluate, and test Business Continuity Plans (BCP) for all offices, including a supporting ICT Disaster Recovery (DR) Plan.	As part of the modernisation programme, to develop robust BCP and DR plans to act as a baseline for future projects.	A full assessment of our disaster recovery capability was completed. Many offices have developed BCPs with some left to be complete. A Central Business Continuity Coordinator was appointed in March 2022 who will lead on transitioning work into business as usual over the coming months and years.



## Goal 6: Accountability and Leadership cont'd

Priority Actions 2021 - 2023	2021 Deliverables	
	Activity	Status/ Update/ Comment
Ensure a process to review, adapt, evaluate, and test Business Continuity Plans (BCP) for all offices, including a supporting ICT Disaster Recovery (DR) Plan.	As part of the modernisation programme, to develop robust BCP and DR plans to act as a baseline for future projects.	A set of priority initiatives have been identified for implementation in 2022, the first of which is the implementation of a robust enterprise class backup service for courts data.
Monitor progress and performance of the actions set out in this strategic plan.	Quarterly review of progress against strategic plan and CEO report to CS Board.	Ongoing quarterly.
Monitor and report on the benefits accruing from the Modernisation Programme and reform agenda.	The Change Programme Office (CPO) to report monthly to Modernisation Programme Board, quarterly to Modernisation Committee and at minimum on four occasions to the Courts Service Board.	Work commenced on drafting the benefits framework to be completed in 2022.  Regular reporting arrangements to the Modernisation Programme Board, the Courts Service Board, and the Modernisation Programme Committee have been established.
Establish an Advisory Group to support our Modernisation Programme.	External Advisory Group to the Modernisation Programme established.	The Advisory Group has been established with experts leading change including representation from other Government agencies, a behavioural economist, and a member of the Supreme Court judiciary from Australia.





# Chapter 3

## The year in numbers

## Overview

Civil Business By Jurisdiction	Incoming		Resolved	
	2021	2020	2021	2020
District Court	91,577	93,719	69,193	67,784
Circuit Court	30,938	38,535	24,125	17,121
High Court	17,121	29,811	12,401	12,784
Court of Appeal	534	733	431	476
Supreme Court	195	182	222	223
<b>Total</b>	<b>140,365</b>	<b>162,980</b>	<b>106,372</b>	<b>98,388</b>

Civil Business By Type	Incoming		Resolved	
	2021	2020	2021	2020
Civil and commercial litigious cases	107,330	132,705	76,841	68,301
Civil and commercial non-litigious cases	27,921	43,055	24,905	28,198
Non-litigious enforcement cases	3,200	3,459	3,190	3,503
Appeals	1,872	1,403	1,410	1,468
Cases Stated	42	60	26	15
<b>Total</b>	<b>140,365</b>	<b>180,682</b>	<b>106,372</b>	<b>101,485</b>

Criminal Offences and Appeals By Jurisdiction	Incoming		Resolved	
	2021	2020	2021	2020
District Court	353,495	382,455	264,481	194,796
Circuit Court	32,565	29,074	31,674	27,788
Special Criminal Court	145	136	177	31
Central Criminal Court	3,602	2,911	1,317	1,433
Court of Appeal	1,391	1,405	1,222	1,719
Supreme Court	35	11	46	9
<b>Total</b>	<b>391,233</b>	<b>415,992</b>	<b>298,917</b>	<b>225,776</b>

\*by offence

Criminal Offences and Appeals Total	Incoming		Resolved	
	2021	2020	2021	2020
Offences	375,517	403,777	283,766	211,612
Appeals	14,607	12,248	14,314	13,327
<b>Total</b>	<b>390,124</b>	<b>416,025</b>	<b>298,080</b>	<b>227,939</b>

\*orders made in respect of offences



## Civil Business

Civil Business Is Categorised By Case Type:

### 1. Civil And Commercial Litigious Cases

Comprise Cases Where One Party Is Suing Another; European Payment Order 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 statistics are presented by reference to cases/matters received and cases/matters resolved during the year. The majority of civil cases initiated in Ireland do not proceed to trial. Typically, they are either settled between the parties (with or without a court approving a settlement), are formally discontinued (involving notification to the defendant and the court), or are not pursued further by the plaintiff (without the plaintiff notifying the court). It is therefore not possible to provide figures for pending caseloads in most Courts. Cases referred to as 'resolved' may include cases commenced in years other than 2020 or 2021.

## 1. Civil And Commercial Litigious Cases

### A. Cases where one party is suing another: General

#### 1. Personal injury (including medical negligence)

A person may pursue a claim for damages for personal injuries through the Courts upon receipt of an authorisation from the Personal Injuries Assessment Board (PIAB). 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 PIAB or the rejection by either party of a PIAB assessment. PIAB does not deal with medical negligence claims.

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

In the High Court, 2021 saw the introduction of new Judicial Council Guidelines on the personal injury awards. In the months before the commencement at the end of April 2021, there was a spike in new proceedings issued and it was only towards the end of 2021 that numbers of proceedings commenced returned close to monthly levels.

There were 15,071 personal injury suits filed in 2021, a 15% decrease on the 17,810 in 2020.

- 5,145 in the High Court, a 23% decrease on the 6,682 in 2020
- 8,856 in the Circuit Court, a 12% decrease on the 10,083 in 2020
- 1,045 in the District Court, a 2% increase on the 1,045 in 2020

Personal Injury	Incoming		Resolved			
	2021	2020	2021		2020	
			By Court*	Out of court	By Court*	Out of court
High Court	5,145	6,682	505	3,071	2,556	0
Circuit Court	8,856	10,083	5,493	499	5,052	535
District Court	1,070	1,045	750	0	491	0
<b>Total</b>	<b>15,071</b>	<b>17,810</b>	<b>6,748</b>	<b>3,570</b>	<b>8,109</b>	<b>535</b>

\* Cases dealt with by the court include all cases assigned to a judge. The majority of these cases are dealt with without a substantive court hearing.

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		Personal Injury Awards:		Circuit Court	
Amount	Cases		Amount	Cases			
	2021	2020		2021	2020		
€0 to €7,500	227	267	€0 to €7,500	445	458		
€7,500 to €15,000	245	230	€15,000 to €60,000	741	650		
€15,000+	7	5	€60,000+	2	34		
<b>Total</b>	<b>479</b>	<b>502</b>	<b>Total</b>	<b>1,188</b>	<b>1,142</b>		

Personal Injury Awards:		High Court	
Amount	Cases		
	2021	2020	
€0 to €60,000	138	102	
€60,000 to €199,999	118	130	
€200,000 to €499,999	23	44	
€500,000+	57	52	
<b>Total</b>	<b>336</b>	<b>328</b>	

\*includes medical negligence awards

Amount awarded*	High Court		Circuit Court		District Court	
	2021	2020	2021	2020	2021	2020
Lowest amount	€2,154	€7,500	€500	€1,405	€500	€500
Highest amount	€30,000,000	€22,500,000	€64,441	€75,000	€17,500	€20,000
<b>Total amount</b>	<b>€281,832,361</b>	<b>€222,130,172</b>	<b>€21,949,204</b>	<b>€20,162,907</b>	<b>€3,662,251</b>	<b>€3,809,294</b>

\*includes medical negligence awards

Medical Negligence Awards:	High Court	
Amount	Cases	
	2021	2020
€0 to €60,000	20	26
€60,000 to €199,999	19	22
€200,000 to €499,999	7	20
€500,000+	38	38
<b>Total</b>	<b>84</b>	<b>106</b>

Medical Negligence Awards:	High Court	
Amount	Cases	
	2021	2020
Lowest amount awarded	€7,000	€24,008
Highest amount awarded	€30,000,000	€22,500,000
<b>Total amount awarded</b>	<b>€203,600,714</b>	<b>€183,128,023</b>

## 2. Negligence (excluding medical negligence causing personal injury)

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.

There was a 24% increase in Negligence cases in 2021 with 260 cases up from 210 in 2020.

Negligence	Incoming		Resolved			
	2021	2020	2021		2020	
			By Court	Out of court	By Court	Out of court
High Court	260	210	16	22	10	23

### 3. 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 and 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 was a 52% increase in Commercial matters with 282 cases incoming, up from the 185 in 2020.

Commercial	Incoming		Resolved			
	2021	2020	2021		2020	
			By Court	Out of court	By Court	Out of court
High Court	282	185	82	29	63	70

Analysis Of Cases Resolved	2021	2020	2019	2018	2017	2016
Motion to dismiss	3	0	4	2	6	5
Settled after entry	15	32	10	7	9	7
Settled after directions hearing	8	13	10	18	10	21
Settled after hearing date set	7	15	11	12	15	12
Settled at hearing	7	10	14	19	11	12
Full hearing	15	51	44	58	72	58
Other	56	12	2	0	0	0
Miscellaneous orders	671	n/a	n/a	n/a	n/a	n/a
<b>Total</b>	<b>782</b>	<b>133</b>	<b>95</b>	<b>116</b>	<b>123</b>	<b>115</b>

#### 4. 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.

2021 saw a 19% decrease in Incoming Chancery Matters with 1,260 cases down from 1,552 in 2020.

Chancery	Incoming		Resolved			
	2021	2020	2021		2020	
			By Court	Out of court	By Court	Out of court
High Court	1,260	1,552	245	203	152	173

Analysis Of Incoming Cases	2021	2020	2019	2018	2017	2016
Specific performance	99	125	145	144	133	168
Injunction	238	212	247	314	405	337
Declaration	487	663	633	792	1,066	898
European Communities (Cross Border mergers) Regulations, 2008*	6	2	3	10	0	3
Other	430	550	596	646	665	696
<b>Total</b>	<b>1,260</b>	<b>1,552</b>	<b>1,624</b>	<b>1,906</b>	<b>2,269</b>	<b>2,102</b>

\* S.I. No. 157 of 2008

## 5. 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 ejectment, applications under Landlord & Tenant legislation, applications involving the Private Residential Tenancies Board and ground rent matters.

In the High Court in 2021 there was a 29% increase in incoming matters with 71 cases up from 55 in 2020. The relatively low numbers of new applications in this area appears to be related to the moratorium on repossessions during the pandemic by financial institutions. In the Circuit Court, there was a 75% increase in incoming matters with 477 cases, up from 272 in 2020.

Property (Possession)	Incoming		Resolved			
	2021	2020	2021		2020	
			By Court	Out of court	By Court	Out of court
High Court	71	55	9	8	19	3
Circuit Court	477	272	435	0	480	0
<b>Total</b>	<b>548</b>	<b>327</b>	<b>444</b>	<b>8</b>	<b>499</b>	<b>3</b>

Property (Possession)	Orders Granted		Orders Not Granted	
	2021	2020	2021	2020
Circuit Court	82	125	353	335

Property (Other)	Incoming		Resolved			
	2021	2020	2021		2020	
			By Court	Out of court	By Court	Out of court
High Court	37	33	5	0	4	0
Circuit Court	142	152	743	273	454	193
District Court	53	71	78	0	115	0
<b>Total</b>	<b>232</b>	<b>256</b>	<b>826</b>	<b>273</b>	<b>573</b>	<b>193</b>

## 6. 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 (see section 7 below).

In 2021, there was a 6.5% increase in incoming matters with 246 cases up from 231 in 2020.

	Incoming		Resolved			
	2021	2020	2021		2020	
			By Court	Out of court	By Court	Out of court
High Court	246	231	22	17	13	17

## 7. 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.

High Court: In 2021, there was a 32% increase in incoming matters and an 86% decrease in matters resolved by court primarily due to the effects of temporary payment breaks by financial institutions.

	Incoming		Resolved					
	2021	2020	2021			2020		
			By Court	Out of Court 1	Out of Court 2	By Court	Out of Court 1	Out of Court 2
High Court	773	585	81	15	45	585	23	58
Circuit Court	1,371	1,638	149	171	602	177	192	751
District Court	12,405	13,890	1,026	0	3,453	857	0	4,237
<b>Total</b>	<b>14,549</b>	<b>16,113</b>	<b>1,256</b>	<b>186</b>	<b>4,100</b>	<b>1,619</b>	<b>215</b>	<b>5,046</b>

1 Discontinuance.

2 Judgments marked in the office – these figures are also on page 75 as part of the civil and commercial non-litigious statistics.



### 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)”.

High Court: 2021 saw a 30% decrease in incoming defamation matters and a 75% decrease in matters resolved by the court as there was a low number of jury trials.

Circuit Court: There was a 25% decrease in defamation cases in the Circuit Court.

	Incoming		Resolved			
	2021	2020	2021		2020	
			By Court	Out of court	By Court	Out of court
High Court	109	156	4	12	16	9
Circuit Court	121	161	2	6	2	8
<b>Total</b>	<b>230</b>	<b>317</b>	<b>6</b>	<b>18</b>	<b>18</b>	<b>17</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 unconsented harmful or offensive contact with the claimant.

2021 saw a 30% decrease in incoming assault matters.

	Incoming		Resolved			
	2021	2020	2021		2020	
			By Court	Out of court	By Court	Out of court
High Court	114	164	23	0	10	5

## 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.

Employment (Dismissal)	Incoming		Resolved			
	2021	2020	2021		2020	
			By Court	Out of court	By Court	Out of court
High Court	3	3	2	1	2	4
Circuit Court	2	2	1	0	7	0
<b>Total</b>	<b>5</b>	<b>5</b>	<b>3</b>	<b>1</b>	<b>9</b>	<b>4</b>

Employment (Other)	Incoming		Resolved			
	2021	2020	2021		2020	
			By Court	Out of court	By Court	Out of court
High Court	5	1	2	0	4	0
Circuit Court	12	15	14	1	9	1
<b>Total</b>	<b>17</b>	<b>16</b>	<b>16</b>	<b>1</b>	<b>13</b>	<b>1</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.

There was a 40% decrease in 2021 in Small Claims with 2,134 cases down from 3,557 in 2020.

Small Claims: Ireland* And EU: District Court					
Incoming		Resolved			
2021	2020	2021		2020	
		By Court	Out of court	By Court	Out of court
2,134	3,557	378	2,175	385	2,322**

\* claims include those made online.

\*\*includes applications deemed to fall outside the scope of the rules for small claims.

Analysis of cases dealt with	2021		2020	
	Ireland	EU	Ireland	EU
Not proceeded with	461	14	202	43
Decreases by default	283	29	205	28
Settled by registrar	733	107	626	39
Referred to court	450	13	1,029	206
Settled after notice to pay	35	n/a	n/a	n/a
<b>Total</b>	<b>1,962</b>	<b>163</b>	<b>2,062</b>	<b>316</b>

Adjudicated by the Court	2021		2020	
	Ireland	EU	Ireland	EU
Decreases granted	198	7	145	145
Cases dismissed	59	4	46	46
Withdrawn/struck out	193	2	123	123
<b>Total</b>	<b>450</b>	<b>13</b>	<b>314</b>	<b>314</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	
	2021	2020	2021	2020
High Court	36	35	40	32

## 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 from deporting them.

In 2021 there was a 110% increase in the number of asylum matters resolved by the court.

Judicial Review (Asylum Related)						
	Incoming		Resolved			
	2021	2020	2021		2020	
			By Court	Out of court	By Court	Out of court
High Court	300	355	377	251	179	244

Judicial Review (Other)						
	Incoming		Resolved			
	2021	2020	2021		2020	
			By Court	Out of court	By Court	Out of court
High Court	614	558	269	101	180	33

### Judicial Review (Strategic Infrastructure/Development)

These are Judicial Review cases in respect of permissions or decisions concerning strategic infrastructure development and strategic housing developments.

Judicial review (Strategic Infrastructure/Development)	
	2021
Incoming	72
Orders made:	
Liberty to apply for judicial review granted	27
Liberty to apply for judicial review refused	0
Interim orders	180
Final orders – relief granted	13
Final orders – relief refused	1
Final orders – struck out	8
<b>Total</b>	<b>229</b>

Judicial Review	(Asylum Related)		(Other)	
	2021	2020	2021	2020
<b>Incoming</b>	360	355	614	558
<b>Orders made:</b>				
Liberty to apply for judicial review granted	201	378	243	251
Liberty to apply for judicial review refused	4	1	21	16
Interim orders	42	38	286	243
Final orders – relief granted	45	31	148	116
Final orders – relief refused	46	31	52	39
Final orders – miscellaneous	286	117	69	25
Final orders – struck out (no order)	251	244	101	33
<b>Total</b>	<b>875</b>	<b>840</b>	<b>920</b>	<b>723</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	
	2021	2020	2021	2020
High Court	111	117	87	112

#### 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.

2021 saw a 49% decrease in incoming Garda Compensation matters and a 150% increase in matters resolved by court.

	Incoming		Resolved	
	2021	2020	2021	2020
High Court	60	117	110	44

#### 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 40.4 of the Constitution.

In some instances, applications are issued and do not proceed. In others, the matter is resolved without recourse to the court following the making of an interim order.

In 2021, there was an 87% increase in incoming Habeas Corpus Matters and a 131% increase in matters resolved by the Court.

	Incoming		Resolved			
	2021	2020	2021		2020	
			By Court	Out of court	By Court	Out of court
High Court	97	52	67	0	29	1

## 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.

It is anticipated that applications will continue to increase due Ireland's connection to the Schengen Information System (SIS II), which has now been live since 15 March 2021. While applications to execute European Arrest Warrants are now being brought to the Court more efficiently, it is putting extra pressure on the Court to process them in accordance with the statutory timeframes.

European Arrest Warrants	Incoming		Resolved	
	2021	2020	2021	2020
High Court	357	416	261	85

## 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.

There was a marginal 9% decrease in incoming matters in 2021.

Bail	Incoming		Resolved			
	2021	2020	2021		2020	
			By Court	Out of court	By Court	Out of court
High Court	1,726	1,898	1,707	8	1,829	5

## A. 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 an 11% increase in the number of applications for divorce in 2021 - 5,856 as compared to 5,266 in 2020. There were 48 applications in the High Court, a 2% increase on the 26 in 2020 and 5,808 in the Circuit Court an 11% increase on the 5,220 in 2020 - the majority were by wives in the High Court (65%) and wives in the Circuit Court (59%). There were 4,264 divorce orders made - 23 in the High Court and 4,241 in the Circuit Court.

Divorce	Incoming		Resolved			
	2021	2020	2021		2020	
			By Court	Out of court	By Court	Out of court
High Court	48	46	36	7	26	16
Circuit Court	5,808	5,220	4,243	0	3,141	0
<b>Total</b>	<b>5,856</b>	<b>5,266</b>	<b>4,279</b>	<b>7</b>	<b>3,167</b>	<b>16</b>

Trends: Divorce: Applicants				
Year	Wife		Husband	
	High Court	Circuit Court	High Court	Circuit Court
2021	31	3,442	17	2,366
2020	21	2,980	25	2,240
2019	15	2,252	8	1,798
2018	8	2,155	16	1,709
2017	14	2,219	17	1,745
2016	10	2,374	7	1,788
2015	14	2,333	10	1,957

Divorce	2021			2020		
	Granted	Refused	Other	Granted	Refused	Other
High Court	23	0	20	23	0	19
Circuit Court	4,241	2	0	3,141	0	0
<b>Total</b>	<b>4,264</b>	<b>2</b>	<b>20</b>	<b>3,164</b>	<b>0</b>	<b>19</b>



## 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 550 applications for judicial separation in 2021 - a 13.5% decrease on the 636 in 2020. There was 20 in the High Court and 530 in the Circuit Court.

