Consultation on the future of Magherafelt Courthouse

This consultation begins on 25 November 2026.

This consultation ends on 17 February 2027.

25 November 2026

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Ministerial Foreword

The Northern Ireland Courts and Tribunals Service (NICTS) is an Agency of the Department of Justice (DoJ). In support of the DoJ's Mission of "working in partnership to create a fair, just and safe community where we respect the law and each other", NICTS has three overarching Aims: Working in Partnership; Supporting the Judiciary; Improving Courts and Tribunals.

'Making the Place for Justice'[1] is the NICTS' Estate Strategy, which was published in December 2023, following engagement with an Estate Strategy Advisory Group comprising representatives from the legal profession and justice partners. The Strategy is structured around 4 Aims and 12 Strategic Outcomes, that if realised, will result in a courts and tribunals estate that can provide modernised and improved facilities for all citizens of Northern Ireland. This will require evidence-based decisions to be taken on how best to prioritise and invest available budget within the NICTS estate portfolio, whilst recognising the budgetary challenges that have been faced by my Department for some time.

This consultation is seeking views on a proposal for the permanent closure of Magherafelt Courthouse, resulting in the permanent reallocation of Magherafelt court business to an alternative courthouse within the NICTS estate that can provide better facilities to service users.

Evidence to date indicates that Magherafelt Courthouse falls far below the standards that all court users should rightly expect and that there are significant physical and financial constraints that would prevent NICTS' achievement of its Estate Strategy aims within Magherafelt Courthouse.

This proposal aligns with NICS guidance on Managing Public Money[2] and supports the Department's Corporate Plan[3]. Implementation of the proposal would enable NICTS to focus and prioritise investment to provide improved user experience, value for money, resilience and sustainability elsewhere across the NICTS estate where this is more achievable, whilst ensuring that the people of Magherafelt continue to have access to justice within more suitable court facilities.

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[1] https://www.justice-ni.gov.uk/sites/default/files/publications/justice/nicts-estates-strategy-23-30.pdf
[2] https://www.finance-ni.gov.uk/articles/managing-public-money-ni-mpmni
[3] https://www.justice-ni.gov.uk/sites/default/files/2025-09/corporate%20business%20plan%20%202025-28%20and%202025-2026.pdf

Through this consultation, I am seeking the views of local representatives, court users, judiciary, the legal profession, other justice sector organisations, the community sector and other interested parties across Northern Ireland to better understand the impact that the proposal may have. While it will be of particular interest to those within the Magherafelt area, the proposal is also relevant to the wider NICTS estate and the efficient and sustainable operation of the justice system overall.

I recognise the positive impact that the closure and community asset transfer of Bangor Courthouse had upon the City, both from a social and economic perspective. And while my Department must comply with public sector disposal procedures if I take the decision to dispose of Magherafelt Courthouse, I would welcome views on how Magherafelt Courthouse could be repurposed within the community.

I would urge anyone with an interest in, or views on, the subject to consider this proposal and respond to the consultation so that I can consider their views fully before making a final decision on the future of Magherafelt Courthouse.

As case listing is a judicial matter, this consultation does not propose any change to the current operational arrangement of the separate listing of Magherafelt Adult Magistrates, Youth and Small Claims Court business in Londonderry Courthouse.

Naomi Long MLA

Minister of Justice

Proposal

This consultation is seeking views on a proposal for the permanent closure of Magherafelt Courthouse, resulting in the permanent reallocation of Magherafelt court business to an alternative courthouse in the NICTS estate that provides better facilities to service users.

Magherafelt Courthouse is currently temporarily closed. It was last used for court business in March 2020, when it operated as a Hearing Centre for Adult Magistrates, Youth and Small Claims Court around once a week. As pandemic-related public health measures could not be accommodated in Magherafelt Courthouse, Magherafelt business was transferred to Londonderry Courthouse, where it continues to be heard once a week.

Following consultation, if a decision is taken to permanently close and dispose of Magherafelt Courthouse, NICTS will be required to dispose of Magherafelt Courthouse according to the policy on the Disposal of Surplus Public Sector Property in Northern Ireland[4] which provides opportunities for disposal through identifiable pathways: Internal Market Public Sector Circulation, Internal Market Community Asset Transfer Circulation or External Market.

Any funding derived from the disposal of Magherafelt Courthouse, and the revenue released through reduced running and maintenance costs, would be managed within the overall Departmental budget.

Further detail on the policy considerations and the impact of this proposal on NICTS stakeholders has been provided within this consultation paper and the impact assessments published on the Department of Justice website.

As case listing is a judicial matter, this consultation does not propose any change to the current operational arrangement of the separate listing of Magherafelt Adult Magistrates, Youth and Small Claims Court business in Londonderry Courthouse.

[4] https://www.finance-ni.gov.uk/sites/default/files/2025-06/lps-disposal-surplus-public-sector-property-ni-policy.pdf

Magherafelt Courthouse



Magherafelt Courthouse is situated at Hospital Road, Magherafelt, BT45 5DG. Magherafelt Courthouse was constructed between 1873 and 1877 and is Grade 'A' listed[5]. The location is not of Special Scientific Interest, and it is not within a designated Conservation Area.





The overall site is 0.30 Hectares (0.74 acres). The front (South West) elevation faces onto Hospital Road, a main thoroughfare. The remaining elevations are abounded by residential properties. A gravel road provides access to the rear of the property. A security sangar is provided to the front adjacent to vehicle and pedestrian gates. Limited car parking is provided to the right hand side and rear.

[5] https://apps.communities-ni.gov.uk/Buildings/buildview.aspx?id=2796&js=false

The structure occupies a split-level site with the basement walls providing ground retention. It is of traditional construction with basalt stone walls and red brick detailing around windows, string courses and quoins, it has a series of dual pitched roof with a slate covering.

The floor area of the building is 1,317m2, around 48% of which is unused space in the basement and first floor.

The basement is accessible from the ground floor via a spiral stone staircase. The basement has 14 rooms which were historically used as cells, then subsequently for document storage. The heating system and CCTV technology are housed in the basement. There is an external door which leads to an enclosed courtyard at the rear of the building.

The ground floor entrance leads to the public waiting area and public counter. From the public waiting area, there is access to 2 consultation rooms and a large courtroom. There is a meeting room which was previously used for multiple purposes including as a children's waiting room, and an interview room for the enforcement of judgements office. There is 1 male toilet (only accessible from the outside of the building), 1 female toilet and 1 disabled toilet in this area, which are used for both public and staff use. There is a second smaller courtroom which was typically used for youth court, which can be accessed through the large courtroom or through a separate secure external door. There is single toilet in this area. A judicial chamber adjoins the courtroom, with a private toilet and a separate secure entrance. There is a custodial area comprising 2 cells, toilets and a room for prison escort staff. The court staff office is located behind the public counter. There is a storage room and separate kitchen area available for staff use.

The first floor is comprised of a number of rooms which were historically used as residential premises for the court keeper who lived on site until around the 1980s.

There are a number of separate attic spaces throughout the building, some of which are inaccessible or difficult to access.

Magherafelt Court Business

The listing of court business is a judicial function, and the guiding principles for the distribution and transfer of business between Courthouses are included in Practice Direction 5/16[6], published by the then Lord Chief Justice in 2016.

Magherafelt Court jurisdiction sits within the Western Administrative Court Division (ACD), which also includes Dungannon, Enniskillen, Londonderry, Omagh and Strabane Courthouses. The catchment area for Magherafelt Courthouse falls within Mid-Ulster Council District and covers 3 district electoral areas (Carntogher, Moyola, Magherafelt) comprised of 15 geographical wards (Lower Glenshane, Maghera, Swatragh, Tamlaght O'Crilly, Valley, Ballymaguigan, Bellaghy, Castledawson, Draperstown, Tobermore, Coolshinny, Town Parks East, Glebe, Lissan and The Loup). The population of the area according to the 2021 census is 55,019.

Under the Practice Direction, court users from the Magherafelt area attend Londonderry Court or Dungannon Court for Crown business, County Court, Family Proceedings Court and Family Care Centre; and Magherafelt Court for Magistrates Court (including Domestic Proceedings Court), Small Claims and Youth Court.

Magherafelt Courthouse was last used for court business in March 2020, when it operated as a Hearing Centre around once a week. As a Hearing Centre, the venue was only opened for scheduled court hearings, and no administration staff or judiciary were permanently based there.

As pandemic-related public health measures could not be accommodated in Magherafelt Courthouse, Magherafelt business was transferred to Londonderry Courthouse, where it is separately listed and continues to be heard once a week.

During the period of temporary closure since March 2020, statistics on Magherafelt court business continued to be recorded separately through the NICTS Integrated Court Operating System (ICOS).

[6] https://www.judiciaryni.uk/judicial-decisions/lcj-direction-516-direction-governing-distribution-and-transfer-court-business and https://www.judiciaryni.uk/files/judiciaryni/decisions/LCJ%20Direction%205-16%20-%20%20Annex%202.pdf

Published statistics on court business are categorised by Criminal business; Civil business; and Family business. Annual reporting is based on calendar year (January – December).

