

Northern Ireland Courts & Tribunals Service

Business Plan

2019-20

Foreword by Chief Executive

This Business Plan outlines the key activities and priorities for the Northern Ireland Courts and Tribunals Service (NICTS) in 2019/20. This Plan has been set in the context of not having an Executive in place. However it continues to take forward the NICS Outcomes Delivery Plan and also supports previous Ministerial policy priorities. The Plan is derived from the Department of Justice (DoJ) Corporate Plan for 2019-22 and the Departmental 2019-20 Business Plan.

As a front-line service delivery agency, one of our main priorities for the forthcoming year will be continuing to deliver our business objectives and performance standards. In addition, during 2019/20 we will continue work on our Business Transformation Portfolio with a focus on the development of an Estate Strategy and a review of our existing line of business systems. We will also commence the implementation of the accepted recommendations contained in the Business Consultancy Service review of Court Operations. This will initially focus on the review of operational guidance, development of a formal training programme for operational staff, the effective and efficient use of staff resources and engagement with key stakeholders. Given the current financial climate, the delivery of these initiatives is important to allow us to live within our allocated budget which, as for all public sector bodies, is very challenging.

During 19/20 NICTS will work with the Department of Health to establish a Review Tribunal to implement a streamlined process for considering deprivations of liberty for individuals deemed to lack capacity and in need of therapeutic or care interventions. We will also continue to pilot the Substance Misuse Court in Belfast which will allow the Department to evaluate the benefits of adopting a problem solving justice approach in appropriate criminal cases. During the period of this plan we will in conjunction with the Office

of the Lord Chief Justice establish the Legacy Inquest Unit (LIU) to progress legacy inquest cases. The Agency will also continue to plan and prepare day one delivery plans to maintain services to an agreed level on BREXIT.

We will also consult on the future role of the Court Funds Office, which manages money held in court on behalf of minors and other persons incapable of managing their own affairs by reason of mental incapacity and implement the agreed changes arising from the consultation on the future structure for civil and family fees.

In closing, I want to take this opportunity to thank our justice partners and other stakeholders for the contribution each makes to the work of NICTS. I also want to convey my thanks to all our staff for the service and professionalism they continue to display in what I appreciate are very challenging times.

Peter Luney

Northern Ireland Courts and Tribunals Service (NICTS): Aims and Values

Our Agency

NICTS is an Agency of the DoJ.

The role of NICTS is to:

- provide administrative support for Northern Ireland's courts, tribunals and Parole Commissioners and the Planning Appeals and Water Appeals Commission (PACWAC);
- support an independent Judiciary;
- provide advice to the Minister of Justice (the Minister) on matters relating to the operation of the courts, tribunals and the Enforcement of Judgments Office (EJO);
- enforce civil court judgments through the EJO;
- manage funds held in court on behalf of minors and patients;
- provide high quality courthouses and tribunal hearing centres; and
- act as the Central Authority under certain international conventions.

Our Corporate Aim

The Corporate Aim of the NICTS is to *'serve the Community through the Administration of Justice'*

Our delivery will be assessed against:

Programme for Government

Outcome 7:

"We have a safe community where we respect the law and each other"

Outcome 11:

"We connect people and opportunities through our infrastructure"

Our Values

Integrity

to interact with our customers with the highest degree of integrity, promoting an atmosphere of honesty and trust

Openness

to undertake our work in an open and transparent manner

Professionalism

to conduct our business to the highest standards

Accountability

to be responsible for delivering a high quality service to the public

Fairness

to treat everyone fairly

About the Northern Ireland Courts and Tribunals Service

Who we are

The Agency provides administrative support for all of Northern Ireland's courts and the majority of tribunals. NICTS also provides administrative support to the Coroners Service of Northern Ireland (CSNI) and the new Legacy Inquest Unit (LIU); has responsibility for enforcing the judgments of the civil courts through the EJO; for funds held in court through the Court Funds Office (CFO); and the Parole Commissioners for Northern Ireland (PCNI).

A chart outlining the NICTS structure can be found at **Annex A**.