The majority of applications in both jurisdictions (90% in High Court, 74% in Circuit Court) were by wives. There were 278 orders made granting judicial separations - 6 in the High Court and 272 in the Circuit Court with two applications refused.

Judicial Separation	Incoming		Resolved			
	2021	2020	2021		2020	
			By Court	Out of court	By Court	Out of court
High Court	20	19	15	3	15	7
Circuit Court	530	617	274	0	273	0
<b>Total</b>	<b>550</b>	<b>636</b>	<b>289</b>	<b>3</b>	<b>288</b>	<b>7</b>

Judicial Separation	2021			2020		
	Granted	Refused	Other	Granted	Refused	Other
High Court	6	0	12	3	0	19
Circuit Court	272	2	0	268	5	0
<b>Total</b>	<b>278</b>	<b>2</b>	<b>12</b>	<b>271</b>	<b>5</b>	<b>19</b>

Trends: Judicial Separation: Applicants				
Year	Wife		Husband	
	High Court	Circuit Court	High Court	Circuit Court
2021	18	390	2	140
2020	10	429	9	188
2019	18	848	5	358
2018	25	861	6	377
2017	18	889	5	382
2016	24	971	5	353
2015	32	977	3	407

### 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.

There were 75 applications to dissolve partnerships in the Circuit Court in 2021 – a 25% increase on the 60 applications in 2020. The majority of applications (71%) were by females. There were 24 orders made dissolving partnerships with zero applications refused.

Dissolution Of Partnership	Incoming		Resolved	
	2021	2020	2021	2020
Circuit Court	75	60	24	12
<b>Total</b>	<b>75</b>	<b>60</b>	<b>24</b>	<b>12</b>

Dissolution Of Partnership	2021			2020		
	Granted	Refused	Other	Granted	Refused	Other
Circuit Court	24	0	0	12	0	0
<b>Total</b>	<b>24</b>	<b>0</b>	<b>0</b>	<b>12</b>	<b>0</b>	<b>0</b>

Trends: Disolution of Partnership : Applicants				
	Female		Male	
	2021	2020	2021	2020
Circuit Court	53	33	22	26
<b>Total</b>	<b>53</b>	<b>33</b>	<b>22</b>	<b>26</b>

### 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	
	2021	2020	2021	2020
High Court	3	9	3	5

## 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. In nullity of civil partnership law, there are only void civil partnerships.

Nullity (Of Marriage)	Incoming		Resolved			
	2021	2020	2021		2020	
High Court	1	0	0	0	1	0
Circuit Court	11	10	10	0	5	0
<b>Total</b>	<b>12</b>	<b>10</b>	<b>10</b>	<b>0</b>	<b>6</b>	<b>0</b>

Nullity (Of Marriage)	2021			2020		
	Granted	Refused	Other	Granted	Refused	Other
High Court	0	0	0	1	0	0
Circuit Court	8	2	0	3	2	0
<b>Total</b>	<b>8</b>	<b>2</b>	<b>0</b>	<b>4</b>	<b>2</b>	<b>0</b>

Trends: Nullity: Applicants				
Year	Wife		Husband	
	High Court	Circuit Court	High Court	Circuit Court
2021	1	6	0	5
2020	0	8	0	2
2019	0	13	2	14
2018	0	14	0	6
2017	0	13	1	10
2016	1	17	0	15
2015	1	12	1	21

## 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.

There were 10,016 applications in 2021, a 14.5% increase on the 8,747 in 2020.

Guardianship, Custody, Access				
	Incoming		Resolved	
	2021	2020	2021	2020
District Court	10,016	8,747	8,667	7,336

Custody And Access: Circuit Court – Outcomes																		
	Judicial Separation						Dissolution						Divorce					
	2021	2020	2019	2018	2017	2016	2021	2020	2019	2018	2017	2016	2021	2020	2019	2018	2017	2016
Orders Made	138	162	412	447	447	348	6	5	6	14	4	4	1,268	920	1,058	869	976	757

## 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 dependent 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 usually made to the District Court.

Applications for maintenance in the Circuit Court are usually made as part of applications for judicial separation and/or divorce.

There were 5,451 applications in the District Court, a 8% increase on the 5,055 in 2020.

Maintenance	Incoming		Resolved	
	2021	2020	2021	2020
			By Court	By Court
High Court	0	1	1	1
District Court*	5,451	5,055**	4,288	3,926

\* excludes foreign maintenance – see Page 83

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

## 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 decreased slightly to 22,596 from 22,970 in 2020. There was a 16% decrease in Barring Order applications, a 30% decrease in Barring Orders granted.

Domestic Violence: District Court			
Incoming		Resolved	
2021	2020	2021	2020
22,596	22,970	21,096	19,383

**Domestic Violence: Circuit Court - Outcomes**

	2021	2020	2019	2018	2017	2016
Orders Made	40	38	38	59	51	40

**District Court: Domestic Violence - Trends\***

	2021	2020	2019	2018	2017	2016	2015	2014	2013
Barring order applications	2,987	3,577	3,323	3,343	2,613	2,658	2,638	2,671	2,738
Barring orders granted	810	1,159	1,137	946	822	1,329	859	877	1,167
Protection order applications	8,269	7,649	7,049	6,390	5,869	5,365	5,108	4,406	4,529
Protection orders granted**	6,917	6,592	5,864	5,515	5,006	4,627	4,225	4,024	4,142
Safety order applications	8,918	8,887	8,061	7,280	6,368	6,069	5,626	5,499	5,334
Safety orders granted	2,461	2,467	2,688	2,327	2,255	3,316	1,917	2,029	2,381
Interim barring order applications	1,917	1,918	1,643	1,270	917	880	731	699	674
Interim barring orders granted	1,141	1,251	1,209	982	693	676	563	569	522
Other applications	505	915	418	289	195	255	271	12	-
Orders granted	291	376	184	147	151	107	263	0	-

\* Figures do not include applications struck out or withdrawn

\*\*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.

**Adoption**

Incoming		Resolved		
2021	2020	2021	2020	
45	41	41		35

## 10. Child abduction: High Court - 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 Enforcement of Custody Orders Act 1991.

### Child Abduction: High Court - Analysis

Incoming		Resolved	
2021	2020	2021	2020
32	21	43	21

### Child Abduction: High Court - Analysis

	2021	2020	2019	2018	2017	2016
Incoming	32	21	34	37	36	47
<b>Orders made</b>						
Assess child	17	7	11	8	14	9
Interim order*	85	44	81	102	126	130
Child returned (on consent)	15	6	6	11	8	8
Child returned (court order)	8	4	7	9	10	10
Child remain (on consent)	9	5	7	5	10	14
Child remain (court order)	1	1	1	3	6	8
Other	10	5	20	2	0	12
<b>Total</b>	<b>145</b>	<b>72</b>	<b>133</b>	<b>140</b>	<b>174</b>	<b>191</b>

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

## 11. Childcare - 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 TUSLA - the Child and Family Agency - for their care. TUSLA 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

TUSLA can apply for an emergency care order for a child who is still at home or for a child 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, TUSLA 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 TUSLA.

### Care orders and interim care orders

TUSLA must apply for a care order or a supervision order (see below) 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 TUSLA for 29 days. It may be extended if TUSLA 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 TUSLA. It may be applied for by the TUSLA instead of a Care Order. TUSLA 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 TUSLA. 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.

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. There may also be applications for a variety of orders in the same case.

There was a 7% increase overall with 14,194 cases up from 13,203 in 2020.



Supervision and care Orders	Incoming		Resolved	
	2021	2020	2021	2020
High Court	156*	112	15	45
District Court	14,038	13,091	10,695	10,326
<b>Total</b>	<b>14,194</b>	<b>13,203</b>	<b>10,710</b>	<b>10,371</b>

\*Includes 78 Guardianship of Infant cases

Child Care: District Court - Overall Analysis												
	Incoming						Resolved					
	2021	2020	2019	2018	2017	2016	2021	2020	2019	2018	2017	2016
Supervision order	376	397	450	385	548	626	299	356	370	362	538	569
Care order	871	1,563	812	961	934	1,142	661	1,463	746	833	903	886
Extension of care order	697	692	665	499	434	483	748	610	670	480	453	449
Interim care order	1,369	1,194	815	1,166	1,100	1,257	860	860	811	806	969	1,004
Extension of interim care order	6,052	5,015	4,250	4,386	3,590	3,841	5,782	4,889	4,169	4,319	4,621	2,255
Emergency care order	325	480	327	344	309	325	267	392	256	271	289	758
Review of care order	1,238	1,158	539	1,648	1,056	1,371	529	505	437	442	484	402
Re-entry of case	448	477	301	467	574	391	253	249	268	232	303	157
Other*	2,662	2,115	2,065	3,312	3,386	528**	1,296	1,002	1,843	1,481	2,075	463
<b>Total</b>	<b>14,038</b>	<b>13,091</b>	<b>10,224</b>	<b>13,168</b>	<b>11,931</b>	<b>9,964</b>	<b>10,695</b>	<b>10,326</b>	<b>9,570</b>	<b>9,226</b>	<b>10,635</b>	<b>6,943</b>

\* includes applications for adjournments, costs, production orders and vacation of hearing dates; and applications under:

s.23 Children Act, 1997 (to allow admission of hearsay evidence)

s.37 Child Care Act, 1991 (access to children in care)

s.47 Child Care Act, 1991 (applications for directions) which may include applications by parents or interested relatives where children are in voluntary care.

## Child Care : District Court – analysis of applications resolved

	Application granted		Application not granted	
	2021	2020	2021	2020
Supervision order	267	307	32	49
Care order	523	1,068	138	395
Extension of care order	731	592	17	18
Interim care order	747	766	113	94
Extension of interim care order	5,704	4,778	78	111
Emergency care order	233	351	34	41
Review of care order	494	387	35	118
Re-entry of case	212	216	41	33
Other	1,115	888	181	114
<b>Total</b>	<b>10,026</b>	<b>9,353</b>	<b>669</b>	<b>973</b>

## B. 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: Examinership															
Incoming		Resolved													
		Out of Court				By Court									
		Petition withdrawn		Appoint interim examiner		Appoint examiner		Extend time		Order reports		Wind up company		Misc.	
2021	2020	2021	2020	2021	2020	2021	2020	2021	2020	2021	2020	2021	2020	2021	2020
6	11	2	0	4	12	3	10	7	14	4	3	1	0	31	17

Examinership: Circuit Court			
Incoming		Resolved	
2021	2020	2021	2020
3	3	2	4

### 2. Liquidation

The Examiner's Office of the High Court continues to assist the Court in the supervision of pre-Companies Act 2014 liquidations, with particular regard towards bringing any outstanding liquidations to a timely conclusion. At the end of 2018 the Examiner had approximately 126 such cases on hand, together with a number of legacy cases.

Since the commencement of the Companies Act 2014 (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 creditor's voluntary winding up.

Wind Up Company Orders						
	Incoming		Resolved			
	2021	2020	2021		2020	
			Settled/ struck out/ withdrawn	Order made	Settled/ struck out/ withdrawn	Order made
High Court	75	75	60	107	20	49

### 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.

Restrict Directors						
	Incoming		Resolved			
	2021	2020	2021		2020	
			Order made	Order refused	Order made	Order refused
High Court	15	14	9	0	16	2

### 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.

Disqualified Directors						
	Incoming		Resolved			
	2021	2020	2021		2020	
			Order made	Order refused	Order made	Order refused
High Court	3	7	3	0	2	0

## C. Personal insolvency

### Personal insolvency (creditors' applications) (see also page 80)

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 to 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. See below for details of pre-bankruptcy applications by creditors ('bankruptcy summonses') and applications by creditors to have debtors adjudicated bankrupt. Details of applications by debtors to be adjudicated bankrupt ('self-adjudications') and information about debt settlement procedures introduced under the Personal Insolvency Act, 2012 are on page 80.

Under the provisions of the Bankruptcy (Amendment) Act, 2015 a person is automatically discharged from bankruptcy one year after the order of adjudication unless the period is extended by the High Court upon application by the Official Assignee in Bankruptcy.

Personal Insolvency: High Court	Incoming		Resolved	
	2021	2020	2021	2020
			<b>Adjudicated / granted/ approved</b>	<b>Adjudicated / granted/ approved</b>
Bankruptcy summonses	34	25	28	25
Bankruptcy petitions (creditors)	21	26	30	11

## D. 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.

Appeals to the District Court		Resolved	
2021	2020	2021	2020
58	55	35	38

## E. 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).

There were 1,593 instalment orders made, a 56% increase on the 1,023 made in 2020.

Summons For Attendance Of Debtor: District Court					
Incoming					
2021	2020	2019	2018	2017	2016
1,243	1,240	1,954	2,236	2,692	3,695

Litigious Enforcement	Outcome	
	2021	2020
Instalment orders issued	1,593	1,023
Variation orders issued	75	79
Committal orders issued	2	15

## 2. Civil and Commercial Non-Litigious Cases

### 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' (awarded) against the defendant in the court office.

There was a 4% increase overall with 6,905 judgments marked in the office compared to 6,617 in 2020.

High Court : A 22% decrease from 2020 primarily due to the effects of temporary payment breaks by financial institutions.

Circuit Court: a 13% cent decrease on 2020.

District Court: a 6% increase on 2020.

Judgment Marked in the office	Incoming		Resolved	
	2021	2020	2021	2020
High Court	45	58	45	58
Circuit Court	627	720	602	751
District Court	6,233	5,839	3,453	4,237
<b>Total</b>	<b>6,905</b>	<b>6,617</b>	<b>4,100</b>	<b>5,046</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.

There was an increase of 54% in Deed Poll applications in 2021, up to 726 from 471 in 2020.

	Deed Poll			
	Incoming		Resolved	
	2021	2020	2021	2020
High Court	726	471	726	471

### 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).

#### Intestacies - Grants Issued

	2021	2020
Principal Registry	1,901	1,591
Local registries	1,212	1,277
<b>Total</b>	<b>3,113</b>	<b>2,868</b>

#### Probate (And Administrations With Wills Annexed): Grants Issued

	2021	2020
Principal Registry	10,144	6,749
Local registries	3,570	5,392
<b>Total</b>	<b>13,714</b>	<b>12,141</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 of age may also be taken into wardship as a minor.

Despite the impending commencement of the Assisted Decision-Making (Capacity) Act 2015, which will see the phasing out of the wardship process, the numbers of new applications for Wardship exceeded the number in 2020. For any of the people declared Wards of Court in 2021, another application will be brought within 3 years from the commencement of the new Act to bring them under the new decision support regime, overseen by the Decision Support Service.

Wards Of Court: High Court			
Incoming		Resolved	
2021	2020	2021	2020
430	382	323	319

Wards Of Court: High Court		
	2021	2020
Wardship cases	2,798	2,744
Applications awaiting hearing*	183	127
Adults and minors taken into wardship (declaratory orders)	304	309
Dismissed/discharged	222	266
<b>Orders signed</b>	<b>2,204</b>	<b>2,312</b>

\*308 Declaration Orders and 11 applications dealt with by way of undertaking

Wards Of Court: Active Cases:		
Reason admitted to wardship	2021	2020
Brain injury	21	31
Dementia and age-related illness	201	173
Learning/intellectual disability	45	62
Minors (under 18 years of age)	15	19
Psychiatric illness	22	24
<b>Total</b>	<b>304</b>	<b>309</b>

## 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 the wards of court. He/she cannot take on private clients like a solicitor in private practice.

There has been an increase in the number of wardship cases which now encompass the previous inherent jurisdiction applications to protect and vindicate the rights of vulnerable adults lacking capacity and Minors. Consequently the number of cases where the General Solicitor is appointed as independent Committee has increased in both volume and complexity since 2015/2016. This has resulted in an increased level of expertise and work by the Case Officers to ensure their rights are vindicated and maintain the level of standard expected in accordance with legislation and court directions.

### General Solicitor For Minors And Wards Of Court

	2021	2020
Active (yearly average)	699	656
Pending	6	8
Dismissal	338	315
<b>Total cases</b>	<b>1,043</b>	<b>979</b>

### General Solicitor For Minors And Wards Of Court: Active Cases

Reason admitted to wardship	2021	2020
Brain injury	95	89
Dementia and age-related illness	170	162
Learning/intellectual disability	244	226
Minors (under 18 years of age)	11	13
Psychiatric illness	176	169
Other	9	5
<b>Total</b>	<b>705</b>	<b>664</b>

## 6. Enduring Powers of Attorney (registered)

An enduring power of attorney (EPA) 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.

Enduring Powers Of Attorney (Registered)				
	Incoming		Resolved	
	2021	2020	2021	2020
High Court	1,234	1,338	1,160	1,156

## 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.

Care Representatives				
	Incoming		Resolved	
	2021	2020	2021	2020
Circuit Court	591	564	550	422

## 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.

Mental Health Act Applications				
	Incoming		Resolved	
	2021	2020	2021	2020
Circuit Court	114	125	35	136

## 9. Personal insolvency (self) (see also page 73)

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. Applications may be made to the Circuit Court or to the High Court.

A **Debt Relief Notice** allows for the write-off of qualifying debt up to €35,000, subject to a 3-year supervision period. The Circuit Court has exclusive jurisdiction to hear applications.

A **Protective Certificate** (PIA & DSA) offers a debtor and their assets protection from legal proceedings by creditors in respect of debts for a limited time while they are applying for a DSA or PIA. A Protective Certificate remains in force for a period of 70 days but may be extended in limited circumstances.

A **Debt Settlement Arrangement** applies to the agreed settlement of unsecured debts, usually over a period of 5 years. The Circuit Court has exclusive jurisdiction to hear applications where the total value of unsecured debts does not exceed €2.5m. Where qualifying debts exceed €2.5m but do not exceed €3m, jurisdiction is vested in the High Court. For debts above €3m, the Act does not apply and people are expected in the main to consider applying for bankruptcy.

An **Objection of Creditor to a Proposal for Debt Settlement Arrangement** is an objection made by a Creditor to the proposal for a Debt Settlement Arrangement.

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 6 years. The Circuit Court has exclusive jurisdiction to hear applications where the total value of qualifying debts does not exceed €2.5m. Where qualifying debts exceed €2.5m but do not exceed €3m, jurisdiction is vested in the High Court.

An **Objection of Creditor to a Proposal for Personal Insolvency Arrangement** is an objection made by a Creditor to the proposal for a Personal Insolvency Arrangement.