Table 1 shows that Magherafelt court deals with a very small volume of Civil and Family cases. The majority of Magherafelt business is criminal business.

Table 1: Court business disposed at Magherafelt Court* 2020-2025

Type of business	2020	2021	2022	2023	2024	2025
Criminal	536	912	686	816	738	617
Civil	46	23	20	12	5	0
Family	1	1	2	2	1	0
Total	583	936	708	830	744	617
% of NI total	**1.17%**	**1.33%**	**1.00%**	**1.09%**	**0.98%**	**0.86%**

**Magherafelt Courthouse is currently temporarily closed; business is heard in Londonderry*

Table 2 illustrates how the volume of volume of criminal, civil and family court business disposed at Magherafelt Court compares with the business in other courts in the Western Division and the overall volume of business disposed across Northern Ireland (71,466 cases). In 2025, business disposed at Magherafelt Court business accounted for 6% of total business across the ACD and 1% of total business across Northern Ireland.

Table 2: Court business disposed in the Western ACD in 2025

Venue	Total Criminal	Total Civil	Total Family	Venue Total	% of ACD Total	% of NI Total
Magherafelt*	**617**	**0**	**0**	**617**	**6%**	**1%**
Enniskillen	995	2	4	1,001	10%	1%
Dungannon	1,676	4	127	1,807	18%	3%
Londonderry	2,795	766	515	4,076	41%	6%
Omagh	779	736	339	1,854	18%	3%
Strabane	692	0	1	693	7%	1%
ACD Total	7,554	1,508	986	10,048	100%	14%

**Magherafelt Courthouse is currently temporarily closed; business is heard in Londonderry*

Table 3 shows courtroom utilisation within Magherafelt Courthouse in 2018 before the temporary closure, with overall utilisation at 17% of all available days. Court 1 had a higher utilisation rate of 29%. Court 2 had a lower utilisation rate of just 4%. On days that court is sitting, court sitting time will vary based on the business type and volume.

Table 3: Court utilisation at Magherafelt Courthouse 2018

Court	Days used	Available days	Utilisation
Court 1	73	249	29%
Court 2	11	249	4%
Total	84	498	17%

In 2025, Magherafelt Magistrates Court sat on 56 days with an average sitting time of 4 hours and 39 minutes. This would equate to a utilisation rate of 22.5%.

Table 4 shows courtroom utilisation rates across the Western ACD, showing that if Magherafelt Courthouse was used as it was in 2018 with a utilisation rate of 22.5%, it would the second lowest utilisation rate across the ACD.

Table 4: Courtroom utilisation across the Western ACD in 2025

Venue	Court 1	Court 2	Court 3	Court 4	Total
Magherafelt*	0%	0%			0%
Strabane	40%	5%			22%
Enniskillen	3%	51%			27%
Omagh	61%	37%	40%	14%	38%
Dungannon	65%	65%	75%	2%	52%
Londonderry (Excluding Magherafelt)	42%	98%	76%	70%	71%
Londonderry (Including Magherafelt)	42%	98%	99%	70%	77%

**Magherafelt Courthouse is currently temporarily closed; business is heard in Londonderry*

It should be noted that the availability of courtrooms and court facilities does not on its own help to process cases more quickly as case readiness is primarily driven by operational considerations across the whole of the justice system.

Table 5 shows disposals for Magherafelt business by charge type for 2025, compared to the overall Northern Ireland total for each charge type.

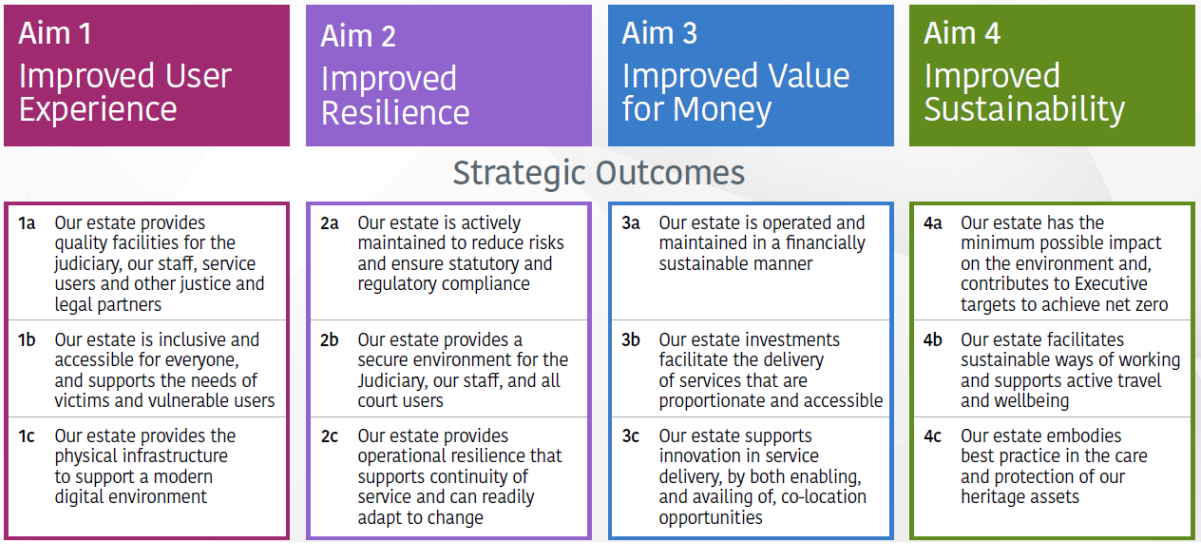
Table 5: Adult criminal disposals by charge type 2025 (Calendar Year) for Magherafelt and Northern Ireland (Provisional data)

Charge Type	Magherafelt	% of Magherafelt Total	Northern Ireland	% of Northern Ireland Total
All Offences Against the Person	32	5%	2,474	7%
All Sexual Offences	4	1%	618	2%
All Burglary Offences	0	0%	215	1%
All Robbery Offences	0	0%	47	0%
All Theft Offences	11	2%	2,143	6%
All Fraud and Forgery Offences	5	1%	372	1%
All Criminal Damage Offences	17	2%	710	2%
All Offences Against the State	4	1%	580	2%
All Other Offences	42	6%	2,939	8%
All Drug Offences	24	3%	2,487	7%
All Motoring Offences	401	57%	14,293	39%
All Non Police Offences	50	7%	362	1%
All Breach	6	1%	552	2%
Combination of charges	108	15%	8,818	24%
Total	704	100%	36,610	100%
Magherafelt disposals as a percentage of all Northern Ireland disposals		1.9%		

In 2025, compared to the Northern Ireland total, Magherafelt dealt with a higher proportion of disposals in relation to All Motoring Offences (+18 percentage points) and All Non Police Offences (+6 percentage points).

Strategic Asset Assessment

The NICTS Estate Strategy established a framework for how NICTS will use data and evidence to prioritise investment in its buildings in the years ahead. Achieving the 4 Aims and 12 Strategic Outcomes outlined in the NICTS Estate Strategy will result in a courts and tribunals estate that can provide modernised and improved facilities for all citizens of Northern Ireland.



A Strategic Asset Assessment was undertaken to assess NICTS' use of Magherafelt Courthouse against the 4 Aims and 12 Strategic Outcomes set out in the NICTS Estates Strategy.

This section outlines the considerations within the Strategic Asset Assessment, and the NICTS assessment of the strength of alignment with the NICTS Estate Strategy – i.e good alignment, acceptable alignment or poor alignment.

Aim 1- Improved User Experience

Aim 1 - Improved User Experience		
1a	Our estate provides quality facilities for the judiciary, our staff, service users and other justice and legal partners	Poor alignment

Courts and tribunals are highly valued by those that use and work in them. For Adult Magistrates Court this includes a wide range of partners and stakeholders with diverse needs:

- The judiciary
- Legal representatives
- NICTS court staff
- Prisoner Escorting and Court Custody Service staff (PECCS)
- Contracted Security Staff
- Adult defendants and plaintiffs
- Injured parties (who may be adults or children)
- Witnesses (who may be adults or children)
- Public Prosecution Service
- Third sector support groups such as Victim Support NI and NSPCC
- Citizens attending courthouse proceedings as observers
- Media representatives

There have been long-standing concerns about the quality of accommodation at Magherafelt Courthouse, in terms of both the fabric of the building and the extent to which the facilities meet the requirements of court users.

In 2012, the Criminal Justice Inspection Northern Ireland (CJINI) report on 'An Inspection of the NICTS Courts Estate'[7] highlighted considerable variations in the quality of the facilities

[7] https://www.cjini.org/reports/northern-ireland-courts-and-tribunals-service-an-inspection-of-the-adequacy-of-the-courts-estate/

available across the NICTS Estate. Each court property was scored against four categories: location, accessibility, form and layout and function. Inspectors then combined condition surveys, data from maintenance and improvement works, audits of compliance with the Disability Discrimination Act and site visits, to arrive at an assessment of the quality of the property. The quality of Magherafelt Courthouse was assessed by CJINI as **'Poor quality'** and described this as: '*overall condition is fair, major building works required now or in the short-term, health and safety issues require significant work. Significant non-compliance with Disability Discrimination Act requirements. Infrastructure presents barriers to ensuring Disability Discrimination Act compliance and provision of special measures*.'