The Board

The NICTS Board (the Board) oversees the work of NICTS. The Chief Executive of NICTS is responsible for the day-to-day operation of the Agency and leadership and management of its staff.

The Board consists of:

- Chief Executive, Peter Luney (who chairs the Board);
- Head of Court Operations, Elaine Topping;
- Head of Tribunals and Enforcement, Jim Coffey;
- Head of Corporate Services, Louise Laverty;
- Head of Business Transformation, Sharon Hetherington
- a DoJ representative, David A Lavery CB; and
- two independent members, Graham Dalton and Nicole Lappin.

Members of the Judiciary, nominated by the Lord Chief Justice, also attend Board meetings. The judicial representation consists of:

The Honourable Mr Justice Colton;

His Honour Judge McFarland, Recorder of Belfast;

District Judge (Magistrates' Courts) Bagnall, Presiding District Judge (Magistrates' Courts); and

Mr John Duffy, President of the Appeals Tribunal.

Our organisational chart is attached at **Annex B**.

Our Business

Court Operations provide administrative support for criminal, civil and family court business and for the Coroners Service. In 2018/19 the courts dealt with approximately 79,400 criminal, civil and family cases annually. Coroners had around 3,900 deaths reported to them and last year held approximately 100 inquests.

Tribunals and Enforcement is responsible for providing the administrative support for the majority of Northern Ireland's tribunals and Parole Commissioners NI. It is also responsible for the Enforcement of Judgments Office and the Taxing Office.

Tribunals in Northern Ireland disposed of approximately 12,000 cases and the Parole Commissioners issued approximately 900 decisions and recommendations. The EJO processed approximately 9,100 notices of intention to enforce a judgment and 5,000 applications to enforce a judgment. The EJO also received approximately 560 applications for repossession.

The Taxing Office receives approximately 1,200 applications for taxation of legal costs and complete taxation on around 1,200 cases.

The Court Funds Office carries out the business of the Accountant General and has administrative responsibility for funds held in court. This is primarily on behalf of clients who are incapable of managing their own affairs and children for whose benefit compensation payments are held by the court until they reach 18 years of age. CFO is also responsible for money held in court pending the settlement of civil court actions; or on behalf of those who lodge bail monies. It also administers funds for the

Chancery Division of the Court of Judicature, in its role as a receiver of last resort for the assets of individuals, partnerships or companies.

Staffing and Resources

The NICTS currently employs approximately 700 staff, the majority of whom (some 90%) deliver frontline services at courthouses and tribunal centres throughout Northern Ireland, EJO, CFO, Parole Commissioners Secretariat and PACWAC.

A skilled and committed workforce is essential to the successful achievement of our corporate aims and in particular the challenging targets which we have agreed for 2019/20.

In addition we continue to work with the Department for Communities (DfC) to effect the statutory transfer of The Appeals Service (TAS). This will have a significant effect on our staffing figures and budget.

Our budget allocation for 2019/20 is:

| | £'000 |
|--|---------------|
| NICTS gross expenditure ¹ | 72,219 |
| NICTS income ² | (31,487) |
| Total Unringfenced Resource Departmental Expenditure Limit (DEL) Budget ⁽¹⁻²⁾ | 40,732 |
| NICTS Depreciation ³ | 7,667 |
| Total Resource Departmental Expenditure Limit (DEL) Budget ⁽¹⁻²⁺³⁾ | 48,399 |
| Total Annually Managed Expenditure (AME) Budget | 500 |
| Capital Budget | 4,464 |

Providing support to an independent Judiciary and Decision Makers

NICTS is responsible for providing administrative support for the Judiciary in Northern Ireland. The Lord Chief Justice of Northern Ireland, The Rt Hon Sir Declan Morgan, is the head of the Judiciary and President of the Courts of Northern Ireland. We support the Lord Chief Justice in the delivery of these responsibilities.