An Application Pursuant to Section 115A(9) of the Personal Insolvency Act 2012-2015 affords a debtor an opportunity to have Personal Insolvency Arrangements ("PIA"s), which has been rejected by creditors, reviewed by the Court under certain circumstances.

An **Objection of Creditor to a Proposal for Application Pursuant to Section 115A(9) of the Personal Insolvency Act 2012-2015** is an objection made by a Creditor to the proposal for an Application pursuant to Section 115A(9) of the Personal Insolvency Act 2012-2015

Bankruptcy applications may be made to the High Court by creditors or by debtors in person ('self-adjudications'). See below for details of applications by debtors to be adjudicated bankrupt. Details of pre-bankruptcy applications by creditors ('bankruptcy summonses') and details of applications by creditors to have debtors adjudicated bankrupt are on page 73.

Personal Insolvency: High Court										
	Incoming		Resolved - by court							
			Approve request		Refused		Struck out		Withdrawn	
	2021	2020	2021	2020	2021	2020	2021	2020	2021	2020
Debt settlement arrangements	2	1	1	1	0	0	0	0	0	0
Personal insolvency arrangements	10	34	13	29	0	1	0	0	0	4
<b>Total</b>	<b>12</b>	<b>35</b>	<b>14</b>	<b>30</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>

Personal Insolvency: High Court										
	Incoming		Resolved - by court							
			Approve request		Refused		Struck out		Withdrawn	
	2021	2020	2021	2020	2021	2020	2021	2020	2021	2020
Debt relief notices	190	118	175	120	2	0	0	0	0	5
Protective Certificate (PIA & DSA)	1,214	1,298	1,183	1,367	0	0	0	0	0	3
Debt settlement arrangements	81	98	82	98	0	1	0	0	0	1
Personal Insolvency Arrangements	653	702	622	768	1	10	0	0	0	2
Objection of Creditor to a Proposal for Personal Insolvency Arrangement	22	4	6	13	1	1	1	0	0	7
Objection of Creditor to a Debt Settlement Arrangement	2	n/a	1	n/a	1	n/a	0	n/a	n/a	n/a
Application Pursuant to Section 115A(9) of the Personal Insolvency Act 2012-2015	278	393	196	207	235	212	17	24	0	1
Objection of Creditor to a Proposal for Application Pursuant to Section 115A(9) of the Personal Insolvency Act 2012-2015	186	303	258	231	31	19	2	11	0	4
<b>Total</b>	<b>2,626</b>	<b>2,916</b>	<b>2,523</b>	<b>2,804</b>	<b>280</b>	<b>243</b>	<b>20</b>	<b>35</b>	<b>0</b>	<b>23</b>

There were 169 applications to the High Court to be adjudicated bankrupt (“self adjudications”) in 2021, a 42% increase on the 119 applications in 2020. This increase can be attributed to a return to usual business levels and the sustained availability of remote court hearings throughout 2021.

Bankruptcy Petitions (Self)				
	Incoming		Resolved	
	2021	2020	2021	
			Adjudicated / granted/ approved	Adjudicated / granted/ approved
High Court	169	119	169	118

Personal Insolvency Appeals from the Circuit Court to the High Court			
	Incoming		Resolved
	2021		2020
High Court	90		123

## 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.

2021 saw a further 18% decrease on the 13,058 in 2020.

Licensing	Incoming		Resolved	
	2021	2020	2021	2020
Circuit Court	161	109	161	109
District Court	10,603	12,949	10,603	12,949
<b>Total</b>	<b>10,764</b>	<b>13,058</b>	<b>10,764</b>	<b>13,058</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.

There was a 40% increase in Marriage Exemption applications in the Circuit Court.

Marriage Exemption: Short Notice				
	Incoming		Resolved	
	2021	2020	2021	2020
Circuit Court	636	457	572	370

## B. Foreign proceedings

### 1. Service of documents

Service of Documents	Incoming requests		Outgoing requests	
	2021	2020	2021	2020
High Court*	122	101	No requests	No requests
Circuit Court	3,558	3,758	113	233

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

The reduction in levels of service of documents may be attributed to the reduction in business internationally as well as international travel

### 2. Maintenance (foreign)

Service of Documents	Incoming		Resolved	
	2021	2020	2021	2020
High Court*	20	13	1	13
Circuit Court	153	97	127	93

\*applications under Regulation (EC) 4/2009

### 3. Other

Service of Documents	Incoming		Resolved	
	2021	2020	2021	2020
High Court*	20	13	1	13
Circuit Court	153	97	127	93

Taking Of Evidence				
	Incoming		Resolved	
	2021	2020	2021	2020
District Court	116	96	116	96

### 3. Non-Litigious Enforcement Cases

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.

2021 saw a further 18% decrease on the 13,058 in 2020.

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

	Incoming		Resolved	
	2021	2020	2021	2020
High Court*	124	142	124	142
Circuit Court	627	720	602	751
<b>Total</b>	<b>751</b>	<b>862</b>	<b>726</b>	<b>893</b>

\* includes execution orders issued on foot of court orders

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

	Incoming		Resolved	
	2021	2020	2021	2020
Circuit Court	92	130	104	139

#### 3. Execution orders issued – possession cases

	Incoming		Resolved	
	2021	2020	2021	2020
High Court*	6	8	6	8
Circuit Court	35	58	38	62
<b>Total</b>	<b>41</b>	<b>66</b>	<b>44</b>	<b>70</b>

#### 4. Judgments registered

Judgments Registered*	Incoming		Resolved	
	2021	2020	2021	2020
High Court; Circuit Court; District Court	1,414	1,408	1,414	1,408

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



**5. Judgment mortgage certificates issued**

Judgment Mortgage Certificates Issued	Incoming		Resolved	
	2021	2020	2021	2020
High Court	249	340	249	340
Circuit Court	190	247	190	247
District Court	256	288	256	288
<b>Total</b>	<b>695</b>	<b>875</b>	<b>695</b>	<b>875</b>

**6. Satisfaction piece issued**

Satisfaction piece issued	Incoming		Resolved	
	2021	2020	2021	2020
High Court	57	32	57	32
Circuit Court	39	49	39	49
District Court	111	37	111	37
<b>Total</b>	<b>207</b>	<b>118</b>	<b>207</b>	<b>118</b>

## 4. Appeals

Appeals				
Civil and Family Law	Incoming		Resolved	
	2021	2020	2021	2020
Circuit Court to High Court	321	230	92	150
District Court to Circuit Court	822	787	665	688
<b>Total</b>	<b>1,143</b>	<b>1,017</b>	<b>757</b>	<b>838</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.

	Incoming		Resolved	
	2021	2020	2021	2020
District Court to High Court	19	17	17	12
Revenue (District Court) to High Court	23	9	43	3

## 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 website of the Service: [www.courts.ie](http://www.courts.ie).

	2021	2020
Reserved at 1 January	130	111
Delivered	500	434
Reserved at 31 December	155	130

### 2. 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.

Notices of Motion	Issued/dealt with	
	2021	2020
High Court	12,761	12,109
Circuit Court	22,959	22,507*

\* includes adjournments

### 3. 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.

There was a 24% increase in the number of hearings in 2021.

Case Progression: Family Law	Number of hearings	
	2021	2020
Circuit Court	4,769	3,833

## Criminal Business

Criminal Business: By Offence	Incoming		Resolved (Orders Made)*	
	2021	2020	2021	2020
Serious criminal offences: Central Criminal Court; Special Criminal Court; Circuit Criminal Court	22,022	21,322	19,185	17,535
Misdemeanour and/or minor criminal offences: District Court	353,495	382,455	264,481	194,796
Appeals: Supreme Court; Court of Appeal; Circuit Court	15,716	12,215	15,151	13,293
<b>Total</b>	<b>391,233</b>	<b>415,992</b>	<b>298,817</b>	<b>225,624</b>

\* orders made in respect of offences. Note that there may be more than one order made in respect of an individual offence.

## District Court

The District Court exercising its criminal jurisdiction deals with four particular types of offences: summary offences, indictable offences which are triable summarily, (these include 'minor offences'), indictable offences that may be dealt with summarily and indictable offences which are not triable summarily. When the District Court hears a criminal case, the judge sits without a jury. The District Judge decides the issues of fact and whether to convict. He or she also determines the sentence. In the case of most indictable offences which have to be tried by a judge sitting with a jury, the District Court may impose sentence where the accused pleads guilty provided that the Director of Public Prosecutions consents and the judge accepts the guilty plea. Otherwise, the accused is sent forward to the Circuit Court on his signed plea of guilty for sentencing. The District Court has a limit on the sentence it may impose in respect of a single criminal charge of 12 months imprisonment.

The District Court received 353,495 new offences in 2021. Not all offences were proceeded with by the prosecutor. The Court made 264,481 orders in respect of the offences that did proceed. It is important to note that there can be more than one order made in respect of an offence. For example, in respect of a road traffic offence a person may receive a fine, an imprisonment and defendant numbers.

Criminal Business: District Court	Incoming		Resolved offences: orders made		
	Offences	Defendants	Summary	Indictable dealt with summarily	Sent forward for trial*
Road traffic	189,317	121,271	151,484	651	210
Drugs	35,220	19,909	3,231	22,496	3,536
Sexual	4,277	562	59	117	4,301
Larceny/fraud/robbery	30,390	12,067	15	20,563	7,364
Public order/assault	42,587	23,471	32,062	2,615	2,745
Other	51,704	35,695	24,248	6,940	7,152
<b>Total</b>	<b>353,495</b>	<b>212,975</b>	<b>211,099</b>	<b>53,382</b>	<b>25,308</b>

\* Note: There is usually only one order made when an offence is being sent forward for trial

Summary Offences: Outcomes: Orders Made: District Court													
	Dis	S/O	TIC	Fine	Bond	Disq	C/S	Prob	Imp*	Susp	Other	Fixed	Total
Road traffic	3,244	47,602	17,315	32,381	45	9,105	307	799	1,292	1,409	19,152	18,833	151,484
Drugs	123	449	213	962	20	967	17	73	84	84	239	0	3,231
Sexual	0	5	7	19	1	0		2	10	12	3	0	59
Larceny/ fraud/ robbery	1	12	0	0	0	0	0	0	0	1	0	0	14
Public order/ assault	1,110	7,344	7,042	6,413	541	2	244	2,574	1,275	1,211	4,306	0	32,062
Other	928	8,096	3,083	6,186	121	116	64	1,316	753	659	2,926	0	24,248
<b>Total</b>	<b>5,406</b>	<b>63,508</b>	<b>27,660</b>	<b>45,961</b>	<b>728</b>	<b>10,190</b>	<b>632</b>	<b>4,765</b>	<b>3,414</b>	<b>3,375</b>	<b>26,627</b>	<b>18,833</b>	<b>211,099</b>

Note: There is usually only one order made when an offence is dismissed, struck out, or taken into consideration. There may be more than one order made when the penalty imposed in respect of an offence is a fine, bond, disqualification, community service, probation, imprisonment/detention, or sentence suspended.

Key: Dis = dismiss. S/O = strike out TIC = taken into consideration Disq = disqualified  
C/S = community service

Prob = probation Imp = imprisonment or detention\* (refers to detention of a person under 18 in a detention centre) Susp = suspended sentence Fixed = fixed penalty

Indictable Offences Dealt With Summarily: Outcomes: Orders Made: District Court												
	Dis	S/O	TIC	Fine	Bond	Disq	C/S	Prob	Imp*	Susp	Other	Total
Road traffic	19	171	79	33	4	53	6	47	86	35	118	651
Drugs	486	5,743	2,600	3,855	89	2	153	2,573	506	833	5,656	22,496
Sexual	17	23	16	6	2	0	0	0	13	11	17	12
Larceny/ fraud/ robbery	536	4,934	4,253	1,596	211	31	181	2,050	2,525	1,765	2,481	20,563
Public order/ assault	154	907	115	126	63	0	37	263	169	260	521	2,615
Other	262	2,039	1,011	570	78	3	65	634	693	415	1,170	6,940
<b>Total</b>	<b>1,474</b>	<b>13,817</b>	<b>8,074</b>	<b>6,186</b>	<b>447</b>	<b>89</b>	<b>442</b>	<b>5,580</b>	<b>3,990</b>	<b>3,325</b>	<b>9,958</b>	<b>53,382</b>

Note: There is usually only one order made when an offence is dismissed, struck out, or taken into consideration. There may be more than one order made when the penalty imposed in respect of an offence is a fine, bond, disqualification, community service, probation, imprisonment/detention, or sentence suspended.

Key: Dis = dismiss. S/O = strike out TIC = taken into consideration Disq = disqualified C/S = community service

Prob = probation Imp = imprisonment or detention\* (refers to detention of a person under 18 in a detention centre) Susp = suspended sentence Fixed = fixed penalty

Orders Made: District Court													
	Dis	S/O	TIC	Fine	Bond	Disq	C/S	Prob	Imp*	Susp	Other	Fixed	Total
Dangerous driving	132	1,153	554	469	3	780	18	44	185	128	1,399	0	4,865
Drink driving	397	763	72	2,021	1	2,371	36	16	98	141	374	0	6,290
Offences attracting penalty points	1,506	14,071	1,926	16,796	22	5,382	174	188	652	939	4,953	12,574	59,183
<b>Total</b>	<b>2,035</b>	<b>15,987</b>	<b>2,552</b>	<b>19,286</b>	<b>26</b>	<b>8,533</b>	<b>228</b>	<b>248</b>	<b>935</b>	<b>1,208</b>	<b>6,726</b>	<b>12,574</b>	<b>70,338</b>

Note: There is usually only one order made when an offence is dismissed, struck out or taken into consideration. There may be more than one order made when the penalty imposed in respect of an offence is a fine, bond, disqualification, community service, probation, imprisonment/detention, or sentence suspended.

Key: Dis = dismiss. S/O = strike out TIC = taken into consideration Disq = disqualified C/S = community service

Prob = probation Imp = imprisonment or detention\* (refers to detention of a person under 18 in a detention centre) Susp = suspended sentence Fixed = fixed penalty

## Juvenile crime

The age of criminal responsibility in Ireland is 12 years (section 52 Children Act 2001, as amended by section 129 Criminal Justice Act 2006). Children who have not reached the age of 12 years cannot be charged with an offence. There is an exception for children aged 10 or 11 who can be charged with murder, manslaughter, rape, rape under section 4 of the Criminal Law (Rape) (Amendment) Act 1990 or aggravated sexual assault. In addition, where a child under 14 years of age is charged with an offence, no further proceedings can be taken without the consent of the Director of Public Prosecutions. The majority of children who come before the Courts are aged between 15 and 17 years.

Juvenile Crime: Orders Made : District Court												
	Dis	S/O	TIC	Fine	Bond	Disq	C/S	Prob	Det	Susp	Other	Total
Road traffic	29	208	222	71	5	72	1	73	45	3	133	862
Drugs	31	140	119	17	6	9	2	122	4	1	37	488
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Larceny/ fraud/ robbery	48	280	190	33	20	1	3	250	56	24	120	1,025
Public order/ assault	42	222	201	26	19	0	11	246	26	14	108	915
Other	29	106	100	13	5	1	2	107	26	2	72	463
<b>Total</b>	<b>179</b>	<b>956</b>	<b>832</b>	<b>160</b>	<b>55</b>	<b>83</b>	<b>19</b>	<b>798</b>	<b>157</b>	<b>44</b>	<b>473</b>	<b>3,756</b>

Note: There is usually only one order made when an offence is dismissed, struck out or taken into consideration. There may be more than one order made when the penalty imposed in respect of an offence is a fine, bond, disqualification, community service, probation, imprisonment/detention, or sentence suspended.

Key: Dis = dismiss. S/O = strike out TIC = taken into consideration Disq = disqualified C/S = community service

Prob = probation Det = detention - a custodial sanction relating to a young person Susp = suspended sentence



## Circuit crime

The Circuit Court deals with all indictable offences except murder, rape, aggravated sexual assault, treason, piracy and related offences. This jurisdiction is exercisable in the area where the offence has been committed or where the accused person has been arrested or resides. In Circuit Courts outside Dublin, the trial judge may transfer a trial to the Dublin Circuit Criminal Court on application by the prosecution or the defence and if satisfied that it would be unjust not to do so. Criminal cases dealt with by the Circuit Criminal Court begin in the District Court and are sent forward to the Circuit Court for trial or sentencing. Where a person is sent forward to the Circuit Criminal Court for trial, the case is heard by judge and jury, although a person can change their plea to guilty and dispense with a trial. Certain Indictable offences of a minor nature can be heard in the District Court where the DPP and or the accused consents.

Offences: Circuit Court	Incoming		Resolved offences						
	Offences	Defendants*	Guilty	Trials Convicted	Trials Acquitted	N/P	TIC	Quash	Dec
Road traffic	376	171	611	38	17	173	222	1	9
Drugs	3,310	892	2,181	23	19	918	432	3	3
Sexual	2,140	288	834	90	296	422	254	0	11
Firearms	930	709	505	22	29	248	154	0	4
Larceny/ fraud/robbery	7,281	1,473	2,743	44	30	722	1,502	12	38
Assault	1,625	1,114	1,365	72	60	266	76	0	10
Child abuse	52	18	22	6	1	3	8	0	14
Manslaughter	2	2	9	0	1	0	0	0	
Other	2,960	1,646	1,913	114	61	682	470	0	28
<b>Total</b>	<b>18,676</b>	<b>6,313</b>	<b>10,183</b>	<b>409</b>	<b>514</b>	<b>3,434</b>	<b>3,118</b>	<b>16</b>	<b>117</b>

\* Note: There is usually only one order made when an offence is being sent forward for trial

**Offences: Outcomes Following Convictions : Circuit Court**

	TIC	Fine	Bond	Disq	C/S	Prob	Imp*	Susp	Other	Total
Road traffic	79	18	84	195	7	12	174	65	17	651
Drugs	180	9	516	3	24	108	349	375	652	2,216
Sexual	57	2	280	0	2	58	363	89	137	988
Firearms	77	4	138	2	11	24	111	84	79	530
Larceny/fraud/ robbery	248	5	819	9	30	186	865	387	256	2,805
Assault	48	7	460	12	49	81	379	306	93	1,435
Child abuse	0	0	6	0	1	4	2	10	18	41
Manslaughter	0	0	3	3	0	0	3	0	0	9
Other	127	44	575	22	23	78	638	351	177	2,035
<b>Total</b>	<b>816</b>	<b>89</b>	<b>2,881</b>	<b>246</b>	<b>147</b>	<b>551</b>	<b>2,884</b>	<b>1,667</b>	<b>1,429</b>	<b>10,710</b>

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

\*refers to detention of a person under 18 in a detention centre

**Appeals From District Court : Circuit Court**

Categories	Incoming		Resolved: offences				
	Off	Def	Aff	Var	Rev	S/O	S/O N/A
Road traffic	8,041	4,684	1,252	2,557	1,675	1,440	1,105
Drugs	1,075	574	132	377	112	214	170
Sexual	17	13	5	10	3	1	0
Larceny/fraud/ robbery	1,640	588	268	411	57	627	368
Public order/ assault	1,903	925	245	593	112	349	250
Other	1,614	1,044	267	532	147	308	296
<b>Total</b>	<b>14,290</b>	<b>7,828</b>	<b>2,169</b>	<b>4,480</b>	<b>2,106</b>	<b>2,939</b>	<b>2,189</b>

Key: Off = offences Def = defendants Aff = affirmed Var = varied Rev = reversed S/O = struck out  
S/O N/P = struck out no appearance

## Special Criminal Court

The Offences Against the State Act 1939 provides for the establishment of Special Criminal Courts. The Special Criminal Court sits with three judges and no jury. The rules of evidence that apply in proceedings before the Court are the same as those applicable to trials in the Central Criminal Court. The Court is authorised by the 1939 Act to make rules governing its own practice and procedure.