In 2019, NICTS commissioned external consultants to undertake condition surveys across the NICTS Estate. The condition category of Magherafelt Courthouse was assessed as **Poor (D),** indicating that elements of building fabric or core services are in need of urgent repair or replacement to prevent failure and mitigate consequential impacts. This falls below the '**Good quality'** standard, requiring a minimum score of 70%, that is considered a success factor in the NICTS Estates Strategy. Due to the age of the building, remedial maintenance and redecoration works were recommended for the majority of building elements. The report stated that considerable investment was required over the following 30 years to upgrade and maintain the property to a good standard. Extensive work was required to repair a failed damp proof membrane and restore safe access to the first floor and basement areas.

A maintenance calculator provided by HM Government: Government Property Function , is designed to provide a forward view of maintenance spending cost requirements for a property based on size and present condition. The calculator provides a cost per square metre figure to raise condition C and D rated assets to a B rating level within 5 years. Based on the maintenance calculator, backlog maintenance for Magherafelt Courthouse is estimated to be £1,509,000 over a 10-year period.

In addition to condition-based deficiencies, there are a number of deficiencies in relation to the configuration of NICTS accommodation and facilities in terms of meeting the expectations of court users. The backlog maintenance calculator cost estimation is based solely on improving the condition of the fabric of the building. It does not include any expenditure that may be required to address any identified functional deficiencies.

While facilities for members of the public at Magherafelt Courthouse would benefit from cosmetic redecoration and replacement of furniture and fittings, the quality and adequacy of facilities is impacted by the lack of available space.

Other deficiencies that negatively affect the experience of court users in the Magherafelt Courthouse have been outlined later in this paper under:

- **1b:** Our estate is inclusive and accessible for everyone, supporting the needs of victims and vulnerable users; and
- **2b:** Our estate provides a secure environment for the Judiciary, our staff, and all court users

As Magherafelt Courthouse was temporarily closed shortly after the 2019 report, there has been no planned maintenance or capital investment to address the functional deficiencies due to the limitations on budgets and because of a need to prioritise other investment activity across the estate.

In terms of condition-based risks, NICTS initiated a project to address the below ground damp issues, and during design stages further above ground damp issues were identified. NICTS commissioned a damp inspection which confirmed damp due to failed tanking in the basement of Magherafelt Courthouse, weather related water ingress and dry rot in the building. A programme of above and below ground damp remediation works was developed by NICTS to address the issues identified. Phase 1 of above ground remediation works has been completed. Phase 2 above ground remediation and below ground remediation have not yet been addressed.

From April 2020 to March 2025, NICTS invested a total of £81,000 in building maintenance at Magherafelt Courthouse. 45% of this maintenance expenditure was for unplanned reactive and remedial work, including addressing the water ingress issues. Maintenance costs increased significantly in 2025-26, with over £117,000 invested in planned, cyclical and reactive maintenance.

It would be extremely difficult for NICTS to secure funding to resolve the issues at Magherafelt Courthouse based on value for money considerations, particularly in the context of low business volumes for Magherafelt and the demands across the wider NICTS estate.

Aim 1 - Improved User Experience		
1b	Our estate is inclusive and accessible for everyone, supporting the needs of victims and vulnerable users	**Poor alignment**

Meeting the needs of persons with disabilities

Article 13 of the UN Convention on the Rights of Person with Disabilities[8] states that "States Parties shall ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages."

In this Charter this is given effect through a range of provisions, including the special measures that can be applied for to assist vulnerable and intimidated witnesses to give evidence to the police and at court, as well as other assistance to help people to understand and be understood. This is in addition to the general provisions that service providers would have available and which are not necessarily specific to the giving of evidence at court.

In 2012, the Criminal Justice Inspectorate Northern Ireland (CJINI) report on 'An Inspection of the NICTS Courts Estate' assessed the quality of Magherafelt Courthouse as **'Poor quality'** and highlighted significant non-compliance with Disability Discrimination Act requirements. The report recognised that infrastructure presents barriers to ensuring Disability Discrimination Act compliance.

In 2021, a disability access audit was completed for Magherafelt Courthouse by a chartered building surveyor. This access audit report focuses primarily on any potential shortcomings in the physical features of the building and the adjustments required to alleviate the shortcomings. The inspection and report were carried out against a comprehensive checklist of issues derived from:

- *BS8300:2009, Design of buildings and their approaches to meet the needs of disabled people - Code of Practice; and*
- *Approved Technical Booklet R (Access to and use of buildings) of the Building Regulation (NI) 2012.*

[8] https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities

The access audit showed that Magherafelt Courthouse is not accessible to all users. It identified 83 non-compliant issues within Magherafelt Courthouse that would cost in the region of £159,150 to remediate. It cited a number of difficulties that wheelchair or non-ambulant court users will experience when gaining access to and navigating the building, including the absence of compliant accessible parking facilities, poor external lighting, insufficient visual contrast at doorways and stairs, insufficient tactile warnings, non-compliant or absent ramps and handrails, obstructed areas beside the accessible entrance and difficulties accessing the reception, public counter and accessible toilets.

As Magherafelt Courthouse has not been in active use since the audit was undertaken, no progress has been made in addressing these issues due to the prioritisation of other investment activity across the estate and significantly constrained budgets. If Magherafelt Courthouse was to be brought back into use once a week for Adult Magistrates Court, it would be extremely difficult for NICTS to secure funding to resolve these issues based on value for money considerations, particularly in the context of low business volumes for Magherafelt, the listed status of the building and the demands across the wider NICTS estate.

As currently configured, NICTS considers that the facilities at Magherafelt Courthouse are not sufficiently accessible to all users.

Victims and vulnerable users

There are a number of guiding standards that focus specifically on the needs of victims and witnesses in the criminal justice system including the Criminal Evidence (Northern Ireland) Order 1999[9], Department of Justice (DoJ) Witness Charter[10], the DoJ Victims Charter[11] and The Gillen Review Report and Recommendations[12].

Other justice partners are responsible for policy and support services in relation to the needs of victims and witnesses in the criminal justice system. NICTS' role is to facilitate the implementation of these policies and support services within our courthouses, particularly in relation to the support available at court when victims and witnesses are giving evidence.

[9] https://www.legislation.gov.uk/nisi/1999/2789/contents
[10] https://www.justice-ni.gov.uk/sites/default/files/publications/justice/witness-charter.PDF
[11] https://www.justice-ni.gov.uk/sites/default/files/publications/justice/Victim%20Charter.pdf
[12] https://www.justice-ni.gov.uk/topics/gillen-review-report-law-and-procedures-serious-sexual-offences-ni

Magherafelt Courthouse falls short of the guiding standards in a number of areas:

- When the building was in operational use, there was no designated separate waiting room for victims and witnesses. Access from the custodial suite to the courtroom is through the public area. While staff will put in place arrangements to seek to avoid the defendants meeting victims and witnesses in the courthouse, there is an inherent risk that this could occur due to the layout of the building.
- The entrance area and public waiting area are small, significantly limiting the capacity for different parties to avoid each other before entering court.
- There are no video link facilities within the Courthouse to allow victims and witnesses to give evidence from outside of the courtroom.
- There is no technology available in the courtroom to enable pre-recorded video evidence to be heard in court.

When the building was in active use, security mitigations were in place based on a risk assessment related to these issues. Despite these identified risks, there were no recorded incidents in relation to the identified safety and security risks within Magherafelt Courthouse. While the partial utilisation would reduce the likelihood of an incident occurring at Magherafelt Courthouse if it were to re-open, the inherent risk around potentially serious consequences to the safety of court users remains high. NICTS has a duty of care in relation to those who use, and work in our buildings.

It is possible that the use of existing facilities could be reconfigured to better meet the needs of victims and witnesses, by creating a dedicated waiting room. The multi-purpose meeting room could be allocated for that purpose, but those using it would need to use the shared entrance and toilets, and travel to the courtroom through the main waiting area. Court 2 could also be re-allocated for this purpose, providing separate toilet facilities and reduced risk of passing a defendant or their supporters within the courthouse; however this would prevent Court 2 from being used for Youth Court going forward.

It would be extremely difficult for NICTS to secure funding to resolve the issues at Magherafelt Courthouse based on value for money considerations, particularly in the context of low business volumes for Magherafelt, extremely constrained revenue and capital budgets, and the demands across the wider NICTS estate.

As currently configured, NICTS considers that the facilities at Magherafelt Courthouse are not acceptable for victims and witnesses.

Travelling to the courthouse

As part of the commitment to Safer Communities within the Programme for Government[13], DoJ is progressing a Speeding Up Justice Programme through an Executive agreed approach to reducing offending and reoffending, contributing to delivery of improved outcomes for those who engage with the justice system. This includes exploring options for expanding the use of Out of Court Disposals, including Community Resolution Notices, to speed up time taken to dispose of those cases, and help to reduce pressure on Courts and other justice agencies.

Attendance at Court will however continue to be an important part of the justice system, and proximity to the courthouse is a relevant aspect in terms of access to justice.