There are currently 72 salaried members of the Judiciary across the various courts and tribunals.

| Judicial Office | Complement |
|---|-------------------|
| Lord Chief Justice | 1 |
| Lord Justices of Appeal | 3 |
| High Court Judges | 10 |
| County Court Judges | 18 |
| District Judges | 4 |
| District Judges (Magistrates' Courts) | 21 |
| High Court Masters | 7 |
| Social Security and Child Support Commissioners | 2 |
| Lands Tribunal Member | 1 |
| Appeals Tribunal President and Chairperson | 2 |
| Coroners | 3 |

NICTS is responsible for providing administrative support to independent Planning Appeals & Water Appeals Commissioners. The table below sets out the complement of Commissioners.

| Position | Complement |
|---------------------------|-------------------|
| Chief Commissioner | 1 |
| Deputy Chief Commissioner | 1 |
| Principal Commissioner | 2 |
| Senior Commissioners | 5.5 |
| Commissioners | 8 |
| Total | 17.5 |

Business Planning Context

Economic & Public Sector Context

NICTS will be required during the 2019/20 year to maintain a high quality service against an ongoing backdrop of innovation and reform to deliver savings.

Business Planning 2019/20

The NICTS Business Plan for 2019/20 has been developed using the Outcome Based Accountability methodology. The Agency is committed to support DoJ in delivering the Executive's draft Programme for Government. To that end we will work to ensure "*we have a safe community where we respect the law and each other*" (Outcome 7) and "*we connect people and opportunities through our infrastructure*" (Outcome 11). We will also contribute to the delivery of the following Programme for Government indicators:

- to reduce crime (Indicator 1);
- to increase the effectiveness of the justice system (Indicator 38); and
- to reduce reoffending (Indicator 39).

This approach will be cascaded to Divisional and Branch Plans linking through to individual Performance Agreements to ensure that all members of staff can clearly identify their role in contributing to our business outcomes.

Corporate Governance

As an Agency of DoJ, NICTS is governed under a Framework Document. The Framework Document sets out the arrangements for the effective governance, financing and operation of the NICTS. A copy of the NICTS Framework Document can be found on our website (www.justice-ni.gov.uk).

Delivering the Plan

The NICTS Board will review progress against the 2019/20 Business Plan throughout the year. We shall publish an Annual Report on our 2019/20 performance.

Key Themes for 2019/20

Our overarching corporate aim is supported by a number of key themes:

- ***deliver efficient and effective Court, Tribunal and Enforcement services***
- ***deliver high quality services that support an independent Judiciary and meet the needs of our customers***
 - ***develop and lead our people to achieve our business objectives***
- ***deliver a controlled financial and commercial environment achieving value for money and good corporate governance***

Performance against the delivery targets outlined in this Business Plan will be reported in our Annual Report which will be laid before the Northern Ireland Assembly.

| PFG | | Business Objective | Who will deliver? | Target date for delivery? |
|---|-----------|---|------------------------|---|
| Outcome | Indicator | | | |
| THEME 1 – Deliver efficient and effective court, tribunal and enforcement services | | | | |
| 7 | 38 | Meet our business performance standards (set out in Annex C) and Causeway Service Level Agreement standards. | Senior Management Team | March 2020 |
| 7 | 38 | Support the Department of Justice in the implementation of reforms such as the Justice Act (Northern Ireland) 2015 and in areas such as Committal Reform and Victim & Witness Charters. | Senior Management Team | March 2020 |
| 7 | 38 | Support the Department of Justice in the evaluation of the Fine Collection Service. | Jim Coffey | March 2020 |
| 7 | 39 | Support the pilot Substance Misuse Court in Laganside Courts and establish an evaluation process. | Elaine Topping | March 2020 Stage 1 - Evaluation September 2019 |
| 7 | 38 | Working with the Department of Justice and the Office of the Lord Chief Justice, establish a Legacy Inquest Unit to complete outstanding legacy inquests within a six year period | Peter Luney | March 2020 |
| 7 | 38 | Support the delivery of the prioritised recommendations from the Civil and Family Justice Reviews. | Elaine Topping | March 2020 |
| 7 | 38 | Support the Department of Justice in the development and delivery of a costed plan to partially commence the Mental Capacity Act (NI) 2016 to establish a Review Tribunal to deal with appeals in Deprivation Of Liberty cases. | Jim Coffey | October 2019 |