There were 15 trials in the Special Criminal Court involving 26 defendants in 2021.

Special Criminal Court		
Categories	Incoming	
	Offences	Defendants
Membership of illegal organisation	0	0
Possession of firearms/ ammunition/explosive substance	8	4
Murder	6	6
Theft	0	0
Threaten to kill	0	0
Other	131	13
<b>Total</b>	<b>145</b>	<b>23</b>

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

Categories	Offences: (All Outcomes)					Total Offences resolved
	Conviction (Guilty plea)	Trials Conviction (trial)	Trials Acquittal	Trials TIC	Nolle Prosequi	
Membership of illegal organisation	0	0	0	0	0	0
Possession of firearms/ ammunition/ explosive substances	0	2	1	0	2	5
Murder	0	1	1	0	0	2
Theft	0	2	1	0	0	3
Threat to kill	0	1	0	0	0	1
Other	40	14	6	2	104	166
<b>Totals</b>	<b>40</b>	<b>20</b>	<b>9</b>	<b>2</b>	<b>106</b>	<b>177</b>

Offences: (Convictions)			
Categories	Imprisonment	Suspended Sentence	Total Convictions
Membership of illegal organisation	0	0	0
Possession of firearms/ammunition/explosive substances	2	0	2
Murder	1	0	1
Theft	2	0	2
Threat to kill	1	0	1
Other	18	36	54
<b>Totals</b>	<b>24</b>	<b>36</b>	<b>60</b>

### High Court: Central Criminal Court

The High Court exercising its criminal jurisdiction is known as the Central Criminal Court. It consists of a judge or judges of the High Court. The court sits at such time and in such places as the President of the High Court may direct and tries criminal cases which are outside the jurisdiction of the Circuit Court. The court mainly hears murder and rape trials and criminal trials under the Competition Act 2002. An appeal against conviction or sentence by the Central Criminal Court may be taken to the Court of Appeal.

The trend in recent years has been for trials to take longer to hear due to a number of factors including the increased use of video viewing. To assist with the management of waiting times, in cases where a scheduled hearing is not proceeding in the Special Criminal Court, the High Court judge assigned to that court will sit as a judge of the Central Criminal Court to deal with any available trials.

Offences: Trials And Defendants: Central Criminal Court	Trials	Defendants
Murder (including attempted murder)	25	21
Rape (including attempted rape)	180	47
Sexual Offences	197	36
Assault	18	6
Other	28	16
<b>Total</b>	<b>448</b>	<b>126</b>

Central Criminal Court Offence type	Incoming		Resolved					
	Offences	Defendants	Guilty	Trials	N/P	TIC*	Quash	Dec
Murder (including attempted murder)	47	44	10	25	11	0	0	0
Rape (including attempted rape)	1,348	190	146	180	101	109	0	1
Sexual Offences**	1,999	106	169	197	134	100	0	7
Assault	60	17	14	18	13	13	0	0
Other ***	148	38	21	28	10	10	0	0
<b>Total</b>	<b>3,602</b>	<b>395</b>	<b>360</b>	<b>448</b>	<b>269</b>	<b>232</b>	<b>0</b>	<b>8</b>

\* TIC – ‘taken into consideration’ – offences may be taken into consideration where an offender is sentenced on other multiple offences.

\*\* includes serious offences such as sexual assault and sexual offences against children, previously reported under ‘other’

\*\*\* includes impeding a prosecution, accessory to manslaughter, false imprisonment, criminal damage, possession of a knife, burglary

Key: Off = offences Def = defendants G/P = guilty pleas N/P = nolle prosequi Dec = accused deceased

**Offences: Resolved: Outcome Of Trials : Central Criminal Court**

Offence type	Convicted	Acquitted	Disagreed	Committal: not guilty by reason of insanity	Prohibited	Total
Murder (including attempted murder)*	13	3	6	3	0	25
Rape (including attempted rape)	70	56	54	0	0	180
Sexual Offences	90	82	25	0	0	197
Assault	16	1	1	0	0	18
Other	24	4	0	0	0	28
<b>Total</b>	<b>213</b>	<b>146</b>	<b>86</b>	<b>3</b>	<b>0</b>	<b>448</b>

\* includes two convictions by jury to the lesser charge of manslaughter

**Offences: Resolved: Penalties Imposed On Conviction : Central Criminal Court**

	Fines	Det (minors)	Imp F/S	Imp P/S	Imp	Total
Murder*	0	0	0	0	18	18
Manslaughter	0	0	0	4	1	5
Rape**	0	2	8	101	140	251
Sexual Offences	0	0	3	60	161	224
Assault	0	0	0	5	25	30
Other	1	0	4	11	30	46
<b>Total</b>	<b>1</b>	<b>2</b>	<b>15</b>	<b>181</b>	<b>375</b>	<b>574</b>

Key: Det (minors) = detention of a person under 18 years in a detention centre Imp F/S = imprisonment fully suspended Imp P/S = imprisonment/detention\* part suspended

\* includes attempted murder

\*\* includes attempted rape

Offences: Resolved: Length Of Sentences Imposed On Conviction*: Central Criminal Court					
	Up to 2 years	Over 2 years to 5 years	Over 2 years to 10 years	Over 10 years	Life
Murder*	0	0	0	0	18
Manslaughter	0	0	1	4	0
Rape**	2	41	98	110	0
Sexual Offences	16	73	84	51	0
Assault	2	16	12	0	0
Other	8	13	23	1	0

\* includes suspended sentences    \*\* includes attempted murder    \*\*\* includes attempted rape

**Criminal Justice (Victims of Crime) Act, 2017**

The Criminal Justice (Victims of Crime) Act, 2017 gives effect to provisions of Directive 2012/29/EU of the European Parliament and of the Council of 25th October 2012 establishing minimum standards on the rights, support and protection of victims of crime and replacing Council Framework Decision 2001/220/JHA. The Courts Service commenced the collection of statistical information in compliance with Section 30 of the Act during 2018.

Central Criminal Court: Victims		
Evidence given by video link	Evidence given behind a screen	Intermediaries used
32	0	8

## Court Of Appeal

### Court of Appeal: Civil

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 also determines questions of law referred to it by the Circuit Court and the High Court military judge hearing a Court-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 (Article 64 appeals). The remaining Article 64 legacy appeals which had not been resolved were again actively managed in 2021. Of the 1,360 appeals which had been transferred from the Supreme Court to the Court of Appeal in 2014 the number of such appeals still pending was reduced to 24. Despite the restrictions required as a result of the Covid-19 Pandemic and through the use of technology The Court of Appeal managed to continue to hear cases throughout the year and determined almost as many New Appeals as it did in 2020 (476 for 2020). The Court operates a weekly directions list for new appeals which allows the court to case manage every new appeal lodged and through the use of both physical and Virtual Courts this process was able to continue during 2021. There was an increase (16%) in the number of Appeals issued when compared to 2020, however the figure is still considerable lower than the number issued in 2019, the year prior to any Covid-19 restrictions. This can be attributed to the continued lower than normal number of cases determined in the Courts below as a result of the Covid-19 Pandemic.

## 1. New appeals

New Appeals : Court Of Appeal			
Pending at 01/01	Incoming	Resolved	Pending at 31/12
534	317	431	420

New Appeals: Court Of Appeal						
Case type	Pending at 01/01	Incoming	Resolved			Pending at 31/12
			In court		Out of court	
			Determined	Withdrawn	Withdrawn	
Article 40/ Habeas Corpus	9	13	7	0	0	15
Bail	4	9	4	4	3	2
Chancery	116	50	62	15	3	86
Commercial	36	18	23	2	2	27
Company	9	10	4	1	0	14
Constitution	0	1	0	0	0	1
Contract	15	2	7	1	1	8
Criminal	14	12	8	3	0	15
Extradition	9	9	11	0	0	7
Family	7	9	6	2	0	8
Insolvency (Corporate)	1	1	0	0	0	2
Insolvency (Personal)	8	12	6	3	0	11
Judicial Review (asylum related)	22	16	21	2	0	15
Judicial review (other)	71	44	44	8	4	59
Personal injury	61	46	47	26	2	32
Plenary	28	16	13	5	0	26
Proceeds of Crime Act	4	0	2	2	0	0
Security for costs	2	3	1	0	0	4
Summary judgment	66	13	25	9	5	40
Other	52	33	30	7	0	48
<b>Total</b>	<b>534</b>	<b>317</b>	<b>321</b>	<b>90</b>	<b>20</b>	<b>420</b>



## 2. Article 64 appeals

## Article 64 Appeals (Appeals Transferred From Supreme Court)

Pending at 01/01	Incoming	Transferred	Pending at 31/12
37	13	0	24

## Article 64 Appeals: Court Of Appeal

Case type	Pending at 01/01	Incoming	Resolved			Transferred*	Pending at 31/12
			In court		Out of court		
			Determined	Withdrawn	Withdrawn		
Article 40/ Habeas Corpus	1	~	0	1	0	0	0
Bail	1	~	0	1	0	0	0
Chancery	9	~	1	1	0	0	7
Commercial	1	~	1	0	0	0	0
Company	1	~	0	0	0	0	1
Contract	0	~	0	0	0	0	0
Criminal	0	~	0	0	0	0	0
Extradition	0	~	0	0	0	0	0
Family	1	~	1	0	0	0	0
Insolvency (Corporate)	0	~	0	0	0	0	0
Insolvency (Personal)	0	~	0	0	0	0	0
Judicial Review (asylum related)	0	~	0	0	0	0	0
Judicial review (other)	4	~	0	2	0	0	2
Personal injury	1	~	0	0	0	0	1
Plenary	5	~	1	0	0	0	4
Proceeds of Crime Act	0	~	0	0	0	0	0
Security for costs	0	~	0	0	0	0	0
Summary judgment	2	~	1	0	0	0	1
Other	11	~	2	0	1	0	8
<b>Total</b>	<b>37</b>	<b>~</b>	<b>7</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>24</b>

### 3. Cases stated

Cases Stated : Court Of Appeal		
	Received	Orders made
Circuit Court to Court of Appeal	4	3
High Court to Court of Appeal	0	0
Military Judge to Court of Appeal	0	0
<b>Total</b>	<b>4</b>	<b>3</b>

### 4. Additional matters

Additional Matters : Court Of Appeal		
	2021	2020
Motions listed before the Court	101	148
Appeals from appellants in person	50 (16%)	66 (24%)
Applications for directions in Article 64 appeals	0	0
Written judgments delivered	352	374
<b>Length of appeal hearing:</b>		
• One day or less	391	434
• Greater than one day but fewer than two days	18	5
• Two days or more	14	21

### Court of Appeal: Criminal

The Court of Appeal deals with appeals from the Circuit Court, Central Criminal Court and Special Criminal Court. Hearing dates are allocated during the subsequent legal term to the majority of cases included in the List to Fix Dates held once a term. Appeals are actively managed on a weekly basis by the judge assigned to management of criminal lists to ensure that cases are dealt with as efficiently as possible and that delays in cases progressing to the List to Fix Dates due to procedural issues arising are kept to a minimum. Applications for priority may be made at the weekly management list.

In addition, Civil appeals with a custody/criminal element (bail, Article 40/habeas corpus, judicial review and extradition) were accommodated as required without impacting on the waiting time for criminal appeals.

There were 248 appeals in respect of 1,391 offences lodged in the Court of Appeal (Criminal) in 2021. Comparable figures in 2020 were 260 appeals in respect of 1,405 offences. The Court disposed of 282 appeals in respect of 1,222 offences (367 appeals in respect of 1,719 offences in 2020).

Appeals: Criminal					
Pending at 01/01	Incoming	Resolved			Pending at 31/12
		In court		Out of court	
		Determined	Withdrawn	Withdrawn	
398	248	282	77	17	388*

\*\*This is the correct figure of the Appeals pending as at 31/12/2021 following a manual reconciliation of the files which took place over the Christmas Vacation

Court of origin	Appeals		Percentage of appeals	
	2021	2020	2021	2020
Central Criminal Court	44	39	17%	15%
Circuit Criminal Court	195	215	79%	83%
Special Criminal Court	9	6	4%	2%
<b>Total</b>	<b>248</b>	<b>260</b>	<b>100%</b>	<b>100%</b>

Appeals: Criminal					
Court of origin	Conviction	Sentence (severity)	Sentence (leniency)	Other	Total
Central Criminal Court	34	10	0	0	44
Circuit Criminal Court	40	147	34	5	226
Special Criminal Court	5	5	2	0	12
<b>Total</b>	<b>79</b>	<b>162</b>	<b>36</b>	<b>5</b>	<b>282</b>

## Appeals - Incoming (By Court Of Origin) : Court Of Appeal

Categories (by offence)	Incoming			Total
	Central Criminal Court	Circuit Criminal Court	Special Criminal Court	
Assault	12	86	3	101
Drugs/Misuse of Drugs	0	113	0	113
Firearms/weapon/possession of explosives/ ammunition	2	22	2	26
Manslaughter	0	3	0	3
Murder	11	0	1	12
Public Order	2	10	0	12
Rape	257	96	0	353
Road Traffic	0	77	0	77
Sexual Offences	165	92	0	257
Theft/Fraud/Robbery	1	184	2	187
Other	11	193	46	250
<b>Total</b>	<b>461</b>	<b>876</b>	<b>54</b>	<b>1,391</b>

## Appeals : Outcomes : Court Of Appeal

Categories (by offence)	Resolved			Total
	Central Criminal Court	Circuit Criminal Court	Special Criminal Court	
Assault	4	89	1	94
Drugs/Misuse of Drugs	0	40	0	40
Firearms/weapon/possession of explosives/ammunition	0	25	6	31
Manslaughter	0	0	0	0
Murder	12	0	1	13
Public Order	0	5	0	5
Rape	99	81	0	180
Road Traffic	0	68	0	68
Sexual Offences	87	297	0	384
Theft/Fraud/Robbery	0	270	0	270
Other	6	124	7	137
<b>Total</b>	<b>208</b>	<b>999</b>	<b>15</b>	<b>1,222</b>

Appeals - Resolved (By Offence) : Court Of Appeal								
Categories (by offence)	Resolved							
	Conviction	Sentence (severity)	Conviction and Sentence	Sentence (leniency)	DPP (dismissal)	MC*	Other	Total
Assault	7	67	9	10	0	0	1	94
Drugs/Misuse of Drugs	3	29	7	1	0	0	0	40
Firearms/ weapon/ possession of explosives/ ammunition	6	18	2	5	0	0	0	31
Manslaughter	0	0	0	0	0	0	0	0
Murder	12	1	0	0	0	0	0	13
Public Order	0	4	1	0	0	0	0	5
Rape	10	91	76	3	0	0	0	180
Road Traffic	0	59	1	8	0	0	0	68
Sexual Offences	65	75	228	16	0	0	0	384
Theft/Fraud/ Robbery	22	232	2	14	0	0	0	270
Other	6	51	36	30	0	0	14	137
<b>Total</b>	<b>131</b>	<b>627</b>	<b>362</b>	<b>87</b>	<b>0</b>	<b>0</b>	<b>15</b>	<b>1,222</b>

\*miscarriage of justice

## Supreme Court

The Supreme Court is the court of final appeal in civil and criminal matters. Appeals may be made only where the court grants permission in limited circumstances as set out in the Constitution. The court therefore concentrates on cases raising important constitutional and legal questions that have far reaching consequences for individuals and have systemic implications for the administration of justice as a whole.

Incoming: Origin Of Applications For Leave To Appeal	2021	2020
High Court to Supreme Court	41	37
Court of Appeal to Supreme Court	108	105
<b>Total</b>	<b>149</b>	<b>142</b>

Overview : Supreme Court											
Pending 01/01			Incoming			Resolved			Pending 31/12		
Applications for leave			Applications for leave			Applications for leave			Applications for leave		
Criminal	Civil	Total	Criminal	Civil	Total	Criminal	Civil	Total	Criminal	Civil	Total
11	45	56	25	124	149	30	115	145	6	54	60
Appeals (legacy)			Appeals (legacy)*			Appeals (legacy)			Appeals (legacy)		
Criminal	Civil	Total	Criminal	Civil	Total	Criminal	Civil	Total	Criminal	Civil	Total
4	25	29	0	0	0	3	15	18	1	10	11
Appeals (current)			Appeals (current)			Appeals (current)			Appeals (current)		
Criminal	Civil	Total	Criminal	Civil	Total	Criminal	Civil	Total	Criminal	Civil	Total
11	45	56	10	36	46	13	46	59	8	35	43
Total cases			Total cases			Total cases			Total cases		
Criminal	Civil	Total	Criminal	Civil	Total	Criminal	Civil	Total	Criminal	Civil	Total
26	115	141	35	160	195	46	176	222	15	99	114

\*transferred back from Court of Appeal

Other Matters: Supreme Court	2021	2020
Motions listed before the court	10	9
Reserved judgments delivered	101	89
Applications for leave to appeal from appellants in person	43	52
• One day or less	39	53
• Two days or more	7	15
Commissioners for Oaths appointed	15	26
Notaries Public appointed	6	11

## Case analysis

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

Civil : 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	
2021	2020	2021	2020	2021	2020	2021	2020
0.18%	0.21%	2.4%	1.6%	1.29%	1.97%	1.17%	1.5%

Criminal: Appeals (From First Instance Courts) (By Offence)	2021	2020
Special Criminal Court, Central Criminal Court and Circuit Court to Court of Appeal	12.3%	16%
District Court to Circuit Court	6.9%	5.5%

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

Civil: Court Of Appeal To Supreme Court	2021	2020
Applications for leave to appeal	24.5%	21%
Appeals after leave granted	7.6%	7%

Criminal : Court Of Appeal To Supreme Court	2021	2020
Applications for leave to appeal	4%	9%
Appeals after leave granted	3.5%	3%

### 3. Average length of proceedings - first instance courts

Civil : In Days - From Issue To Disposal		
	High Court	
	2021	2020
All	797	660
Employment (dismissal)	713	398
Divorce	238	912
Commercial	650	427
Personal Injury	1188	1,183
Judicial review	339	315

\*excludes licensing

n/a = not applicable

At the time of going to print the information for the average length of proceedings from the Circuit and District Courts weren't available. As soon as they are available they will be published on courts.ie

**Criminal: In Days - From Issue To Disposal - By Offence : District Court**

Summary		Indictable dealt with summarily		Return for trial	
2021	2020	2021	2020	2021	2020
371	310	419	359	113	107

Summary: time from issue of summons to disposal of offence in the District Court

Indictable dealt with summarily: time from lodgement of charge sheet to disposal of offence in the District Court

Return for trial: time from lodgement of charge sheet to transfer of offence to higher court for trial.