In strategically managing its estate, NICTS need to make decisions about how to maintain effective access to justice while determining the most appropriate and cost-effective locations for our courts and tribunals. NICTS need the right courts and tribunals in the right places, with appropriate facilities and capacity to meet operational requirements.

Magherafelt Courthouse is located close to the town centre. It is a 10-minute walk to the town centre, and a 5-minute walk to Magherafelt Bus Station. There is no train station in Magherafelt. There are no facilities for Active Travel, such as bicycle storage, at Magherafelt Courthouse. There is no car parking at the courthouse, but there is car park located in Union Road, around 250 yards from the courthouse. There is limited on street parking on Hospital Road.

[13] https://www.northernireland.gov.uk/articles/programme-government-2024-2027-our-plan-doing-what-matters-most



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NICTS has undertaken a Travel Impact Assessment in relation to the reallocation of business from Magherafelt Courthouse to Londonderry Courthouse. Further analysis of the impact of increased travel on particular groups has also been considered within in the Equality Screening and the Rural Needs Impact Assessment. (All impact assessments, including the Travel Impact Assessment, are published on the Department of Justice website).

It is clear that the temporary reallocation of Magherafelt Court business to Londonderry Courthouse resulted in increased travel for the majority of Adult Magistrates, Youth and Small Claims Court users in the Magherafelt area for both driven journeys and public transport journeys. This has been the case since business was transferred in March 2020.

The 2021 NI Census showed that 89% of households within the District Electoral areas associated with the Magherafelt Court catchment area have access to at least one car or van. NICTS 2025 data shows that 57% of Magherafelt Adult Magistrates Court business related to motoring offences. There is a reasonable assumption that the majority of court users are likely to travel by car or van, with a lesser impact than those travelling by public transport.

For driven journeys, the average longest journey from each ward of 48.79 minutes from the Magherafelt Courthouse catchment area to Londonderry Courthouse is significantly longer than the average longest journey to Magherafelt Courthouse (13.78 minutes); and the average drive times to Magistrates Court, Youth Court and Small Claims Court for the Western ACD (9.8/ 9.8/ 11.3 minutes) and across Northern Ireland (9.3/ 9.5/ 9.6 minutes). The temporary transfer to Londonderry Courthouse introduced a greater travel requirement to Magistrates Court, Youth Court or Small Claims Court than any of the designations under Practice Direction 5/16, where the longest estimated journey was 38.57 minutes.

For public transport users, 73% of journeys would have added complexity in terms of service transfers. The average journey would increase by 1hour 42 minutes, from 1 hour 7 minutes to Magherafelt Courthouse to 2 hours 49 minutes to Londonderry Courthouse. The most significant increase in public transport journey time was for those travelling from a postcode within the Tobermore ward, requiring an additional 2 hour 22 minutes journey time and bringing their total journey time to 2 hours 44 minutes. The greatest journey time for those travelling to Londonderry Courthouse is from a postcode in the Bellaghy area, requiring a total journey time of 4 hours 35 minutes, which is 2 hours 10 minutes longer than their 2 hours 25 minute journey time to Magherafelt Courthouse.

Taking all of these factors into account, including the mitigations set out below, and the screenings and impact assessments, NICTS considers that that increased travel associated with the reallocation of Magherafelt Adult Magistrates, Youth and Small Claims Court business to an alternative courthouse in the NICTS estate is reasonable and justified by the legitimate aim of implementing the NICTS Estate Strategy and providing Magherafelt court users with access to higher quality, safer, more modern and more accessible courthouse facilities.

NICTS further considers that the impact of increased travel is mitigated by several factors:

- The number of court users experiencing increased travel will be low.
- Attendance at a courthouse is an infrequent occurrence for most people.
- The analysis of public transport journeys was based on solely using public transport (and walking where necessary). Some court attendees will used a mixed mode of travel, and this will reduce the travel time overall.
- The Disability Action Transport Scheme[14] (DATS), funded through grant assistance provided by the Department for Infrastructure, is a local transport service for disabled people, older individuals and those who find it difficult to use public transport. While DATS cannot facilitate travel from Magherafelt to Londonderry, they can facilitate easier access to public transport links in Magherafelt.
- Older people over 60 are eligible for free travel on public transport across NI through the Translink Smartpass.

[14] https://www.disabilityaction.org/Pages/Category/transport

- The increased travel aligns with travel requirements for users in the Magherafelt area who attend court for other tiers of court business.
- Remote attendance at court can be facilitated (Subject to judicial approval).
- Video evidence at court can be facilitated (Subject to judicial approval).
- Later start times can be facilitated by exception (Subject to judicial approval).
- Future policy and technological changes may result in a reduced requirement for courthouse attendance.
- When the Public Prosecution Service (PPS) calls victims and witnesses of crime to court to give evidence in the prosecution of cases, the PPS will pay travel and subsistence expenses and compensation for loss of earnings in attending, subject to daily capped rates. Claims can also be made in relation to childcare costs.[15]

Aim 1 - Improved User Experience		
1c	Our estate provides the physical infrastructure to support a modern digital environment	**Poor alignment**

Linked to Vision 2030, the NICTS' Modernisation Portfolio, NICTS is working to provide the necessary infrastructure to support digital modernisation across the NICTS estate, including the facilitation of remote and hybrid courts and e-bundles. While WiFi is available within the building and a screen could be provided in the courtroom to display digital evidence, the digital infrastructure at Magherafelt Courthouse is significantly limited:

- The Courtroom is not equipped with the technology necessary to facilitate remote or hybrid attendance
- The consultation rooms and witness rooms are not digitally enabled
- The staff office and judicial chambers have hard wired network infrastructure but there are no facilities available to participate in, or host, virtual meetings

It would be extremely difficult for NICTS to secure funding to resolve these issues based on value for money considerations, particularly in the context of low business volumes for Magherafelt and the demands across the wider NICTS estate.

[15] https://www.ppsni.gov.uk/witness-expenses

Aim 2: Improved Resilience

Aim 2 - Improved Resilience		
2a	Our estate is actively maintained to reduce risks and ensure statutory and regulatory compliance	Acceptable alignment

Although Magherafelt Courthouse has been temporarily closed since 2020, all statutory cyclical maintenance regimes have been maintained, and Magherafelt Courthouse remains statutorily compliant:

- A fire alarm and detection system is operating and compliant
- A fire risk assessment for the building was last completed in December 2022
- A legionella inspection and testing regime is in place
- An asbestos survey for the building was last carried out in December 2025

As outlined above in relation to user experience, a disability access audit undertaken in 2021 identified 83 non-compliance issues within Magherafelt Courthouse which would cost in the region of £159,150 to remediate. It would be extremely difficult for NICTS to secure funding to resolve these issues based on value for money considerations, particularly in the context of low business volumes for Magherafelt, extremely constrained budgets, and the demands across the wider NICTS estate.

Aim 2 - Improved Resilience		
2b	Our estate provides a secure environment for the Judiciary, our staff, and all court users	Poor alignment

A fundamental aspect of security design is to have clearly segregated zones for public, staff, judiciary and custody. In Magherafelt Courthouse, there is good segregation of the secure judicial entrance and judicial chambers from other zones. However, for other court users, there are significant deficiencies related to the design and layout of the building which increase safety and security risks.

For those involved in court proceedings, the entrance, waiting areas and toilets are relatively small providing limited privacy and limited opportunity to segregate parties involved in adversarial proceedings. As outlined above, when the building was in operational use, there was no designated separate waiting room for victims and witnesses. It is possible that the

multi-purpose meeting room or one of the consultation rooms could be used for this purpose. However, those using it would be required to walk through the public waiting area to reach it or to access the courtroom or toilet facilities.

For NICTS staff, there is a secure staff office of sufficient size which allows access to the public counter, however staff are required to use public entrances and circulations areas to access the office. Access to the courtroom from the office is through the public waiting area. Staff are required to share toilet facilities with the public. These constraints in layout result in insufficient segregation for staff from public areas.

For legal representatives, apart from the 2 consultation rooms, there is no room or facilities allocated for solicitors or barristers to use.

There are significant deficiencies in relation to the segregation of detainees in custody who are attending the courthouse. As there is no secure enclosed vehicle dock, prison vehicles parked within the site at the front of the courthouse, and detainees were escorted through the main public entrance and across the public waiting area to reach the custody suite. When called to appear before the court, detainees were then escorted through the public waiting area and through the courtroom, to sit in an open dock within the courtroom. While staff put in place arrangements to seek to avoid the detainees meeting victims and witnesses in the courthouse, there is an inherent risk that this could occur due to the layout of the building. These deficiencies have the potential to:

- Increase the risk of prisoner escape
- Increase the risk to the safety of Prisoner Escort and Court Custody Service officers
- Increase the risks to the safety of other court users
- Increase the risk of traumatisation of victims
- Negatively impact the dignity of detainees in custody
- Increase the risk of public order incidents within the court or waiting area

In 2022, a report on Court Custody: The Detention of Persons in the Custody of the Court in Northern Ireland[16] by Criminal Justice Inspection Northern Ireland (CJINI) recorded the findings from an assessment of court custody facilities against a set of Expectations for detainees in court custody. The Expectations were developed for the rolling programme of

[16] https://cjini.org/wp-content/uploads/2025/05/Court-Custody-Report-FINAL-Tagged.pdf

inspections of court custody in England and Wales by Her Majesty's Inspectorate of Prisons (HMIP). The Expectations were drawn up after consultation and are based on, and referenced against, relevant international and regional human rights standards. They also draw on the cumulative learning of court custody inspections to date and best practice. HMIP updated the Expectations in 2020, and these were adapted for use in Northern Ireland and agreed with the PSNI, the NICTS and the Prisoner Escort and Court Custody Service (PECCS).