| PFG | | Business Objective | Who will deliver? | Target date for delivery? |
|---------|-----------|---|-------------------|---------------------------|
| Outcome | Indicator | | | |
| 7 | 38 | Support the Department of Justice in the development and delivery of an Action Plan to give effect to the recommendations contained in the Gillen Review Report into the law and procedures in serious sexual offences in NI. | Elaine Topping | March 2020 |
| 7 | 38 | Develop, prepare and implement delivery plans to maintain services to an agreed level on BREXIT. | Elaine Topping | March 2020 |

| THEME 2 – Deliver high quality services that support an independent Judiciary and meet the needs of our customers | | | | |
|---|----|---|---------------------|------------|
| 7 and 11 | 38 | <p>By 31 March 2020 working through the Courts 2020 Transformation Portfolio Board :</p> <ul style="list-style-type: none"> • complete a review of all line of business systems; • prepare an Outline Business Case for estate in the North West; • develop an Estates Strategy; • commence digital delivery pilot projects in three business areas to test viability to transform service delivery; and. • continue the implementation of a new electronic case management system for Official Solicitors Office. | Sharon Hetherington | March 2020 |
| 7 and 11 | 38 | <p>By 31 March 2020 complete year 1 of the Courtroom Technology Refresh Project across 8 venues to include:-</p> <ul style="list-style-type: none"> • a refresh of Digital Audio recording and Video presentation technology; and • installation of a secure Wi-Fi connectivity service. | Sharon Hetherington | March 2020 |
| 7 | 38 | Consult on future role of the Court Funds Office. | Louise Laverty | May 2019 |

| PFG | | Business Objective | Who will deliver? | Target date for delivery? |
|---|-----------|---|-------------------|---------------------------|
| Outcome | Indicator | | | |
| THEME 3 – Develop and lead our people to achieve our business objectives | | | | |
| 7 | 38 | Commence the implementation of the accepted recommendations contained in the Business Consultancy Service Review of Court Operations. | Elaine Topping | March 2020 |
| 7 | 38 | Implement and monitor the agreed actions in the Staff Engagement Action Plan 2017-19 to address the issues raised by staff in the NICS Staff Attitude Survey; and complete the formal review process with NICSHR and TUS colleagues. | SMT | December 2019 |
| 7 | 38 | Promote and support the timely identification of staff training and development with an increased emphasis on business specific training to support the delivery of business objectives and maximise capability and personal development opportunities. | SMT | March 2020 |
| 7 | 38 | Manage absenteeism in line with NICS policies and procedures and support the promotion of health & wellbeing initiatives. | SMT | March 2020 |

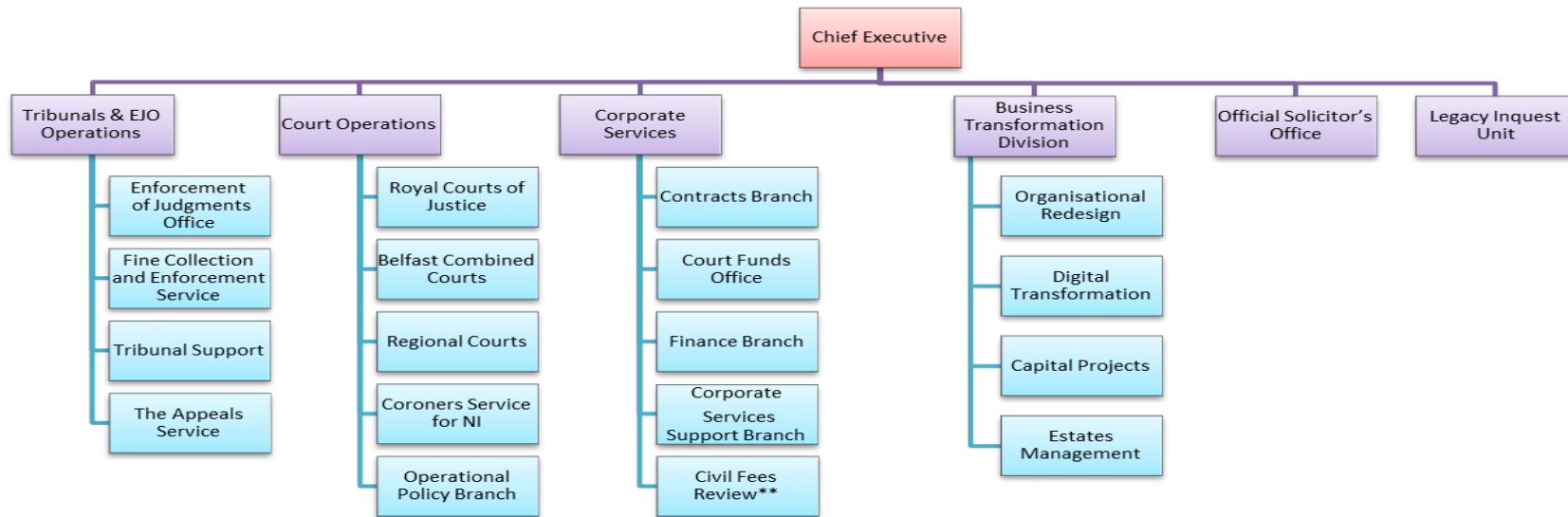
THEME 4 – Deliver a controlled financial and commercial environment achieving value for money and good corporate governance