**Criminal: Circuit Court - Average Length In Days \***

	2021	2020
All	732	499

\* time from receipt of return for trial in Circuit Court to final order

**Criminal: Central Criminal Court - Average Length In Days \***

	2021	2020
All	668	506

\* time from receipt of return for trial to final order

**Criminal: Central Criminal Court - Average Length In Days \***

	2021	2020
All	423	295

\* time from receipt of charge sheet to final order

**4. Average length of proceedings (in days) (from issue to disposal) (second instance courts)****Civil: Court Of Appeal - Appeals\***

	2021	2020
All (new appeals and Article 64 appeals)	529 days	579 days

\* time from issue of notice of appeal to final order

**Criminal : Court Of Appeal - Appeals\***

	2021	2020
All	420 days	371 days

\* time from issue of notice of appeal to final order



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

Supreme Court		2021	2020
Legacy	All (issue to disposal)	3946	2,513
	Certified (from certification date to disposal)	2741	1,109
	Priority (from priority date to disposal)	n/a	n/a
Application for Leave Determined (issue to determination date)		144	159
Application for Leave Determined (from papers being ready to determination)		38	36

**Waiting times**

**District Court – criminal, civil and family**

**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 Criminal Justice Interoperability Project 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. Summonses may not be disposed on the first scheduled hearing date, typically for reasons of due process and fair procedure.

**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. The time between the first appearance before the court and the final disposal of the case is outside the control of the Courts Service.

**Civil: Waiting Time**

**Applications:**

The time from receipt of application to date when application is listed for hearing. This may not be the date that the matter is disposed of. A waiting time of up to 12 weeks is maintained in most offices with no waiting times of more than six months in recent years.

**Family : Waiting Time**

**Applications:**

The time from receipt of application to date when application is listed for hearing. This may not be the date that the matter is disposed of. Emergency domestic violence applications are dealt with on the date of first application to the court. In the majority of District Court Districts, waiting time for the hearing of these applications has not increased despite an ongoing increase in the volume and complexity of cases. Cases are listed for hearing in most instances within four to eight weeks of the date of the initial application.

District Court: Waiting Times Shown In Weeks (Unless Otherwise Stated) As At 31 December					
Office	Criminal Court		Civil	Family Law	
	Summons	Charge sheets	Applications	Domestic violence applications * 4	Maintenance /guardianship applications 5
	1	2	3		
Athlone	20 -22	Next Sitting	4	Next Sitings	4 to 8
Ballina	20 -22	Next Sitting	24	4	4
Bray	20 -22	Next Sitting	26	6	6
Carlow	20 -22	Next Sitting	6	10	10
Carrick-on- Shannon	20 -22	Next Sitting	4 to 8	Next sitting	Next sitting
Castlebar	20 -22	Next Sitting	16	Next Sitting	16
Cavan	20 -22	Next Sitting	Next Sitting	12	12
Clonakilty	20 -22	Next Sitting	4	Next Sitting	4
Clonmel	20 -22	Next Sitting	10	6-8	6-8
Cork	20 -22	Next Sitting	13	Next Sitting	13
Donegal	20 -22	Next Sitting	4 to 8	Next Sitting	4 to 8
Dublin	20 -22	Next Sitting	20	Same Day	25
Dundalk	20 -22	Next Sitting	16	8 to 12	16 to 20
Ennis	20 -22	Next Sitting	6 to 8	2 to 8	8
Galway	20 -22	Next Sitting	8	12	12
Kilkenny	20 -22	Next Sitting	4 to 6	1	10 to 12
Letterkenny	20 -22	Next Sitting	8	Next Sitting	8
Limerick	20 -22	Next Sitting	20	four	8
Longford	20 -22	Next Sitting	8 to 12	Next sitting	4 to 12
Loughrea	20 -22	Next Sitting	26	Next sitting	8
Mallow	20 -22	Next Sitting	4 to 6	Next Sitting	4 to 6
Monaghan	20 -22	Next Sitting	0	0	4
Mullingar	20 -22	Next Sitting	4	Next Sitting	4 to 8
Naas	20 -22	Next Sitting	17	4	32
Nenagh	20 -22	Next Sitting	10	26	26
Portlaoise	21 -22	Next Sitting	24	8	8
Roscommon	20 -22	Next Sitting	17	14	14
Sligo	20 -22	Next Sitting	Next Sitting	Next Sitting	Next sitting
Tralee	20 -22	Next Sitting	4	Next Sitting	10 to 12
Trim	20 -22	Next Sitting	12	4	8
Tullamore	20 -22	Next Sitting	8	16	16
Waterford	20 -22	Next Sitting	8	23	23
Wexford	20 -22	Next Sitting	24	4	4
Youghal	20-22	Next Sitting	21	Next Sitting	12

- \* Urgent interim applications are dealt with immediately i.e. on next sitting day in every District
- (1) Time from scheduling of summons application to scheduled date for hearing. Covid-19 restrictions require controlled summons scheduling to ensure social distancing can be managed in Courtrooms
- (2) Time from receipt of charge sheet to first court date
- (3) Time from receipt of application to date when it is actually heard - not just listed for adjourning or fixing a date
- (4) Time from receipt of application to listing for hearing in domestic violence matters
- (5) As (4) but for other family law applications

**Circuit Court – criminal, civil and family**

Criminal
<p>Waiting times for criminal cases vary, depending on whether the accused is on bail or in custody; on whether the plea is ‘guilty’ or ‘not guilty’; on whether the trial is scheduled to last two days or two weeks. In most Circuit Courts outside Dublin, the majority of guilty pleas will be dealt with at the next criminal session – making the waiting time approximately three months. Defendants who are in custody take precedence so their trials are dealt with first, followed by trials of those who are on bail.</p> <p>Waiting times in Dublin Circuit Court have been impacted in recent years by the number of so- called ‘white collar’ cases taken by the State in the wake of the financial collapse that followed the global recession in 2008. The complicated nature of the evidence in these cases together with the number of witnesses called and the additional legal argument required has lengthened the trials with a resulting impact on the number of trial courts available for other cases.</p> <p>Measures introduced to address this situation include the allocation of the additional judges (subject to the availability of courtrooms) and the listing of only one long trial at any one time.</p>

Nature Of Matter	Waiting Time
Trials	The time from receipt of return for trial to hearing date of trial
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 date of appeal hearing

### Civil

Waiting times for civil cases vary with precedence given to criminal and family law cases where resources are limited. The nature of civil business has changed in recent years with fewer short cases and an increase in longer contested cases. Waiting times for longer cases tend to be longer than for so-called ‘ordinary’ cases and can distort waiting times. Some longer cases are dealt with by the allocation of additional sittings to the circuit.

Nature Of Matter	Waiting Time
Trials	The time from receipt of notice of trial to hearing date.
Appeals	The time from receipt of District Court appeal to date of appeal hearing.

### Family

Waiting times are generally less than those for civil cases due to the priority afforded to family law cases. In most circuits, consent matters are heard in the ‘next session’ (a waiting time of three months or less). Additional sittings are arranged for long cases.

Nature Of Matter	Waiting Time
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 date of appeal hearing.

Circuit Court: Waiting Times Shown In Months (Unless Otherwise Stated) As At 31 December								
Office	Criminal Court			Civil		Family Law		
	Trials	Sentences	Appeals	Trials	Appeals	Contested cases *	Non-contested cases	Appeals
	1	2	3	4	5	6	7	8
Carlow	Next sitting	6	Next sitting	Next sitting	Next sitting	Next sitting	Next sitting	Next sitting
Carrick on Shannon	9	3	12	9	6	6	3	6
Castlebar	9 to 12	9 to 12	9 to 12	9 to 12	3 to 6	6 to 9	Next Sitting	Next sitting
Cavan	12	3	6	3	3	3	3	3
Clonmel	12	6	18	12 to 18	18 to 24	12 to 18	3	12 to 18
Cork	18 to 24	3 to 9	6 to 12	6 to 12	3 to 6	6 to 12	0 to 3	3 to 6
Dublin	Next Sitting	Next Sitting	3 to 4	6 to 9	6 to 9	9	3 to 6	6 to 9
Dundalk	26	3	2	9	9	4 - 6	2 m	1.5 m
Ennis	24	6	6 to 12	12 to 18	6 to 9	9 to 12	6 to 9	6 to 9
Galway	18	6	3 to 4	9-12	9	12	6	9
Kilkenny	24 to 30	3 to 6	3	3 to 6	3 to 6	3 to 6	3	3 to 6
Letterkenny	12 to 18	6	6	4	4	6	Next Sitting	6 m
Limerick	12	3	6	12 to 18	12 to 18	9	Next Sitting	9
Longford	30	14	6	18	6	6	2	3
Monaghan	18 to 48	3 to 6	3 to 6	18 to 24	0 to 4	6 to 9	0 to 4	0 to 4
Mullingar	36	6	6	12	6	6	3	6
Naas	12 to 18	Next Sessions	Next Sessions	6 to 9	6 to 9	6 to 9	Next Sessions	6 to 9
Portlaoise	18 to 24	6 to 9	6 to 9	26	Next Sitting	26	Next F/ Law Sitting	Next sitting
Roscommon	30	18	6 to 12	6	3	6	6	3
Sligo	6	3	3	6	6	6	3	3
Tralee	18	Next Session	Next Session	5	3 to 6	8	Next Session	Next Session
Trim	30	5	12	8	6	6	2	6
Tullamore	24	1 to 3	4	18 to 24	6	18 to 24	3 to 6	6 to 9
Waterford	18	Next Session	Next Sitting	9 to 12	6	9 to 12	3 to 6	3 to 6
Wexford	12 to 15	6 to 9	3	9	9	9 to 12	3	9 to 12
Wicklow	24	Next Session	Next Session	12	Next Session	12	Next Session	Next Session

- (1) Time from receipt of return for trial to hearing date of trial
- (2) Time from receipt of return for trial to sentence hearing where plea of guilty entered (3), (5), (8) Time from receipt of District Court Appeal to date of appeal hearing
- (4) Time from receipt of notice of trial to hearing date
- (6) Time from receipt of notice of trial/notice of motion to listing for hearing in contested matter
- (7) As (6) but for uncontested matters Details of the sittings of the Circuit Court are available on the website of the Service ([www.courts.ie](http://www.courts.ie)).

### High Court – civil and family

#### High Court: Personal Injury

##### Waiting time: Dublin

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.

##### Waiting time in other venues

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 for each venue.

Venue	2021	2020
Cork	24 months	24 months
Dundalk	4 months	8 months
Galway	2 months	2 months
Kilkenny/Waterford	7 months	7 months
Limerick	24 months	36 months
Sligo	12 months	12 months

#### High Court: Insolvency (Corporate)

Nature of application	Waiting time	2021	2020
Applications to appoint examiner	The time from the issue of a petition to the allocation of the first return date before the High Court.	Date immediately available	Date immediately available
Applications to wind up company	The time from the issue of a petition to the allocation of the first return date before the High Court.	3 weeks	3 weeks

#### High Court: Other Corporate Applications

Nature of application	Waiting time	2021	2020
Restrict directors	The time from the issue of a notice of motion to the first return date before the High Court.	4 weeks	4 weeks

High Court: Insolvency (Personal)			
Nature of application	Waiting time	2021	2020
Applications to issue summons	The time from the issue of a summons/ petition to the first return date before the High Court.	2 weeks	Date immediately available
Applications for adjudication	The time from the issue of a summons/ petition to the first return date before the High Court.	2 weeks	Date immediately available

High Court: Commercial List (Proceedings Defined In Order 63a Rule 1 Rules Of The Superior Courts)			
Nature of application	Waiting time	2021	2020
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	Date immediately available
Full hearing	The time from the first return date to the date of the full hearing.	2 weeks to 6 months depending on time required for a hearing and availability of judges	2 weeks to 9 months depending on time required for a hearing

High Court: Competition List			
Nature of application	Waiting time	2021	2020
Monday motion list	The time from the issue of a notice of motion to the first return date before the High Court.	3 weeks	3 weeks

### High Court: Chancery Matters

High Court: 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).

Nature of application	Waiting time	2021	2020
Monday motion list	The time from the issue of a notice of motion to the first return date before the High Court.	3 weeks	3/4 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.	5 months	January – March 2020) - 3 months (March – December 2020) Actions suitable for remote hearing only - 2 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.	7 weeks	4 weeks up to the time the court was suspended in March 2020.
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.	7 weeks	4 weeks up to the time the court was suspended in March 2020.

### High Court: Possession

Nature of application	Waiting time	2021	2020
Special summons for possession	The time from the issue of a summons to the first return date before the Master of the High Court.	5 weeks	4 weeks up to the time the court was suspended in March 2020.
Full hearing	The time from the date of transfer from the Master's Court to the first return date before the High Court.	7 weeks	3 weeks up to the time the court was suspended in March 2020.



High Court: Mortgage Suits			
Nature of application	Waiting time	2021	2020
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.	5 weeks	4 weeks up to the time the court was suspended in March 2020.
Full hearing	The time from the date of transfer from the Master's Court to the first return date before the High Court.	7 weeks	3 weeks up to the time the court was suspended in March 2020.

High Court: Non-Jury (Breach Of Contract, Professional Negligence, Debt Collection)			
Nature of application	Waiting time	2021	2020
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.	25 weeks	13 weeks
Full hearing – cases less than one week in duration	As above.	7 months	7 months

High Court: Appeals From The Circuit Court			
Nature of application	Waiting time		
	2021	2020	
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.	The time from the lodgement of the books of appeal to the allocation of the first date for hearing before the High Court	
Full hearing - cases more than one week in duration	As above.	As above	

High Court: Judicial Review: Asylum Related			
Nature of application	Waiting time		
	2021	2020	
Pre-leave	Date available within 1/2 weeks	Date immediately available	
Post leave	2 months	4 months	

**High Court: Judicial Review: Other**

Nature of application	Waiting time	
	2021	2020
Pre-leave	2 weeks to make ex parte application	Application made ex parte on any Monday
Post leave	2 months	2 months

**High Court: Jury (Defamation; False Imprisonment; Assault)**

Waiting time	2021	2020
The time from when a case is certified ready for hearing to the allocation of the first date for hearing before the High Court	9 months	14 months

**High Court: Garda Compensation Act**

Nature of application	Waiting time	2021	2020
Full hearing	The time from the date of transfer from the Master's Court to the first return date before the High Court	5 weeks	5 weeks

**High Court: Proceeds Of Crime Act**

Waiting time	2021	2020
The time from receipt of application to hearing	Date immediately available	Date immediately available

**High Court: Master's Court**

Nature of application	Waiting time	2021	2020
Motions	The time from the issue of a notice of motion to the first return date before the Master	3 weeks	Date immediately available

**High Court: Common Law Motions**

Waiting time	2021	2020
The time from the issue of a notice of motion to the first return date before the High Court	11 weeks	7 weeks

High Court: Family		
Nature of application	Waiting time	
	2021	2020
Urgent applications	Within 1 week	Within 2 weeks
Non-contested cases	Within 2 weeks	Within 2 weeks
Contested cases	Within 2 months	Within 4 months
Applications under Hague Luxembourg Convention	Date available immediately	Case must be dealt with within 6 weeks
Appeals from Circuit Court	Within 2 months	Within 2 months

### High Court – Criminal

High Court – Central Criminal Court		
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	
Bail applications	The date from the issue of a notice of motion to the date the matter is first listed before the High Court	
	2021*	2020
Murder and rape trials	24 Months	10 Months
Bail	Date immediately available	Date immediately available

\* Time from receipt of return for trial to the date fixed for trial (earlier dates for trial are made available for trials involving child and other vulnerable witnesses)

### Court Of Appeal - Civil

Waiting time:		
The time from when an appeal is entered into the court list to the date of hearing		
	2021	2020
Appeals*	23 weeks	25 weeks
Fast tracked short appeals**	3 weeks	3 weeks

\*appeals requiring more than two hours

\*\*depends on time available

**Court Of Appeal - Criminal**

Waiting time:		
The time from when an appeal is entered into the court list to the date of hearing		
	2021	2020
Appeals	20 weeks	20 weeks
Article 40/habeas corpus appeals	3 weeks	4 weeks (or less)
European Arrest Warrant / Judicial Review appeals	During the subsequent legal term (if no time available within the current legal term)	During the subsequent legal term (if no time available within the current legal term)

**Supreme Court**

There has been a significant reduction in applications for leave to appeal filed during 2020 (38% approx.) due to the effects of the pandemic including the impact on the level business transacted in the High Court and in the Court of Appeal. Application for leave may be filed from both jurisdictions. Growth in excess of 10% in applications filed year on year had been experienced prior to the pandemic. One of the additional challenges for the Office in 2021 will likely be responding as business returns to expected levels later in the year. At year end all scheduled hearings have taken place and no backlog has been allowed to develop. Applications where leave is granted in the current term can expect an appeal hearing date in the following term.

Supreme Court			
Nature of application	Waiting time	2021	2020
Applications for leave to appeal	The time from the filing of complete documentation to the determination of the application	5 weeks	5 weeks
Appeals	The time from the determination of the leave application to the disposal of the appeal	52 weeks	56 weeks*

\*Please note: figure of 21 weeks provided in 2020 Annual Report was in respect of time of grant of leave to 'hearing' of appeal.



# Chapter 4

## Governance and Transparency

# Governance and Transparency

## About this chapter

Governance can be described as the set of responsibilities, practices, policies, and procedures that provide strategic direction to an organisation. Good governance therefore supports the organisation to realise the intended outcomes for members of the public, manage risks and use its resources in an effective, efficient, and ethical manner.

In this Chapter we outline compliance with the various standards, we provide an organisational overview on our governance and reporting measures across the organisation, the Courts Board, and its various Committees. We also provide an update on our audit and assurance arrangements, requests for information, data protection, customer complaints and compliments, and our Public Sector Equality and Human Rights Duty.

## Governance standards and practices

The Courts Service continues to strive for effective governance arrangements at organisational and Board level. The arrangements follow the legislative framework set out in the Courts Service Act 1998, the Code of Practice for the Governance of State Bodies (CPGSB), and developments in the Civil Service Renewal Plan and the Civil Service Code of Standards of Behaviour. We benchmark our governance arrangements against the principles developed by the Department of Public Expenditure and Reform (DPER) to ensure they are effective and robust.

### Corporate Governance Standard for the Civil Service

Published in December 2018 by DPER, the Corporate Governance Standard for the Civil Service is to be used by each department and office to guide the development of their individual governance frameworks.