The CJINI inspection highlighted that the custody area in Magherafelt Courthouse contains 2 cells, with one single area for booking in, staff breaks and property storage. This resulted in a custody suite which was cramped, had insufficient space for staff and equipment and offered limited opportunity for confidential discussion. The report also highlighted that there was no secure area out of public view at Magherafelt Courthouse in which custodial vehicles could park to enter detainees. CJINI stated that they did not believe that the court custody suite in Magherafelt fulfilled Expectation 4.1 'detainees are held in a custody suite that feels and is safe and is in a good state of repair'; and assessed the custody facilities in Magherafelt Courthouse as potentially unsafe.

In 2023, PECCS and NICTS staff conducted a joint assessment of the custody suite at Magherafelt Courthouse, against the *Expectations for Detainees in Court Custody*. That joint assessment scored the custody suite as **55%** compliant, echoing the CJINI opinion that the facilities present a potentially unsafe environment for court users.

Despite these risks, there were no recorded incidents in relation to the identified safety and security risks when Magherafelt Courthouse was in use. While the low business volumes would reduce the likelihood of an incident occurring at Magherafelt Courthouse, the inherent risk around potentially serious consequences to the safety of court users remains high. NICTS has a duty of care in relation to those who use and work in our buildings.

Based on these assessments, NICTS does not consider the increased risks associated with the lack of segregation of detainees within Magherafelt Courthouse to be acceptable.

Aim 2 - Improved Resilience		
2c	Our estate provides operational resilience that supports continuity of service and can readily adapt to change	**Poor alignment**

The Grade A listing of Magherafelt Courthouse restricts and controls the building work that can take place within Magherafelt Courthouse. While listing does not prohibit proposed work, it brings it under consideration of the planning system so the buildings special architectural and historical interest can be protected for future generations. Listed building consent is required for proposed work at the site, which means that it cannot readily adapt to change.

There are large spaces in the basement and first floor of Magherafelt Courthouse which were not used for operational purposes when the building was last in use and are unsuitable for either public use or for staff administration purposes. These areas therefore do not support continuity of service, as significant repair and refurbishment would be needed before these areas could be made suitable and brought back into any form of operational use.

In recent years, a number of reactive maintenance issues have arisen in relation to water ingress through the roof. While remedial works have been undertaken to stop water ingress, there are ongoing risks in relation to the roof due to the increasing incidence of storms in Northern Ireland, with more frequent and intense rainfall. A partial roof replacement is required to address the remaining issues. Operational resilience to address these risks is limited by difficulties accessing the roof and attic spaces safely due to the design and layout of the building.

NICTS has considered whether there is any benefit to having additional capacity at Magherafelt Courthouse available for operational resilience purposes, for example if there was a business need for increased capacity within the wider Division or should the capacity at other courthouses within the Division be unexpectedly reduced. Analysis of utilisation rates of other courthouses within the Western Administrative Court Division (comprising Dungannon, Enniskillen, Londonderry, Omagh and Strabane) indicates that there is sufficient capacity at other venues within the Division for the transfer of business should a risk to service continuity arise.

The spatial limitations in Magherafelt Courthouse mean that the ability to adapt to change within the courthouse is very limited. As detailed above, the building cannot readily accommodate court users with restricted mobility and local adjustments such as Personal Emergency Evacuation Plans currently need to be put in place.

Public health-related social distancing requirements were not able to be accommodated at Magherafelt Courthouse during the Covid pandemic, demonstrating the impediments of spatial limitations and lack of flexible operating space. As such, Magherafelt Courthouse is

highly unlikely to be considered as a potential alternative venue in the context of operational resilience and managing business continuity risks, in comparison to larger courthouses where additional flexibility and operational space already exist.

Aim 3: Improved Value for Money

Aim 3 - Improved Value for Money		
3a	Our estate is operated and maintained in a financially sustainable manner	**Poor alignment**

The NICTS estate currently comprises 23 properties across Northern Ireland, (of which 20 are freehold) with buildings in every county and local government district. The estate has an approximate value of £231.7m. In 2025-26, running costs across the estate totalled £19.54 million.

There is a widely held view that the NICTS estate falls short of the standards expected by users due to historic underinvestment and layout constraints within some of our buildings. The first NICTS State of the Estate Report, completed in December 2021, confirmed that a large proportion of NICTS buildings are at a condition whereby many elements have reached, or are reaching, end of life status and indicates, in detail, that over the next decade these buildings will require significant investment to address a backlog in maintenance and reduce the probability of critical failures occurring. As of December 2025, the maintenance backlog across the estate is estimated to be c.£95m.

In addition to condition-based deficiencies, the configuration of NICTS accommodation and facilities also requires improvement built around modern technology, new ways of working, optimised service delivery models and the expectations of service users. Significant investment will be required to bring the NICTS estate up to the expected standards and to fully achieve the aims set out within the NICTS Estate Strategy. This brings significant challenges for NICTS given the long-standing budgetary constraints faced by the Department, requiring a prioritised and evidence-based decision-making approach to its investment decisions.

Business volumes at Magherafelt Courthouse are historically low. There is no evidence to suggest that Magherafelt business volumes will increase in future. It is more likely that

physical presence in courthouses across NI will decrease based on digital transformation activities and potential policy changes such as changes to Out of Court Disposals.

Magherafelt court business has been held at alternative courthouses since March 2020, and there is no operational requirement within NICTS to bring Magherafelt Courthouse back into use for scheduled hearings. If the Courthouse was to be re-opened, it would only be required for less than half a day a week. Using and maintaining any venue that is only required to be open for less than 10% of a working week does not represent good value for money for the citizens of Northern Ireland.

In terms of staff resourcing costs, because business has continued to be heard during the temporary closure, there is little impact on NICTS staff resourcing whether business is heard in Magherafelt Courthouse or Londonderry Courthouse. There may however be an impact on justice sector partners such as NI Prison Service who have highlighted higher security costs to attend and resource custody within Magherafelt Courthouse due to the identified functional deficiencies and safety concerns.

While the building is not in operational use, NICTS continues to incur costs and ongoing liability. In 2025-26, NICTS incurred annual running costs of around £64,000 for Magherafelt Courthouse, including rates, security, energy and water and sewerage costs.

From April 2020 to March 2025, NICTS invested a total of £81,000 in building maintenance at Magherafelt Courthouse. 45% of this maintenance expenditure was for unplanned reactive and remedial work, including addressing the water ingress issues. Maintenance costs increased significantly in 2025-26, with over £117,000 invested in planned, cyclical and reactive maintenance.

The closure of Magherafelt Courthouse would reduce current operating costs and significantly reduce longer term liability costs. This will enable NICTS to better prioritise resources towards managing an estate with properties that are better equipped to facilitate modern justice services.

Aim 3 - Improved Value for Money		
3b	Our estate investments facilitate the delivery of services that are proportionate and accessible	**Poor alignment**

In strategically managing the estate, NICTS must make decisions about how to balance maintaining effective access to justice while determining the most appropriate and cost-effective locations for our courts and tribunals. We need the right courts and tribunals in the right places, with appropriate facilities and capacity to meet operational requirements, minimise the risk of service interruption due to building component failure and to meet modern user expectations.

Magherafelt business volumes are the lowest in the Western Division, accounting for 1.5% of Northern Ireland overall business volumes. Maintaining and significantly investing in a building that is not used for operational business, or is used for only 10% of available time, is not proportionate in the context of the demands of the wider estate. There is sufficient building capacity for Magherafelt court business to be heard at alternative venues in the NICTS estate.

As outlined in relation to Improved User Experience (1b), proximity to the courthouse is a relevant in terms of access to justice. The travel assessment showed that travel to Magherafelt Courthouse was lower than the NI average.

Other tiers of Magherafelt Court business are already heard at other courthouses within the Division, specifically Londonderry and Dungannon, and this was the case for some types of business even before the temporary closure.

Taking all considerations into account, including the screenings and impact assessments, NICTS considers that that increased travel associated with the permanent reallocation of Magherafelt Adult Magistrates, Youth and Small Claims Court business to an alternative courthouse in the NICTS estate is reasonable and justified by the legitimate aim of providing Magherafelt court users with access to higher quality, safer, more modern and more accessible courthouse facilities.

NICTS has not identified any compelling evidence which indicates that the reallocation of Magherafelt court business to Londonderry Courthouse since March 2020 has had a detrimental impact on access to justice from a service delivery perspective.