The Courts Service's framework document is in line with the Corporate Governance Standard. It sets out the statutory basis for the organisation, as described in legislation, as well as providing information on:

- organisational structure,
- the roles of the Board and its Committees,
- the roles and responsibilities of the Chief Executive and Senior Management Team and
- the governance and accountability/assurance arrangements in place.

### Code of Practice for the Governance of State Bodies (CPGSB)

The CPGSB provides a framework setting out best practice in corporate governance by both commercial and non-commercial State bodies. It details both the internal practices of the State bodies and their external relations with Government, the relevant Minister under whose aegis they fall, the Minister for Public Expenditure and Reform and their respective parent departments.

The revised and updated code, introduced in 2016, placed additional obligations on State bodies. It placed significant emphasis on the responsibility and accountability of Board members, the role of management and the importance of the Audit and Risk Committee in the governance of State bodies. We have put additional governance arrangements in place, both in relation to the Board and the Audit and Risk Committee, to enhance the governance of the organisation. The Chief Executive provides an annual report on behalf of the Board to the Minister for Justice providing assurance on compliance with the code.

### Agency Framework Agreement between the Courts Service and the Department of Justice

In accordance with best corporate governance practice and the requirements of the CPGSB, the Courts Service and the Department of Justice signed a three-year oversight agreement in 2020 to cover the period to 2020 -2022. This agreement is supported by annual performance delivery agreements. The agreements aim to enhance the working relationship between us and the Department and to support us in carrying out our functions. The agreements recognise the status of the Courts Service as an independent State agency governed by its Board. They encompass all of the legal and other obligations we face, as well as providing

the necessary accountability and oversight for the Minister.

## Organisation Overview

### Courts Service Board

The Courts Service is governed by a Board consisting of a Chairperson and 17 other members. The Board is responsible for determining organisational policies and for overseeing their implementation. It performs these functions directly and through the committees of the Board. In accordance with the Courts Service Act, 1998 the term of office of the Board is three years. The current Board was established on 9 November 2020.

Standing items on the agenda for Board meetings include minutes of meetings and reports from the committees of the Board, financial reports, reports from the Chief Executive, reports from the Chief Risk Officer and Head of Corporate Services, and details of all new contracts (over €25,000) entered into by the Courts Service and recorded on the contract register.

The Board monitors the implementation of the Courts Service Strategic Plan and provides strategic direction to the executive. It also approves an annual corporate business plan which it reviews twice yearly with performance assessed by reference to the Corporate Strategic Plan 2021 -2023. The Board approves the annual budget for the organisation and regularly considers reports on budgets and expenditure. Annual corporate documents considered or approved by the Board in 2021 included:

Corporate Business Plan 2021
Risk Management Policy for 2021
Annual Report of the Audit & Risk Committee 2020
Annual Budget 2021
Annual return to Minister for Justice under the CPGSB

The Board approves proposals for contracts and arrangements, including the acquisition or disposal of any interest in land or property with a value more

than €5m; leases for periods more than four years and nine months irrespective of value; and contracts for consultancy in excess of €500,000. In 2021, the Board considered and approved contracts for

- The procurement of recruitment agency services
- The procurement of transformation partner
- The procurement of ICT support and development services.

### Disclosures of Conflict of Interest & Declaration of Interest

Prior to the consideration of any procurement proposals by the Board or committees of the Board, the Chairperson, as a matter of good governance, requests that any member who considers that they have an interest which might represent a conflict absent themselves from discussion on the matter. The minutes record any such declarations or abstentions. Following the requirements of the CPGSB the Board also makes periodic disclosure of interests which they, or a family member, may hold which could represent a conflict of interest for them in their role as members of the Board.

### Board Meetings

The Board receives regular reports from the Chief Executive Officer on the operation of the Courts 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 regularly receives reports in relation to the implementation of risk management systems.

During 2021 the Board monitored progress of the implementation of the Courts Service Strategic Vision 2030; progress being made towards the development of Hammond Lane Family Law Complex; the corporate response to the Covid-19 pandemic; and the development of an Estates Strategy.

The Board held meetings on 18 January 22 February, 26 April, 1 June, 19 July, 27 September, 1 November, and 6 December with an overall attendance rate of 95%.

Information on individual attendance at Board meetings is in the schedule at the end of this chapter.

Five committees supported the Board in its work in 2021:

- the Finance Committee
- the Audit and Risk Committee
- the Building Committee
- the Modernisation Committee and
- the Family Law Court Development Committee

(see Chapter 1: About the Courts Service for membership details).

Meetings of Committees of the Board continue to be held in advance of, and close to, the date of Board meetings where possible, to allow any issues which require Board consideration to be brought to the attention of the Board without any undue delay.

#### Meetings of Committees of the Board

<b>Audit and Risk Committee</b>
8 February, 22 March, 17 May, 18 October and 29 November
<b>Building Committee</b>
1 January, 11 March, 11 May, 17 June, 22 July, 17 September, 16 November, 16 December
<b>Family Law Court Development Committee</b>
28 June, 12 July, 26 July, 11 October, 15 November
<b>Finance Committee</b>
8 February, 22 March 21 June, 18 October and 29 November
<b>Modernisation Committee</b>
13 January, 21 April, 14 July, 27 October, 8 December

An annual fee is payable to non-judicial members of the Board (except for the Chief Executive Officer) in the sum of €11,970 together with travel and subsistence expenses at rates sanctioned by the Department of Finance. In accordance with

Department of Finance regulations, fees are not paid to Board members who are public servants.

Minutes of meetings of the Board, appropriately redacted, are published on [www.courts.ie](http://www.courts.ie) and on the intranet to provide information on matters considered by the Board and decisions made.

#### Board Effectiveness Review

Demonstrating an ongoing commitment to performing its functions in accordance with best practice governance standards, in 2020, the Courts Service engaged the Institute of Public Administration (IPA) to conduct review of the effectiveness of the Board and its committees. In 2021, several recommendations made by the IPA in its review were adopted.

#### Roles and responsibilities Chief Executive Officer

The Chief Executive Officer is responsible for the implementation of policies approved by the Board, and the day-to-day management of the staff, administration, and business of the Courts Service. She prepares an annual budget for approval by both the Finance Committee and the Board with support from the Senior Management Team. She provides regular updates to the Board, the Finance Committee, and other Committees of the Board, detailing the management of the organisation, implementation of policies, progress on the strategic plan and the modernisation agenda.

The Chief Executive provides an annual report on behalf of the Board to the Minister for Justice providing assurance on compliance with the CPGSB. The report outlines the organisation's system of internal controls and confirms compliance across a range of headings. In particular, the report affirms compliance with:

- appropriate procedures for financial reporting, internal audit, travel, procurement, and asset disposals
- inclusion of a statement on the system of internal financial control



- adherence to Codes of Business Conduct for Board members and employees
- compliance with Government guidelines on the payment of Board members' fees and
- 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 the Annual Appropriation Account of the Courts Service together with a Statement of Internal Financial Controls providing assurance on the internal financial controls in place across the organisation.

### Appropriation Account

The Appropriation Account is the annual financial account of the Courts Service and is furnished to the Comptroller and Auditor General (C&AG) on or before 31 March each year. It is compiled on foot of approved estimates by the Oireachtas and is prepared by the Chief Executive, who is the Accounting Officer. An extract from the Appropriation Account 20201 submitted to the Comptroller and Auditor General can be found in Chapter 6: Financial Statements.

### Internal Financial Control

The Board has overall responsibility for the internal financial control of the Courts Service. It delegates responsibility for monitoring the effectiveness of risk management and the internal controls in place to the Audit and Risk 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 Courts Service.

To maintain effective systems of internal controls, the changes made because of the impact of the Covid-19 pandemic in 2020 continued in 2021. Key payment controls were revised to allow remote approval of invoices and payment forms by email where necessary. We established secure remote access for our people to existing systems when working remotely. All changes adhered to the

Comptroller and Auditor General guidance on the potential impacts of Covid-19 on the control environment.

The Statement of Internal Financial Control (SIFC), signed by the Chief Executive Officer for the purpose of the Appropriation Account, addresses the internal control environment within the Courts Service with 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 Courts Service has an Audit and Risk Committee and Internal Audit function.

The National Shared Services Office (NSSO) continues to perform a number of administrative functions of the Courts Service, including payroll, travel and subsistence and human resource services. Furthermore, the Courts Service is a client of the Financial Management Shared Service Centre (FMSSC), Killarney. The FMSSC provides financial and accounting services and other ancillary activities for the Courts Service. As part of the Appropriation Account process and for the signing of the SIFC by the Chief Executive, the Accounting Officers for both the NSSO and the FMSSC provide letters of assurance as to the adequacy of controls systems in place within the NSSO for the provision of shared services to the Courts Service.

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 Courts Service has a policy statement on the prevention and detection of fraud with all cases irrespective of value being reported to the Head of Corporate Services, the Senior Management Team, and the Audit and Risk Committee.

## Financial Management

The Courts Service is represented on the Financial Management Committee as part of the governance arrangement for budget management within the justice sector. The Committee is comprised of representatives from the main justice group of votes including, amongst others, the Department of Justice, An Garda Síochána, the Prison Service, and the Courts Service. It provides for a further level of assurance to the Department regarding vote management, adherence to Government financial guidelines and ensuring that value for money is achieved in the expenditure of public funds.

## 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 Finance Committee recommends the annual budget for approval by the Board. Day-to-day responsibility for managing expenditure within budgetary limits is assigned to the Assistant Secretaries responsible for each 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

Performance budgeting forms part of the Published Estimates and attempts to link funding provided to measurable results. The Courts Service complies with the performance budgeting format which identifies key outputs, context, and impact indicators. The expanded performance budgeting targets for 2021 were set out in the Revised Estimates Volume.

## Risk Management

The Board has overall responsibility for overseeing the management of risk within the Courts Service. To support good governance, we continue to use a risk management framework to clearly define roles and responsibilities at the Board, Audit and Risk Committee, and at all levels of management.

The Board recognises that the effective

management of risk is the responsibility of all staff of the Courts Service and seeks to encourage and promote a culture of risk management through the operation of a formal risk management process.

We have adopted key principles of the CPGSB and the Risk Management Guidance for Government Departments and Offices. A risk management policy approved by the Board defines the risk appetite of the organisation. This, in turn, is supported by risk management guidelines aligned to the policy.

The risk management framework and policy provide for a planned and systematic approach to identifying and managing a range of risk categories:

- Financial
- Service delivery
- Buildings
- ICT
- People
- Compliance and governance
- Reform, and
- External

The Chief Risk Officer is a member of the Senior Management Team and reports directly to the Audit and Risk 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 Courts Service maintains a corporate risk register that is reviewed regularly by the Chief Executive Officer, Senior Management Team, Audit and Risk Committee, and the Board. The Corporate Risk Register is refreshed at the start of each year.

Strategic risks are rated based on their impact and likelihood of occurrence, with new and emerging risks being added as they arise. The Risk Register is linked to the annual business planning process and is a key document in enabling the organisation deal with the challenges it faces. It sets out the major risks facing the Courts 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 each Assistant Secretary prepares risk registers for their respective directorates. In particular, we recognise the importance of cyber security and the impact an adverse ICT event could have on the operation of the Courts. We continuously review our ICT security systems and processes, taking action to further protect the organisation where appropriate.

The changes to the working and control environment with remote and virtual working that came about in 2020 as a result of the impact of the Covid-19 pandemic continued through 2021. As a front-line service, the primary objective in managing the pandemic continued to ensure appropriate measures were in place to provide a safe environment for our people, the judiciary, and court users, while complying with guidance and instruction from National Public Health Emergency Team and the HSE.

As part of the initial response to the pandemic in 2020, a Covid-19 Response Management Team was established to develop a business response plan. A Covid-19 safety management programme was central to the plan. This team continued to operate throughout 2021, which included regular communications with the Senior Management Team, the judiciary, and key stakeholders. An overview of our Covid-19 response in 2021 is detailed in Chapter 2 for further information.

The Corporate Risk Register provided continued updates to the Audit and Risk Committee and the Board on the Courts Service response to the Covid-19 pandemic through its quarterly updates.

## Procurement

The Courts Service seeks to comply with the principle of competitive tendering in respect of the expenditure on works, supplies and service contracts. The Public Procurement Guidelines provide direction for all procurement policy activity of the organisation. They ensure the objectives and key principles of competition, equality of treatment and transparency, which underpin national and EU rules, are complied with, and observed. Procurement

within the Courts Service is informed by the Office of Government Procurement public procurement guidelines for goods and services.

We avail of centralised managed contracts put in place by the Office of Government Procurement and continue to engage with the Office for advice on current and future procurement requirements.

Responsibility for procurement is devolved to each Assistant Secretary responsible for their Directorate, with the Corporate Services Directorate taking a lead co-ordination role in promoting awareness of obligations at both national and EU level. The Directorate provides training for all colleagues, maintains a contract register and a procurement plan, and monitors the expenditure subject to the procurement process. The annual procurement plan is approved by the Senior Management Team.

During 2021, the Courts Service entered into 17 new contracts (over €25,000) across all directorates for services including Footfall Management in Court buildings and multiple ICT contracts.

## Protected Disclosures Act 2014

The Board maintains a role in relation to oversight of the operation of the policy of the Courts Service under the Protected Disclosures Act 2014.

## Audit and Assurance Arrangements

### Audit and Risk Committee

The Audit and Risk Committee is chaired by a member of the Board and includes a judicial representative from the Court of Appeal, Circuit Court and District Court, and members with significant business expertise and experience within the public and private sectors. The Committee plays a fundamental role in ensuring that the Courts Service functions according to good governance, accounting and auditing standards and adopts appropriate management and risk arrangements. The Committee held five meetings in 2021 at which it reviewed and considered a wide range of reports including the Annual Report of the Audit and Risk Committee 2020 and the Annual Report of the Internal Audit Unit for 2020.

### Internal Audit Function

Internal Audit is an independent appraisal function whose role is to provide assurance to the Board, Audit and Risk 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 Courts 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 and Risk Committee. In carrying out audits, the Unit complies with the Institute of Internal Audit Standards, as adapted by the Department of Public Expenditure and Reform for use in Government Departments.

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

### External audit

The Comptroller and Auditor General (C&AG) performs the external audit of voted funds. The C&AG's authority extends to the audit of public funds and therefore does not include court funds managed by the Courts Service on behalf of Minors and Wards of Court. The audit of court funds managed by the Accountant's Office to financial year end 30 September 2021 was carried out by external auditors, Mazars.

### Requests for information

The Courts Service continued to respond to requests for information from the public, government departments and parliamentary representatives during the year. We provided material for responses to 260 parliamentary questions tabled by members of the Oireachtas. Our Office of the Chief Executive dealt with 232 letters/representations from other government departments, TDs, senators, and members of the public.

### Freedom of information

In 2021, the Courts Service received 169 requests under the Freedom of Information Act 2014. Many of these requests related to personal information contained in court records, which are not covered by Freedom of Information legislation. Our Freedom of Information Officer continued to participate in the Public Service Users Network, a group of freedom of information officers in public service bodies. We continue to meet our obligations in relation to responding to Freedom of Information requests.

FOI Decisions and Types of Requests are outlined below:

Freedom of Information Requests 2021	
On hand 01/01/2021	6
Received	169
Dealt with	172
On hand 31/12/2021	3
Outcome of requests dealt with	
Access granted/part granted	58
Refused*	102
Transferred/withdrawn	4
Handled outside of FOI	8

\* Includes access requests for court records which are exempt under Freedom of Information legislation (section 42(a)(i) of the 2014 Act)

### Data Protection and the General Data Protection Regulation

The Courts Service is committed to fulfilling our data protection obligations and process personal data in accordance with data protection legislation. We protect the integrity of data supplied to us by court users and third parties where required. In 2021, we continued to increase awareness of, and improve compliance with, data protection principles among our staff. This included measures to be taken to protect data security when working remotely. We have developed and introduced a Data Protection Policy setting out responsibilities for all managers, employees, contractors, and anyone else who can access or use personal data in their work for the Courts Service.

Our Data Protection Unit continues to work with managers and staff to achieve full regulatory compliance by ensuring data protection is embedded into business practices from the outset.

This Unit dealt with 52 data subject access requests under Data Protection legislation during the year and there were 52 reported data incidents throughout 2021, of which two were reported to the Data Protection Commission.

The Data Protection Officer continued to participate in the Civil Service DPO Network, a group of data protection officers in civil service departments and agencies.

### Customer complaints and compliments

The Customer Comments Co-ordination Office, supported by Directorate Liaison Officers, manages formal complaints as well as compliments received from members of the public. It is important for the Courts Service to understand services that are valued and appreciated by our customers as well as services or actions that need to be improved. Feedback, both positive and negative, can provide unique insights into the standards of service being provided to court users.

Conduct or decisions in relation to court business are matters for the judiciary and are therefore not dealt with under the formal complaint procedure. We received 131 formal customer complaints during 2021.

### Public Sector Equality and Human Rights Duty

Section 42 of the Irish Human Rights and Equality Commission Act 2014 establishes a positive duty on public bodies to try to eliminate discrimination, promote equality and protect the human rights of staff and persons to whom services are provided.

In 2020, the Courts Service established a cross-functional working group which was tasked to carry out an assessment on the Courts Service's commitment to meeting its obligations under its

legislative duty. As a result of the group's work, the Court Service published a Public Duty Action Plan in November 2021. This work aligns with the Courts Service's commitment to the modernisation agenda, which is aimed at providing a modern Courts Service to meet the needs of everyone who lives in Ireland. The goals of our Public Sector Duty Action Plan in 2021 include:

- Incorporating our commitment to embed Human Rights into how we conduct our business; and lead, develop and manage our people through the inclusion of our Public Sector Duty in our People and Organisation Strategy,
- Developing a framework of living and behaving in a manner that underpins Human Rights and our Public Service Duty,
- Developing a culture in which the Public Sector values are embedded by ensuring the values are known by all; how they are demonstrated is informed by our stakeholder engagement and our people are trained and developed to live these in the course of their work, and
- Creating an awareness of diversity and inclusion and how individual views may be challenged.

## Board member attendance at meetings in 2021

Name	Attendance
Mr. Justice Frank Clarke, Chief Justice and Chairperson	6 of 6
Mr. Justice Donal O' Donnell Chief Justice and Chairperson	5 of 5
Mr. Justice George Birmingham	8 of 8
Ms. Justice Mary Irvine	8 of 8
Ms. Justice Elizabeth Dunne	8 of 8
Mr. Justice Patrick McCarthy	8 of 8
Mr. Justice Tony O'Connor	8 of 8
Ms. Justice Patricia Ryan	8 of 8
Her Honour Judge Alice Doyle	7 of 8
His Honour Judge Colin Daly	2 of 2
His Honour Judge Paul Kelly (Appointed March)*	5 of 6
Judge Conal Gibbons	8 of 8
Ms. Angela Denning	8 of 8
Ms. Maura McNally SC	7 of 8
Ms. Michele O'Boyle	8 of 8
Ms. Hilary McSweeney	8 of 8
Mr. Doncha O' Sullivan	6 of 8
Ms. Karen Kiernan	8 of 8
Ms. Patricia King	8 of 8
Ms. Deirdre Kiely	6 of 8

\* His Honour Judge Paul Kelly replaced His Honour Judge Colin Daly



# Chapter 5

## Legislative Provisions

## About this chapter

In this Chapter we provide an update on the work of our legal unit which includes working on and preparing for new legislation. We also provide annual reports from each of the Rules Committees across the various jurisdictions.

The implementation of new legislation impacting on criminal proceedings and civil actions can place significant demands on the resources of the Courts Service. We review the content of, and provide input into, proposed legislation to ascertain whether provisions affect court operations or impact or require new court procedures. Legislation in this context includes schemes of bills, bills, draft statutory instruments, and draft EU legal instruments.

It is important that we are afforded the opportunity to assess the impact of proposed legislative initiatives at an early stage. This is particularly relevant in the context of the development of strategies across a range of areas including ICT, buildings, and human resources. The following are examples of legislation, or proposed legislation, which impacted on the work of the Courts or the organisation or into which we provided input in 2021:



### Assisted Decision Making (Capacity) Act, 2015

The Courts Service continues to prepare for the commencement of the main provisions of this Act. We are represented on an Inter-Departmental Steering Group to support the Act's commencement. An internal working group was established to oversee the implementation of the 2015 Act in court offices. The bulk of the Act has yet to be commenced and commencement is expected in mid-2022. Some sections were commenced on 17 October 2016. Additional sections were commenced on 17 December 2018. This Act will make significant changes to the law relating to capacity and decision-making arrangements. It provides for the repeal of the legislation regulating wardship and the 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.

### Civil Law (Miscellaneous Provisions) Act 2021

The Civil Law (Miscellaneous Provisions) Act 2021 was commenced on 3 July 2021. This Act provides for an increase in the maximum number of ordinary judges of the High Court. It also removes legal uncertainty in relation to the regulation and licensing of the sale and consumption of alcohol in outdoor seating areas.

### Companies (Rescue Process for Small and Micro Companies) Act 2021

The Companies (Rescue Process for Small and Micro Companies) Act 2021 was commenced on 7 December 2021. The Act provides for a new rescue process which is mainly administrative in nature and is available to small and micro companies with the Courts only being involved in limited circumstances.

### Personal Insolvency (Amendment) Act 2021

Some sections of the Personal Insolvency (Amendment) Act 2021 were commenced on 25 June 2021. This Act makes several procedural changes to the Personal Insolvency Act 2012, such as providing for remote meetings in response to the Covid-19 pandemic. It also raises the asset





threshold for persons availing of a Debt Relief Notice and extends the period of time for an application by a Personal Insolvency Practitioner to court on a proposal for a Personal Insolvency Arrangement.

**District Court (Fees) (Amendment) Order 2021**  
This S.I. amended the District Court (Fees) Order 2014 and provided that no fee was payable in 2021 in respect of the renewal of certain pub and other liquor licences, including certificates of transfer, certificates of renewal, general exemption orders, restaurant certificates, club certificates, public dancing licences, and music and singing licences.

#### **District Court (Fees) (Amendment) (No. 2) Order 2021**

This S.I. amended the District Court (Fees) Order 2014 and provided that no fee was payable in 2021 in respect of applications for special exemption orders from the 22 of October 2021 to 31 of December 2021.

#### **Courts and Civil Law (Miscellaneous Provisions) Bill**

The Courts Service continues to provide observations on a Courts and Civil Law (Miscellaneous Provisions) Bill. This Bill will provide for centralised court offices, the use of electronic registers and the amendment of the qualification period for certain officers, such as the Master and Deputy Master of the High Court.

#### **Family Court Bill**

The Courts Service provided observations to the Joint Oireachtas Committee on Justice on the Family Courts Bill. This Bill provides for a dedicated family law jurisdiction and the appointment of dedicated family court judges for the District Court, Circuit Court, and the High Court.

## Annual Report District Court Rules Committee

31st December 2021

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

### Members of the Committee at 31st December 2021:

- The President of the District Court, His Honour Judge Paul Kelly (Chairperson)
- Judge Brian Sheridan, Judge of the District Court
- VACANCY, Judge of the District Court
- Judge Anne Watkin, Judge of the District Court
- VACANCY, Judge of the District Court
- Mr. Shane McCarthy, Solicitor, nominated by the Law Society of Ireland
- Mr. Riobard Pierse, Solicitor, nominated by the Law Society of Ireland
- Mr. Eoin Martin, B.L., nominated by the Council of the Bar of Ireland
- Ms. Ciara McMahon, Chief State Solicitor's Office, appointed to act in place of the Attorney General under section 71(9)(c) of the Courts of Justice Act 1936, as amended
- Mr. James Finn, Strategy and Reform Directorate, Courts Service, to whom membership has been delegated by the Chief Executive Officer under section 71(9)(b), Courts of Justice Act 1936, as amended
- VACANCY, Deputy Chief Clerk, Dublin Metropolitan District Court, nominated by the Chief Executive Officer of the Courts Service under section 71(3)(d) of the Courts of Justice act 1936, as amended

Secretary: Liz Hughes, Strategy and Reform Directorate, Courts Service

Drafting Services: Mr. Sean Barton of McCann Fitzgerald Solicitors

The Committee met remotely during 2020. The following Rules of the District Court were signed by the Minister for Justice and Equality between the 1st January 2021 and the 31st December 2021:

S.I. NO.	Title	Date signed by Committee	Date effective from
63 of 2021	District Court (Gaming and Lotteries) Rules 2021	1st December 2020	25th February 2021
147 of 2021	District Court (Affidavits) Rules 2021	30th November 2020	6th April 2021
202 of 2021	District Court (Maintenance) Rules 2021	29th January 2021	5th May 2021
262 of 2021	District Court (Order 38) Rules 2021	30th November 2020	2nd June 2021

At year end there were no Rules awaiting the concurrence of the Minister and the following matters were under consideration by the Committee at year end:

- District Court Scale of Costs
- Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020
- Review of the Administration of Civil Justice

# Annual Report

## Circuit Court Rules Committee

31st December 2021

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, 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 judgment and granting of summary judgment in appropriate cases) of the Circuit Court and the use of the national language therein amongst other things.

### The members of the Committee at 31st December 2021 were:

- The Hon. Ms. Justice Patricia Ryan, President of the Circuit Court (Chairperson)
- Her Honour Judge Sarah Berkeley, Judge of the Circuit Court
- His Honour Judge John Aylmer, Judge of the Circuit Court
- Mr. Tomás Keys B.L., nominated by the Council of the Bar of Ireland
- Ms. Tracy Ennis Faherty B.L., nominated by the Council of the Bar of Ireland
- Ms. Michele O'Boyle, Solicitor, nominated by the Law Society of Ireland
- Ms. Siún Hurley, Solicitor, nominated by the Law Society of Ireland
- Ms. Sabina Purcell, Principal Solicitor, Office of the Chief State Solicitor – appointed to act in place of the Attorney General under section 69(9)(c), Courts of Justice Act 1936, as amended
- Mr. James Finn, Principal Officer, Courts Service, to whom membership has been delegated by the Chief Executive Officer of the Courts Service under section 69(9)(b), Courts of Justice Act 1936, as amended
- Ms. Rita Considine, County Registrar, Dublin
- VACANCY, County Registrar, 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 remotely during 2021. The following Rules of the Circuit Court were signed by the Minister for Justice between the 1st January 2020 and the 31st December 2020

S.I. NO.	Title	Date signed by Committee	Date effective from
499 of 2021	Circuit Court Rules (Intellectual Property) 2021	27th July 2021	12th October 2021

At year end there were no Rules awaiting the concurrence of the Minister and the following Rules were under consideration by the Committee:-

- Draft Circuit Court Rules (Affidavits) 2021
- Draft Circuit Court Rules (Combined Court Offices) 2021
- Draft Circuit Court Rules (Costs) 2021
- Draft Circuit Court Rules (Personal Insolvency) 2021

Liz Hughes  
Secretary

# Annual Report

## Superior Courts Rules Committee

31st December 2021

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.

### Membership of the Committee at year ending 31st December 2021

- The Chief Justice, the Hon. Mr Justice Donal O'Donnell\* (Chairperson)
- The President of the Court of Appeal, the Hon. Mr Justice George Birmingham (Vice Chairperson)
- The President of the High Court, the Hon. Ms Justice Mary Irvine
- The Hon. Ms Justice Elizabeth Dunne, Judge of the Supreme Court
- VACANCY, Judge of the Supreme Court
- The Hon. Mr Justice John A. Edwards, Judge of the Court of Appeal
- The Hon. Mr Justice Brian Murray, Judge of the Court of Appeal
- The Hon. Ms Justice Deirdre Murphy, Judge of the High Court
- The Hon. Mr Justice Richard Humphreys, Judge of the High Court
- The Master of the High Court, Mr Edmund W. Honohan S.C.
- Ms. Yvonne McNamara S.C.\*\*, nominated by the Council of the Bar of Ireland
- Ms. Grainne Larkin 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. Liam Kennedy, Solicitor, nominated by the Council of the Law Society of Ireland
- Mr. James Finn, Strategy and Reform Directorate, Courts Service, to whom membership has been delegated by the Chief Executive Officer of the Courts Service under section 67(9)(c) Courts of Justice Act 1936, as amended
- Ms. Mary Cummins, Office of the Chief State Solicitor – appointed to act in place of the Attorney General under section 67(9)(d) Courts of Justice Act 1936, as amended
- Mr. John Mahon, Registrar of the Supreme Court

Secretary: Liz Hughes, Strategy and Reform Directorate, Courts Service

Drafting Services: Mr. Sean Barton of McCann Fitzgerald Solicitors

The Committee met remotely on 3 occasions during 2021. The following rules of the Superior Courts were concurred in by the Minister for Justice between the 1st January 2021 and the 31st December 2021:-

S.I. NO.	Title	Date signed by Committee	Date effective from
57 of 2021	RSC (Cervical Check Tribunal) 2021	23rd September 2020	18th February 2021
127 of 2021	RSC (Affidavits) 2021	23rd September 2020	31st March 2021
196 of 2021	RSC (Regulation of Legal Services) 2021	23rd September 2020	5th May 2021
490 of 2021	RSC (Procedure on Default) 2021	7th July 2021	13th November 2021
498 of 2021	RSC (Hague Maintenance Convention) 2021	23rd June 2021	12th October 2021
530 of 2021	RSC (Intellectual property proceedings) 2021	23rd June 2021	22nd October 2021
600 of 2021	RSC (Service in Wardship Proceedings) 2021	28th September 2021	24th November 2021

At year end no Rules are awaiting the concurrence of the Minister and the following matters were under consideration by the Committee at year end:

- Draft Rules of the Superior Courts (Rescue of Small and Micro Companies) 2021
- Draft Rules of the Superior Courts (section 459, Companies Act 2014) 2021
- Criminal Procedure Act 2021
- Review of the Administration of Civil Justice

Liz Hughes, Secretary

31st January 2022

\*Ex officio member on appointment as Chief Justice October 2021

\*\* Nominated to replace Mr. Conor Dignam S.C. November 2021



# Chapter 6

## Financial Statements

## Financial Highlights

EXPENDITURE & INCOME	2021 €'000	2020 €'000
<b>Current expenditure:</b>		
Pay	59,425	57,556
Non-Pay	37,026	31,001
<b>Total Current</b>	<b>96,451</b>	<b>88,557</b>
Capital expenditure	57,641	66,071
<b>Total gross expenditure</b>	<b>154,092</b>	<b>154,628</b>
<b>Total Income</b>	<b>27,011</b>	<b>32,634</b>
<b>Expenditure net of income</b>	<b>127,081</b>	<b>121,994</b>

COURT FUNDS	2021 €	2020 €
Funds managed on behalf of court, minors and other beneficiaries at 30th September	2.219 billion	1.981 billion

FINANCIAL OPERATIONS	2021 €'000	2020 €'000
Fines collected	8,080	6,510
Family law receipts	14,969	15,338
Bail receipts	3,037	2,792
Court fees collected (and retained)*	11,906	24,612
Poor box receipts	1,720	1,377
Civil court and small claims receipts	920	1,005
<b>Total</b>	<b>40,632</b>	<b>51,634</b>

\* Excludes miscellaneous income and the pension levy

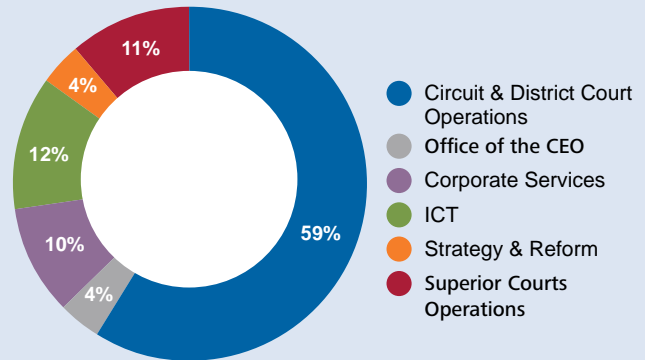


# Financial Overview

The funding of the Courts Service is from two main sources, direct Exchequer funding and Appropriations-in-Aid (income) primarily generated through court fees. For 2021 total funding for the Courts Service amounted to €162.128m (2020, €161.378m) combined with income of €34.633m (2020, €32.133m), resulting in the net funding of the Courts Service of €127.495m (2020, €129.245m). Operating within the funding parameters and the achievement of a balanced budget is a requirement under Government accounting guidelines.

The funding for 2021 includes Covid-19 related funding totalling €5.7m. The composition of funding reflects that 37% (2020, 37%) is attributable to pay, with 25% (2020, 20%) relating to the day-to-day operation of the Courts Service, 24% (2020, 25%) to the Unitary Charges for the CCJ and Regional PPP's and the balance of 14% (2020, 18%) for both ICT and Courthouse Capital. The outturn for 2021 saw the achievement of a balanced budget, with total gross expenditure for the running of the Courts Service of €154.092m. This compares with €154.628m in 2020. Expenditure for 2021 compared with that of 2020 can be broken down between total current expenditure, totalling €96.451m (€88.557m for 2020), and total capital expenditure, including PPP of €57.641m (€66.071m in 2020). The funding of the Courts Service is supplemented by Appropriations-in-Aid, of which Court Fee Income represents the main source of receipts. Court Fee Income relates to the administrative charge for the processing of civil cases. In 2021 this amounted to €24.770m (€24.612m in 2020). In addition to Court Fee income, Appropriations-in-Aid include Miscellaneous Income and a Pension Levy. The Courts Service is divided into six directorates, each with a distinct function. Diagram 1 below represents the spend across each directorate in the Courts Service.

**Diagram 1: Current Expenditure by Directorate**  
Total Spend €154m



Capital expenditure represents 37% of overall expenditure in the Courts Service. Diagram 2 below sets out how capital expenditure was spent in the Courts Service.

**Diagram 2: Capital Expenditure 2021**  
Total Spend €57.641m

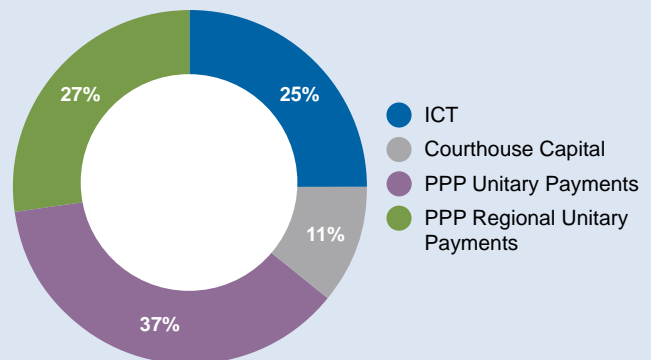
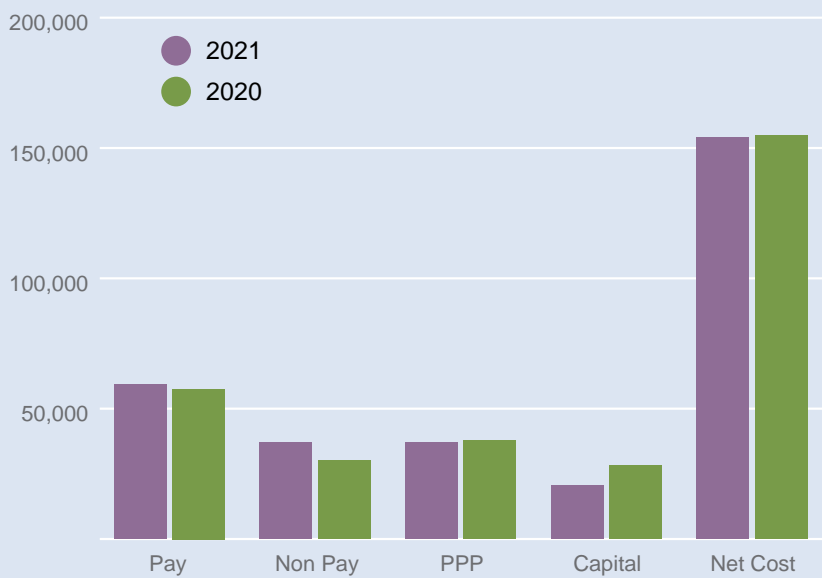


Diagram 3 below compares Courts Service expenditure and income in 2021 against 2020

**Diagram 3: Expenditure and Income 2021 v 2020**



## 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. The fees collected on behalf of the Revenue Commissioners include excise duties on certain licensing applications.

Court Fees	2021 €'000	2020 €'000
Retained by the Courts Service	24,770	24,613
Revenue Commissioners	0	1,200
<b>Total</b>	<b>24,770</b>	<b>25,813</b>

## Expenditure and Income

Expenditure and Income	2021 €'000	2020 €'000
Current Expenditure		
Salaries and wages	59,425	57,556
Travel and subsistence	2,433	2,291
Staff and judicial training	769	799
Incidental/ miscellaneous costs	8,052	4,472
Digital audio recording and other fees	2,477	2,374
Legal services	716	646
Postal services	1,927	1,604
Telecommunications	1,481	1,329
Photocopying materials & Equipment	194	240
Office equipment and materials	373	408
Courthouse maintenance	7,122	6,454
Heat, light and fuel costs	2,634	2,698
Furniture and fittings	328	739
General Premises	2,308	1,881
Leases	6,043	4,851
Consultancy (non I.T related)	167	217
<b>Total Current Expenditure</b>	<b>96,451</b>	<b>88,558</b>
Capital Expenditure		
Computer and telecommunications systems	14,628	15,240
Courthouses and other buildings	6,058	12,895
PPP – CCJ Unitary Payments	21,269	23,904
PPP - Regional Unitary Payments	15,687	14,032
<b>Total Capital Expenditure</b>	<b>57,641</b>	<b>66,070</b>
<b>Total Gross Expenditure</b>	<b>154,092</b>	<b>154,628</b>
Income (Appropriations - in - Aid)		
Fees	24,770	24,613
Miscellaneous	658	1,024
Pension levy	1,583	1,498
Dormant Funds	-	5,500
<b>Total Income</b>	<b>27,011</b>	<b>32,635</b>
<b>Total Net Expenditure</b>	<b>127,081</b>	<b>121,994</b>

Note: The figures are provisional and subject to the 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.