Analysis of the number of non-appearance bench warrants issued for Magherafelt Courthouse between 2014 and 2025 does not suggest that the current reallocation of Adult Magistrates business to Londonderry Courthouse has made a significant impact on the ability of defendants to appear before the Court. In 2025 there were 16 warrants issued in

relation to Magherafelt Adult Magistrates Court business, the second lowest figure across the last decade.

Year	Non-appearance bench warrants issued	Magherafelt business disposed	Non-appearance bench warrants issued as a % of Magherafelt business disposed
2014	28	832	3%
2015	29	687	4%
2016	17	760	2%
2017	13	706	2%
2018	25	616	4%
2019	23	728	3%
2020	17	526	3%
2021	23	886	3%
2022	24	672	4%
2023	19	781	2%
2024	26	704	4%
2025	16	587	3%

Aim 3 - Improved Value for Money		
3c	Our estate supports innovation in service delivery, by both enabling, and availing of, co-location opportunities	**Poor alignment**

Providing access to co-location opportunities facilitates improved operational resilience and knowledge sharing for Courthouse users.

Magherafelt Courthouse offers limited opportunities for co-location with other justice partners as facilities are limited to 1 judicial chamber, 2 consultation rooms and 1 meeting room. There are no rooms available for allocation to justice sector organisations such as Public Prosecution Service, Probation Board NI, Victim Support NI or NSPCC.

As outlined earlier, there is an opportunity to re-purpose either the meeting room or Court 2 to be used as a victim/waiting room, with access to a non-disabled toilet facility made available.

There is further vacant space available on the first floor and within the basement, but these spaces cannot be used for operational purposes in their current condition; and the extensive refurbishment and investment that would be required is unlikely to demonstrate value for money or meet modern standards for office accommodation.

NICTS has considered the feasibility of locating a Courthouse within an alternative venue in Magherafelt. Even if space and facilities were available in an alternative venue, capital investment would be required to reconfigure the available space to accommodate court operations. Due to the low and deceasing business volumes in Magherafelt, investment in an alternative venue within the town would be extremely difficult to justify given the long-standing budgetary constraints faced by the Department. Based on these considerations, NICTS considers that the relocation of court business to another venue in Magherafelt town, is not feasible.

Aim 4: Improved sustainability

Aim 4 - Improved Sustainability		
4a	Our estate has the minimum possible impact on the environment and contributes to Executive targets to achieve net zero	**Poor alignment**

Overall, in 2025-26, buildings across the NICTS estate produced 2,010,509 kilograms of CO_2 – the equivalent of driving 5,119,881 miles in an average petrol car or charging a smartphone 162,543,166 times. Good progress has been made in reducing emissions, with 1,610 tons of carbon emissions saved since 2021-22 and a reduction in energy bills of over £1million. Further action and significant investment are required, and NICTS has published a Sustainability Delivery Plan[17] to help the Northern Ireland Civil Service meet its obligations under the Climate Change Act and Climate Action Plan.

Despite being temporarily closed, Magherafelt was responsible for 0.53% of overall NICTS emissions in 2025-26, i.e. 10,622 kilograms of CO2 - the equivalent of driving 27,050 miles in an average petrol car or charging a smartphone 858,754 times. As no court business is being heard at Magherafelt Courthouse, the ongoing generation of carbon emissions relates solely to the maintenance of a vacant building. While this is a small proportion of overall emissions, it is not justified through associated business value.

[17] https://www.justice-ni.gov.uk/publications/justice-today-justice-tomorrow

The 2019 condition report highlighted that significant enhancements are required to improve the thermal efficiency of the roof, windows, floors and external walls of Magherafelt Courthouse. In addition, investment will be necessary in low carbon design and energy efficient technologies such as LED lights, photovoltaic panels and conversion to a more sustainable heating fuel. Undertaking any improvement or construction works at Magherafelt Courthouse could only be justified if the building was to be sufficiently utilised to meet a demonstrable operational need.

Due to the potential 10% building utilisation rate, it is difficult to justify significant expenditure on sustainability projects within Magherafelt Courthouse such as those being taken forward elsewhere in the estate. As a result, there are no planned actions in relation to Magherafelt courthouse in the NICTS Sustainability Delivery Plan.

As detailed above, the reallocation of Magherafelt court business to Londonderry Courthouse has resulted in increased travel requirements, and it has also therefore resulted in increased carbon emissions. It is not possible to quantify the exact increase in travel and carbon emissions due to the variations in the location the journey starts from, the start time, the method of travel and an absence of information about the number of people attending court for each deposition. However, an estimation could be made based on 49 court sittings, each by 63 court users (judge, 5 legal representatives, 47 defendants/plaintiffs, 10 witnesses/professional attendees) and each affected by the average travel increase of 53.44 km (33.21 miles) each way; resulting in additional carbon emissions of 326,011 kilograms[18].

While acknowledging the impact in terms of increased carbon emissions at regional level due to the additional travel, NICTS considers that this is reasonable, justified and mitigated by a number of factors:

- NICTS has developed a Sustainability Delivery Plan (SDP) to help the Northern Ireland Civil Service meet its obligations under the Climate Change Act and Climate Action Plan.
- Not all participants in proceedings will physically attend court. As noted in the travel impact assessment, travel is reducing due to increasing uptake of remote attendance.
- This is a generous estimation as not all journeys will generate this level of carbon emissions. Court users may undertake active travel, public transport or use more energy efficient cars.

[18] 63 people x66.42kmx49sittings=205,038.54km. 1km driving=1.59 kg CO2. 205,038.54x1.59=326,011.27

- Some Speeding Up Justice initiatives would decrease physical attendance in the court estate, for example by increasing the incidence of out of court disposals[19], such as the recent proposed expansion of out of court penalty notices.
- 10,622 kilograms of carbon emissions will be offset by the closure of Magherafelt Courthouse.
- Revenue released through this proposal could be invested in higher impact activities to improve sustainability and reduce carbon emissions across the wider estate.

NICTS acknowledges an increase in carbon emissions related to the reallocation of Magherafelt court business to Londonderry Courthouse but through the Sustainability Delivery Plan NICTS will continue to contribute to Departmental sustainability actions to meet our obligations under the Climate Change Act and Climate Action Plan.

Aim 4 - Improved Sustainability		
4b	Our estate facilitates sustainable ways of working and supports active travel and wellbeing	**Acceptable alignment**

Active Travel is travelling for everyday journeys through activities such as walking, cycling, jogging, or using public transport. The travel analysis illustrates that both Magherafelt Courthouse and Londonderry Courthouse are accessible by public transport. There are no facilities for bicycle storage at either courthouse. The close proximity of both courthouses to the town centre is likely to encourage active travel, as illustrated in the short travel distances within the Travel Impact Assessment.

In terms of the wellbeing facilities for court staff in Magherafelt Courthouse, there is a staff kitchen but there are no separate facilities for showering, rest or virtual meetings.

Aim 4 - Improved Sustainability		
4c	Our estate embodies best practice in the care and protection of our heritage assets	**Poor alignment**

Magherafelt Courthouse is a Grade A Listed Building , meaning that the building is of exceptional architectural or historic interest and is considered to be of national importance.

[19] Subject to public consultation, policy and legislation

The Protocol for the Care of the Government Historic Estate sets out what the Executive requires from all government departments and agencies in terms of practice for caring for and protecting historic estates. NICTS prepares a biennial report on Heritage in the Justice Estate to illustrate adherence to this Protocol.

The maintenance of heritage assets in active use and good repair is part of a sustainable approach to the environment, and one which is supported by the Department for Communities' Heritage Environment Division[20].. Under Protocol 7 for the Care of the Government Historic Estate, Departments should aim to "Work to keep buildings in active use". Before the temporary closure in 2020, NICTS partial use of the building due to its Hearing Centre status increased the risk of deterioration of the asset or delay in identifying and addressing maintenance issues.

Due to uncertainty on the building's future and the pressures on the NICTS budget, there have been no planned capital maintenance projects undertaken at Magherafelt Courthouse since the temporary closure. The lack of capital investment has undoubtedly contributed to a deterioration in condition. After the temporary closure of the building in March 2020, DfC Historical Environment Division added Magherafelt Courthouse to the Heritage at Risk Register due to concerns about lack of active use and insufficient investment in maintenance.

Magherafelt Courthouse is not currently used for court business. Continuing to own and maintain a surplus asset or one that is infrequently used is inconsistent with a sustainable approach to the environment, and contrary to best practice guidance on Strategic Asset Management. Developing policy on the future of Magherafelt Courthouse will establish whether the building is surplus to NICTS operational needs.

If Magherafelt Courthouse was to be re-opened, the low business volumes mean that future investment in the building by NICTS is highly likely to be below the level required to achieve and then maintain the building to a good standard. Sporadic use of a heritage asset is inconsistent with the Protocol 7 for the Care of the Government Historic Estate: "Work to keep buildings in active use". This would lead to an increasing likelihood that an at risk heritage asset would deteriorate further, which would be detrimental to the local area.