### Prompt payment interest

Prompt payment interest and compensation is paid to suppliers in respect of invoices not paid within 30 days of receipt. In 2021, the total amount paid out in respect of late payments was €13,440 (€9,758 in 2020).

Late payments			
Year	Interest amount	Compensation amount	Total
2021	€2,130	€11,310	€13,440
2020	€1,508	€8,250	€9,758

### 15-day payment requirement

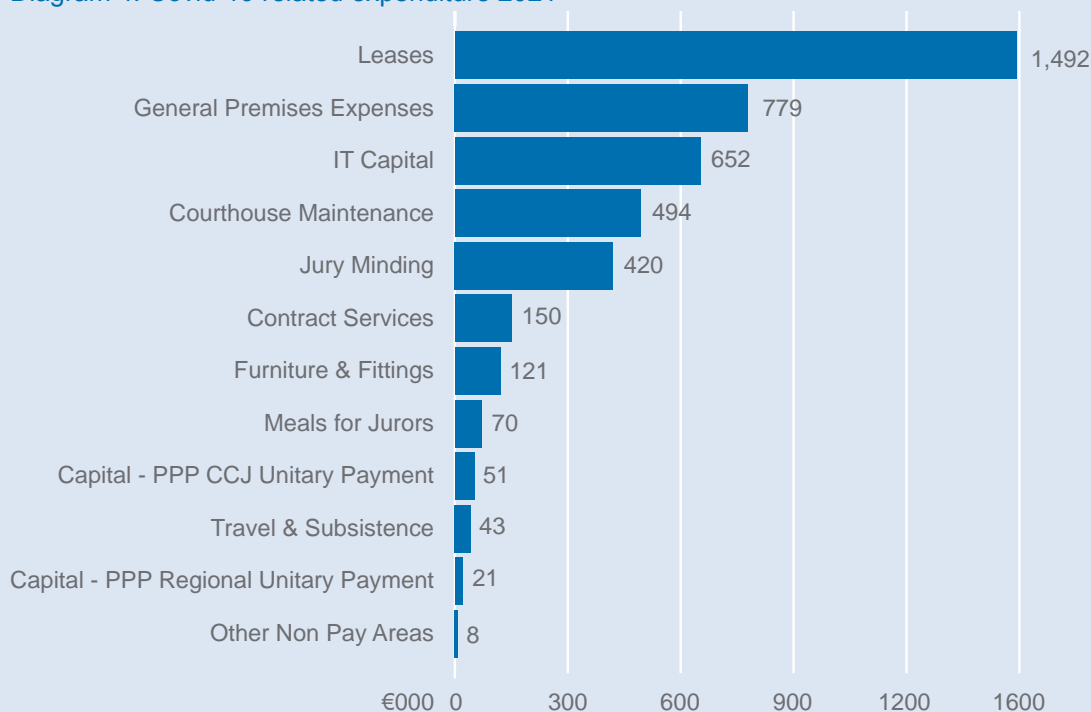
The Service makes every effort, consistent with proper financial procedures, to ensure that all suppliers are paid within 15 days.

Prompt Payment Quarterly Returns by Government Departments Agency: Courts Service				
Year	% of overall total value paid within 15 days	Value of payments within 15 days	% of number of payments within 15 days	No. of payments within 15 days
2021	72%	€57,707,213	68%	5,968
2020	74%	€63,804,612	64%	5,391
2019	65%	€48,701,198	64%	6,064

### Covid-19 related expenditure

A total of €4.301m was incurred on Covid-19 related expenditure in 2021, primarily in relation to Leases, General Premises Expenses and ICT Capital which made up 68% of the total Covid-19 related expenditure. Covid-19 had a significant impact on court fee income, primarily driven by a reduction in licensing and civil business. This resulted in a reduction in Fee Income by 44% when compared against 2019 receipts.

Diagram 4: Covid-19 related expenditure 2021



## Court Funds Office

In accordance with the Courts Service Act 1998, the Courts Service 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 Courts 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.

At 30 September 2021, the Accountants Office was managing €2.219 billion in a fiduciary capacity (2020, €1.981 billion) on behalf of 23,640 beneficiaries. Of these, 2,784 beneficiaries are persons who have been declared wards of court (2020: 2,751) with funds valued at €1.657 billion as at 30 September 2021 (2020: €1.460 billion). A further 18,504 are minors (2020: 17,933) with funds valued at €363 million (2020: €336 million). The remainder mostly consist of cases pending further court orders, residential redress board cases and lodgements with defence case types. The increase in the total value of funds by €238 million is attributable to a net increase from investment performance of €112 million for the year and an increase in net capital transactions of €126 million (i.e. net excess receipts over disbursements).

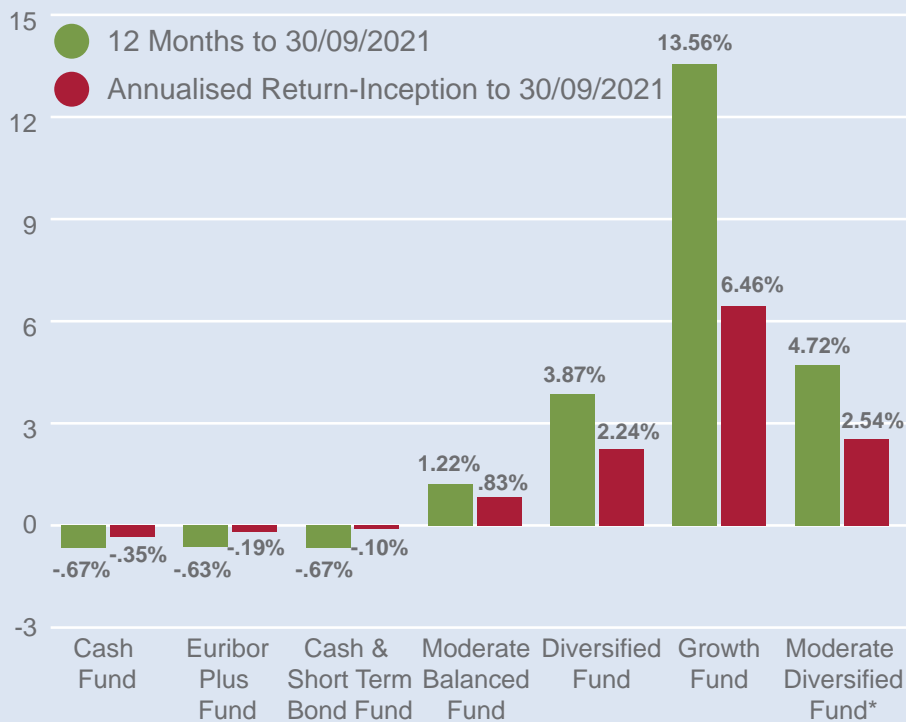
Table 1: Total Net Assets under Management, by Jurisdiction as at 30th September 2021

Jurisdiction	Net Assets € at 30/09/2020	%	Net Assets € at 30/09/2021	%	% Increase in Net Assets
High Court	1,766,514,046	89.2%	1,990,678,809	89.7%	12.7%
Circuit Court	185,783,908	9.4%	195,597,534	8.8%	5.3%
District Court	28,485,815	1.4%	32,960,051	1.5%	15.7%
<b>Total</b>	<b>€1,980,783,769</b>	<b>100%</b>	<b>€2,219,236,394</b>	<b>100%</b>	<b>12.0%</b>

Table 2 shows the investment performance net of fees for all strategies for the current financial year, covering the period from 1st October 2020 to 30th September 2021 and the annualised return since inception in October 2013 for all funds with the exception of the Moderate Diversified Fund which was established on 20th March 2019. The net returns, before management fees and custodian and administration fees, for the year ending 30th September 2021 were as follows: Cash Fund (-0.67%), Euribor Plus Fund (-0.63%), Cash and Short Term Bond Fund (-0.67%), Moderate Balanced Fund (+1.22%), Diversified Fund (+3.87%), Growth Fund (+13.56%) and Moderate Diversified Fund (+4.72%).

Note: Full details are contained in the annual report of the Financial Statements of the Accountant of the Courts of Justice for the year ending 30 September 2021 available on [www.courts.ie](http://www.courts.ie).

**Table 2: SSGA Spectrum Funds Annual Investment Performance (Net of Fees) to 30th September 2021**



\* Moderate Diversified Fund established March 2019

## Statement of Financial Position

At 30 September 2021

	30/09/2021 €	30/09/2020 €
Financial assets at fair value through profit or loss	2,147,373,170	1,908,123,198
<b>CURRENT ASSETS</b>		
Debtors	58,729,205	59,399,130
Cash and cash equivalents	14,404,974	15,078,956
<b>TOTAL CURRENT ASSETS</b>	73,134,179	74,478,086
<b>CURRENT LIABILITIES</b>		
Creditors	(1,270,955)	(1,817,515)
<b>TOTAL CURRENT LIABILITIES</b>	(1,270,955)	(1,817,515)
<b>NET CURRENT ASSETS</b>	71,863,224	72,660,571
<b>TOTAL NET ASSETS</b>	2,219,236,394	1,980,783,769
<b>Represented by:</b>		
Funds held for beneficiaries	2,219,236,394	1,980,783,769

The financial statements were approved by the Accountant on 14 February 2022.

## Statement of Comprehensive Income

For the year ended 30 September 2021

	30/09/2021 €	30/09/2020 €
<b>NET REALISED AND UNREALISED GAINS / (LOSSES)</b>		
Net realised gains on financial assets at fair value through profit or loss	10,174,706	12,070,699
Net change in unrealised gains / (losses) on financial assets at fair value through profit or loss	103,788,125	(39,318,187)
Net (losses) realised on transfers of assets	(91,688)	(2,229,272)
<b>NET REALISED AND CHANGE IN UNREALISED GAINS / (LOSSES)</b>	113,871,143	(29,476,760)
Investment income	55,886	72,758
Expenses	(1,967,782)	(2,084,586)
<b>INCREASE / (DECREASE) IN NET ASSETS FROM OPERATIONS</b>	111,959,247	(31,488,588)

The financial statements were approved by the Accountant on 14 February 2022.



## Statement of Changes in Net Assets

For the year ended 30 September 2021

	30/09/2021 €	30/09/2020 €
<b>INCREASE / (DECREASE) IN NET ASSETS</b>		
<b>FROM OPERATIONS</b>		
Investment income less expenses	(1,911,896)	(2,011,828)
Net realised gains on financial assets at fair value through profit or loss	10,174,706	12,070,699
Net change in unrealised gains / (losses) on financial assets at fair value through profit or loss	103,788,125	(39,318,187)
Net (losses) realised on transfers out during year	(91,688)	(2,229,272)
<b>INCREASE / (DECREASE) IN NET ASSETS FROM OPERATIONS</b>	111,959,247	(31,488,588)
<b>CAPITAL TRANSACTIONS</b>		
Receipts	300,942,457	267,617,498
Disbursements	(174,449,079)	(226,241,877)
<b>INCREASE IN NET ASSETS FROM CAPITAL TRANSACTIONS</b>	126,493,378	41,375,621
Total increase in net assets for the year	238,452,625	9,887,033
Net assets at beginning of year	1,980,783,769	1,970,896,736
<b>NET ASSETS AT END OF YEAR</b>	2,219,236,394	1,980,783,769

## Court Funds Office – Court Accounts Section

The Courts Accounts Section of the Courts Funds Office operates as a shared service centre for the processing of all financial transactions for the Combined Court Offices of the Courts Service. In 2021, the total volume of transactions (both receipts and payments) was 508,700 (2020, 515,875) with a monetary value of €79.1m (2020, €81.3m).

## Fines

The Courts Service manages receipts and fines imposed by the Courts. Court Fines received are transferred to the Exchequer and a number of other government departments and agencies. Compared to the previous year, reduced social and economic activity again in 2021, following the onset of the Covid-19 pandemic, contributed to a decline in court fines collected and transferred to the Exchequer.

**Table 3: Court Fines collected and transferred**

	30/09/2021 €000	30/09/2020 €000
Exchequer (motor fines)	3,958	3,588
Exchequer (general)	3,159	1,932
The Office of the Revenue Commissioners	456	485
Department of the Environment, Climate and Communications	23	23
Department of Agriculture, Food and the Marine	171	40
<b>Total</b>	<b>7,767</b>	<b>6,068</b>

## Fines (Payments and Recovery) Act 2014

The Fines (Payment and Recovery) Act 2014 allows for the payment of fines by instalment over a twelve-month period, subject to certain conditions. Where a person defaults in making payment the matter will be brought back to Court. This may result in the making of an attachment of earnings order or a community service order. Where the unpaid fine is in excess of €500, the Court may appoint a receiver.

**Table 4: Number and value of fines imposed and recorded on CCTS in 2021 and 2020**

	2021	2020
Number of fines imposed	55,313	38,353
Value of fines imposed	€17,014,209	€11,884,920

## Family Law

The Courts Service processes Family Law payments for maintenance debtors and creditors.

**Table 5: Family Law receipts and payments**

	2021		2020	
	€'000	Volume	€'000	Volume
Receipts	€15,363	181,720	€15,338	186,956
Payments	€15,076	215,725	€15,365	224,669

The Courts Service continues to encourage users to avail of electronic funds transfer as the preferred method of payment with 93% of Family Law maintenance creditors paid by EFT in 2021, and 84% of such debtors making payment by standing order.

## 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 Courts Service for onward payment to a charity as directed by the court.

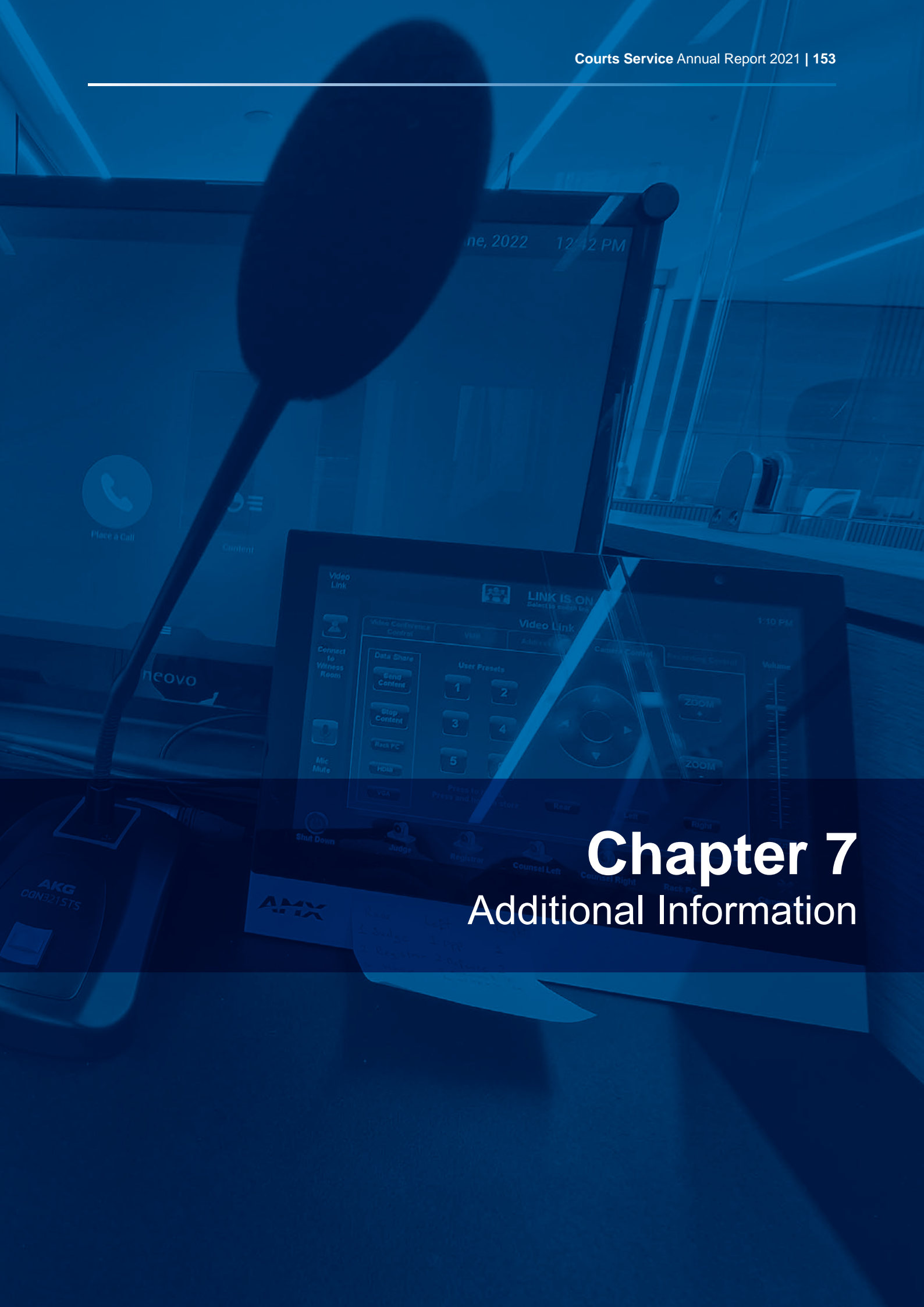
The primary responsibility of the Courts Service in relation to the Poor Box is to ensure that:

- all monies paid into, and payments made from the Poor Box are carried out in accordance with the direction of the judge, and
- there are adequate and effective systems and procedures in place for recording court orders and accounting for Poor Box receipts and payments.

**Table 6: Poor Box returns 2021**

	Balance as at 01/01/2021	Receipts	Payments	Balance as at 31/12/2021
District Court	€405,103.40	€1,719,520.87	€997,039.16	€1,127,585.11





# Chapter 7

## Additional Information

## Additional information

### Contacting Offices of the Courts Service

Contact details for the main offices of the Courts Service are on the website [www.courts.ie](http://www.courts.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 Courts Service together with strategic plans and other publications are on the website.

### Website

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

### Solicitors

Byrne Wallace LLP, 88 Harcourt Street,  
Dublin 2.

McCann FitzGerald LLP, Riverside One,  
Sir John Rogerson's Quay, Dublin 2.

### Auditors

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

Mazars  
Block 3 - Harcourt Centre Harcourt Road  
D02 A339 Dublin 2

### Image Credit

Image on page 138 courtesy of Ciaran Wallace

Pezip



# An tSeirbhís Chúirteanna Courts Service



Brendan H



Gerry Curran



Unmute microphone

John Whelan



Pauline



Lisa Maybury



Alan