[20] https://www.communities-ni.gov.uk/publications/protocol-care-government-historic-estates

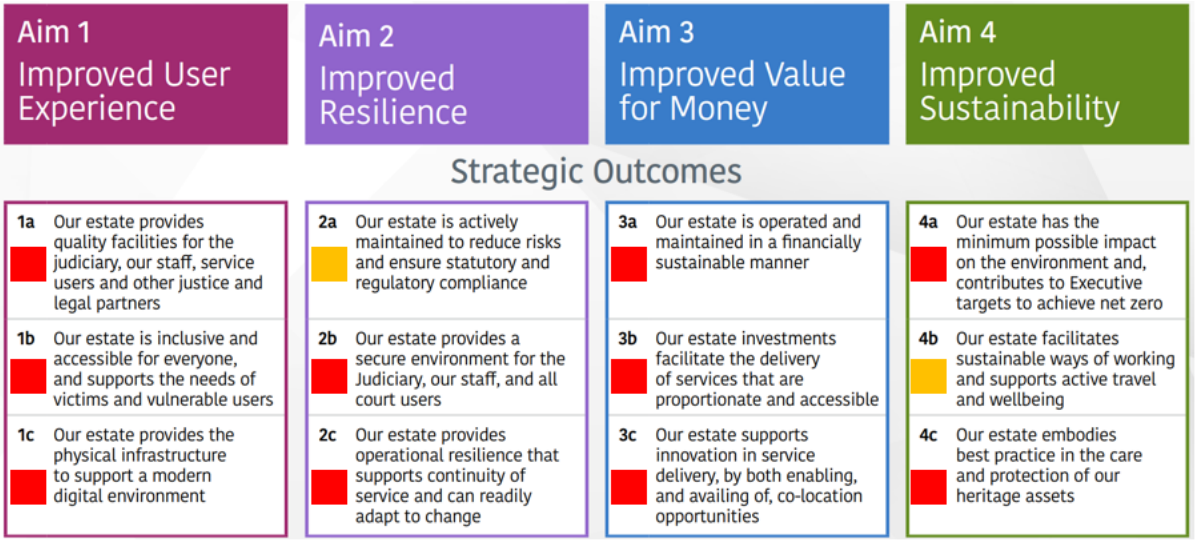
Disposal of Magherafelt Courthouse is in line with NICS Strategic Asset Management guidance, creating an opportunity, through another party, to increase active use of a heritage building in Magherafelt town centre for the benefit of its citizens.

Disposal of public sector assets through the NICS policy is however dependent upon third party interest and their ability to engage with the disposals process in a timely and realistic way, taking into account their governance responsibilities and funding availability. Through this consultation process, NICTS is providing early notification of a potential opportunity to acquire the property for an alternative use. As part of the public consultation, views are welcomed on potential future uses of Magherafelt Courthouse.

Strategic Asset Assessment Conclusion

The Strategic Asset Assessment has concluded that the use of Magherafelt Courthouse is poorly aligned with the aims of the Estate Strategy and is no longer adequate for the operational delivery of NICTS services.

There is good alignment with none of the strategic outcomes, acceptable alignment with 2 strategic outcomes and poor alignment with 10 strategic outcomes.



Strategic Asset Management Options

Managing Public Money Northern Ireland[21] (MPMNI) states that *"Accounting Officers of public sector organisations are responsible for managing their assets. This aspect of financial management covers the acquisition, use, maintenance, and disposal of assets for the benefit of the organisations and indeed for the public sector as a whole."* It requires a public body to have an appropriate asset management strategy to define how it acquires, maintains, tracks, deploys and disposes of the various kinds of assets it uses, and an Asset Management Plan (AMP) which describes how it will tactically maintain, modernise and reorganise its assets to align with its corporate plan and overarching objectives. Figure 1,

[21] https://www.finance-ni.gov.uk/articles/managing-public-money-ni-mpmni

taken from Chapter 4 of MPNI, illustrates the suggested steps for developing an asset management plan.

Box A4.15B: Steps for developing Asset Management Plans (AMPs)

- review the asset register to assess its adequacy for the organisation's objectives and functions;
- plan how retained assets will be used efficiently for the organisation's core functions;
- plan asset acquisitions, e.g. to extend, modify or replace the existing asset base;
- identify disposals and once decided upon, disposals should be as swift as the market will allow with reasonable value for money. DoF approval is required for spending or retaining receipts;
- plan any loans of assets, with charges and conditions for their return, liability, damage; and
- consider whether any retained assets have potential to generate revenue through commercial services.

Figure 1 -Source - MPMNI Chapter 4

Based on the conclusion of the Strategic Asset Review, NICTS considered a number of strategic management options in relation to Magherafelt Courthouse.

Option 1: Change of use	
Could Magherafelt Courthouse be more effectively used by NICTS for an alternative operational purpose which is more suited to the building?	**Not recommended**
• Around 48% of unused space within the building (the basement and first floor) is not suitable for alternative NICTS operational use in its current condition. • The bespoke design of courtrooms and court facilities make alternative use challenging. • The spatial constraints and functional deficiencies limit alternative NICTS operational use, particularly due to the confined waiting areas. • Increased use of the courthouse for Adult Magistrates business (for example reallocation of business from other areas) is not feasible due to the building's functional deficiencies. While some reconfiguration of existing space could provide improved facilities and segregation for victims and witnesses, the risks in relation to the poor segregation of detainees cannot be resolved without significant investment. • In the absence of significant investment, the identified deficiencies in relation to	

health and safety disability requirements cannot be addressed.

- There is no NICTS operational demand for increased capacity across the estate in terms of alternative operational uses.
- In the context of a challenging budgetary position, it would be difficult to justify any investment to facilitate alternative uses where there is no NICTS operational demand.

Option 2: Maintenance	
Could Magherafelt Courthouse be effectively used if maintained in its current condition?	**Not recommended**

- Significant investment would be required to upgrade and maintain the property to an acceptable standard.
- In addition to the condition-based risks, there are further functional deficiencies in relation to compliance with the Disability Discrimination Act and health and safety standards, particularly in relation to the custodial arrangements which have been deemed as potentially unsafe. The current design and layout of the building is no longer adequate for NICTS operational use. Active use of the building in light of the identified deficiencies would increase NICTS liability risks and result in significant social, legal, financial and reputational impacts should an incident occur.
- Even if this was not the case, the low business volumes mean the building is only used for 10% of the working week – this does not align with NICS guidance on Strategic Asset Management or Care of the Historic Government Estate. It is not effective use or value for money and increases risks in terms of care of a heritage asset.
- In the context of a challenging budgetary position, it is becoming increasingly difficult to justify maintaining an unused, or underused, building.
- As reflected in the building's status on the Heritage at Risk Register, there are ongoing risks in relation to the condition of the building which will not be suitably managed by maintaining the current condition, leading to further deterioration of a heritage asset.

Option 3: Modernisation	
Would significant redesign and modernisation of Magherafelt Courthouse lead to more effective use of the building by NICTS?	**Not recommended**

- Significant investment would be required to upgrade and maintain the property to an acceptable standard.
- In addition to the condition-based risks, there are further functional deficiencies in relation to compliance with the Disability Discrimination Act and health and safety standards, particularly in relation to the custodial arrangements which have been deemed as potentially unsafe. The options for redesign and modernisation for NICTS use are limited by the property's Grade A listing, listed building planning consent requirements, and the constraints of a load bearing structure and floor to ceiling heights in the basement.
- Around 48% of unused space within the building (the basement and first floor) is not suitable to provide additional accommodation to address NICTS functionality deficiencies.
- Significant repairs are required to replace the deteriorated tanking membrane in the basement to address the damp issues in this area. It would be difficult to justify this investment in an area which will not be used operationally by NICTS.
- Even if the functional deficiencies could be addressed, the low business volumes mean the building is only used for 10% of the working week. In the context of a challenging budgetary position, it will be extremely difficult to justify significant investment in an unused, or underused, building.
- 10% occupancy does not align with NICS guidance on Strategic Asset Management or Care of the Historic Government Estate. It is not effective use or value for money and increases risks in terms of care of a heritage asset.

Option 4: Disposal	
Would disposal of Magherafelt Courthouse be beneficial to NICTS and the wider public sector?	**Recommended**

- There is sufficient capacity readily available in the wider NICTS Estate to hold Magherafelt business in alternative courthouses. This has been demonstrated since the temporary closure in 2020.

- Disposal would benefit NICTS through reduced operating costs.
- Disposal would benefit NICTS through reduced ongoing asset liability.
- Revenue released could be reinvested within the NICTS budget.
- Bringing the venue back into active use could be of benefit to the local community.
- Bringing the venue back into active use could benefit the wider public sector, in terms of fulfilling responsibilities on the care of heritage assets.

Impact assessments

NICTS has undertaken a number of impact assessments in relation to the proposal to permanently close and dispose of Magherafelt Courthouse.

Feedback on any impacts that have not been considered by NICTS are welcomed. NICTS will take account of the information gathered through this consultation and consider other impact assessments if required.

- **Equality Screening**

As a public authority under Section 75 of the Northern Ireland Act 1998, the Department is required to have due regard to the need to promote equality of opportunity. This legislation also requires public authorities to identify whether a policy has a differential impact upon relevant groups; the nature and extent of that impact; and whether such impact is justifiable. These obligations are designed to ensure that equality and good relations considerations are made central to policy development.

This proposal has been subjected to an Equality Screening (which is available on the Department of Justice website). NICTS considers that the permanent closure of Magherafelt Courthouse does not have a differential impact on Section 75 groups in terms of Equality of Opportunity, but that the policy would better meet the needs of certain groups in terms of access to justice and supporting the needs of vulnerable court users (particularly groups of *age*, *men and women generally* and *disability*). The impact of increased travel has been considered in relation to the categories of *age, disability, men/women generally* and *those with dependants*. At this point, we do not consider that a full Equality Impact Assessment (EQIA) is required due to the absence of a differential impact on Section 75 groups, the anticipated policy benefits and mitigations that are in place in terms of travel impact. However, NICTS will take account of the information gathered through this consultation and will revisit the Equality Screening if required.

- **Rural Needs Impact Assessment**

The Rural Needs Act (Northern Ireland) 2016[22] places duty on Northern Ireland departments, district councils and the other public authorities listed in the Schedule to the Act to have due

[22] https://www.legislation.gov.uk/nia/2016/19/contents

regard to rural needs when developing, adopting, implementing or revising policies, strategies and plans, and when designing and delivering public services.

This proposal has been subjected to a Rural Needs Impact Assessment (which is available on the Department of Justice website). NICTS considers that the proposal is primarily driven by considerations which are common to those in rural areas and those in urban areas and delivers benefits to those in rural areas and those in urban areas. The impact of this proposal in terms of increased travel has been considered for both urban and rural areas, but NICTS considers this to be reasonable in the context of the anticipated benefits and in parity with travel requirements for other court users across NI. NICTS will take account of the information gathered through this consultation and revisit the Rural Needs Impact Assessment if required.

- **Legal Aid Impact Assessment Screening**

The Department of Justice requires that any policy development within the Northern Ireland Courts and Tribunals Service or other government departments, must consider whether there will be either a potential impact on the workload of the courts or a legal aid cost.

This proposal has been subjected to a Legal Aid Impact Assessment screening (which is available on the Department of Justice website). NICTS considers that a full Legal Aid Impact Assessment is not required. NICTS will take account of the information gathered through this consultation and revisit the Legal Aid Impact Assessment if required.

- **Environmental Principles Policy Statement Screening**

The Environmental Principles Policy Statement (EPPS) explains how the five environmental principles should be interpreted and proportionately applied when Northern Ireland departments, and UK Government Ministers making policy relating to Northern Ireland, are developing policy.

This proposal has been subjected to an EPPS screening (which is available on the Department of Justice website). NICTS considers that a full EPPS Impact Assessment is not required. NICTS will take account of the information gathered through this consultation and revisit the EPPS Impact Assessment if required.

- **Travel Impact Assessment**

This proposal has been subjected to a Travel Impact Assessment (which is available on the Department of Justice website). Further analysis of the impact of increased travel on particular groups has also been considered within the Equality Screening and the Rural Needs Impact Assessment.

Taking all considerations into account, including the screenings, impact assessments and mitigations, NICTS considers that increased travel associated with the permanent reallocation of Magherafelt court business to an alternative courthouse in the NICTS estate is reasonable and justified by the legitimate aim of providing Magherafelt court users with access to higher quality, safer, more modern and more accessible courthouse facilities.

As case listing is a judicial matter, this consultation does not propose any change to the current operational arrangement of the separate listing of Magherafelt Adult Magistrates, Youth and Small Claims Court business in Londonderry Courthouse.

Consultation questions

The proposal outlined in this paper is aimed at delivering improved user experience, value for money, resilience and sustainability for users of the NICTS estate, through the permanent closure of Magherafelt Courthouse and reallocation of Magherafelt Court business from Magherafelt Courthouse to an alternative courthouse in the NICTS estate.

Further detail on the policy considerations and the impact of this proposal on NICTS stakeholders has been provided within this consultation paper and the impact assessments published on the Department of Justice website.

Through this consultation, we are seeking the views of local stakeholders, court users, judiciary, legal representatives, justice sector and community-based organisations across Northern Ireland to better understand the impact that the proposal may have. Anyone with an interest in, or views on, the subject is encouraged to consider this proposal and respond to the consultation so that their views can be considered in the development of policy in relation to the future of Magherafelt Courthouse.

NICTS would welcome views on the following:

- Is the proposal to permanently close Magherafelt Courthouse reasonable and justified, taking into account the considerations set out in this consultation paper and impact assessments? *(Yes/No/Prefer not to say responses)*
- Is there any other information or comment you would like to provide in relation to the proposal or impact assessments, to inform the decision in relation to the future of Magherafelt Courthouse? *(Text)*
- Should a decision be taken to close Magherafelt Courthouse, do you have any comments in relation to potential future use of the building? *(Text)*

As case listing is a judicial matter, this consultation does not propose any change to the current operational arrangement of the separate listing of Magherafelt Adult Magistrates, Youth and Small Claims Court business in Londonderry Courthouse.

How to respond

The consultation will run from 25 November 2026 to 17 February 2027 for a period of 12 weeks. All responses must be submitted by 11.59pm on Wednesday 17 February 2027.

NICTS encourages you to respond to the consultation using the online form accessed through the following link: https://consultations.nidirect.gov.uk/doj/magherafelt-courthouse

Alternatively, you can send comments or enquiries by email to NICTSConsultations@courtsni.gov.uk or by post to:

Estate Strategy Team – Magherafelt Courthouse Consultation
Northern Ireland Courts & Tribunals Service
Laganside House
23-27 Oxford Street
Belfast
BT1 3LA

You can also use these contact details to request copies of the consultation documents in alternative formats (such as Braille, large print, translations etc).

Privacy, confidentiality and data protection

To be as transparent as possible, we may publish all responses in our Summary of Responses paper when released, except where the respondent indicates that they are an individual acting in a private capacity. All responses from organisations and individuals responding in a professional capacity may be published (please see Privacy Notice below).

For this reason, in the online consultation, we ask for your name, email address and about the organisation you represent, however, please do not provide any other personal or identifying information. Any personal information, if provided, will be removed from the published responses as will any inappropriate or offensive comments, otherwise we may publish them in full.

Your response, and all other responses to this consultation, may also be disclosed on request in accordance with the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR); however, all disclosures will be in line with the requirements of the Data Protection Act 2018 (DPA) and the General Data Protection Regulation (GDPR) (EU) 2016/679. Subject to certain limited provisos, the FOIA gives members of the public a right of access to any information held by a public authority, in this case, the Department. This right of access to information includes information provided in response to a consultation.

If you would prefer for your response and/or organisation not to be published, again, please indicate this through the relevant questions in the consultation. If you want the information that you provide to be treated as confidential it would be helpful if you could explain why you regard the information you have provided as confidential, so that this may be considered if the Department should receive a request for the information under the FOIA or EIR.

Privacy Notice – Consultations (DoJ)

Data Controller Name:	Department of Justice (DoJ)
Email:	NICTSConsultations@justice-ni.gov.uk
Data Protection Officer Name:	DoJ Data Protection Officer
Email:	DataProtectionOfficer@justice-ni.gov.uk

Being transparent and providing accessible information to individuals about how we may use personal data is a key element of the Data Protection Act (DPA). The Department of Justice (DoJ) is committed to building trust and confidence in our ability to process your personal information and protect your privacy.

Purpose for processing

We will process personal data provided in response to consultations for the purpose of informing the development of our policy, guidance, or other regulatory work in the subject area of the request for views. We may publish a summary of the consultation responses and, in some cases, the responses themselves but these will not contain any personal data. We will not publish the names or contact details of respondents but will include the names of organisations responding.

If you have indicated that you would be interested in contributing to further Department work on the subject matter covered by the consultation, then we might process your contact details to get in touch with you.

Lawful basis for processing

The lawful basis we are relying on to process your personal data is Article 6(1) (e) of the GDPR, which allows us to process personal data when this is necessary for the performance of our public tasks in our capacity as a Government Department. We will only process any special category personal data you provide, which reveals racial or ethnic origin, political opinions, religious belief, health or sexual life/orientation when it is necessary for reasons of substantial public interest under Article 9(2) (g) of the GDPR, in the exercise of the function of the Department, and to monitor equality.

How will your information be used and shared?

We process the information internally for the above stated purpose. We don't intend to share your personal data with any third party. Any specific requests from a third party for us to share your personal data with them will be dealt with in accordance the provisions of the data protection laws.

How long will we keep your information?

We will retain consultation response information until our work on the subject matter of the consultation is complete, and in line with the Department's approved Retention and Disposal Schedule.

What are your rights?

- You have the right to obtain confirmation that your data is being processed, and access to your personal data
- You are entitled to have personal data rectified if it is inaccurate or incomplete
- You have a right to have personal data erased and to prevent processing, in specific circumstances
- You have the right to 'block' or suppress processing of personal data, in specific circumstances
- You have the right to data portability, in specific circumstances
- You have the right to object to the processing, in specific circumstances
- You have rights in relation to automated decision making and profiling.

How to complain if you are not happy with how we process your personal information

If you wish to request access, object or raise a complaint about how we have handled your data, you can contact our Data Protection Officer using the details above. If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law, you can complain to the Information Commissioner at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

casework@ico.org.uk