| | | | | |
|---|----|--|---------------------|--------------|
| 7 | 38 | Implement the agreed legislative changes arising from the consultation on the future structure for civil and family fees. | Louise Laverty | October 2019 |
| 7 | 38 | Live within allocated resources, deliver savings plans and prepare for the next Spending Review while looking for opportunities for innovation and efficiencies. | Louise Laverty | March 2020 |
| 7 | 38 | Produce financial plans, statements and reports in accordance with DoJ and NI Executive requirements. | Louise Laverty | March 2020 |
| 7 | 38 | Deliver effective, affordable and appropriate governance, encompassing appraisal and evaluation, procurement processes and contract management. | Louise Laverty | March 2020 |
| 7 | 38 | Provide an effective and legislatively compliant Records Management and Information Assurance function within NICTS. | Louise Laverty | March 2020 |
| 7 | 38 | Maintain and deliver a secure court estate to ensure value for money and statutory compliance. | Sharon Hetherington | March 2020 |
| 7 | 38 | Support an effective Judicial Appointment, Payroll and Pension function, which accurately reflects current and any future changes to judicial policy. | Louise Laverty | March 2020 |
| 7 | 38 | Review current CFO fees to ensure they remain appropriate and comply with requirements of Managing Public Money NI. | Louise Laverty | March 2020 |

Annex A – Courts and Tribunals in Northern Ireland

| | | | |
|--|---|---|---|
| <p><u>Court of Appeal</u> Hears appeals on points of law in criminal and civil cases from all courts</p> | <p><u>Northern Ireland Tribunals</u></p> <p>Social Security and Child Support Commissioners</p> <p>Appeal Tribunals*</p> <p>Care Tribunal</p> <p>Charity Tribunal</p> <p>Criminal Injuries Compensation Appeals Panel</p> <p>Health and Safety Tribunals</p> <p>Mental Health Review Tribunal</p> <p>Northern Ireland Valuation Tribunal</p> <p>Northern Ireland Traffic Penalty Tribunal</p> <p>Pensions Appeal Tribunal</p> <p>Rent Assessment Panel*</p> <p>Special Educational Needs and Disability Tribunal</p> <p>The Lands Tribunal</p> <p>Health and Personal Social Services Disqualification Tribunal</p> <p>*These tribunals are administered by NICTS under an Agency agreement with DSD</p> | | <p><u>Planning Appeals Commission Water Appeals Commission (PACWAC)</u></p> <p>PACWAC determines appeals against decisions made and notices issued by government departments and district councils on a wide range of planning, environmental and water matters; and PACWAC conducts independent examinations, public inquiries and hearings and report to departments on a wide range of matters referred to the PACWAC. Decisions on these matters are taken by the departments.</p> |
| <p><u>The High Court</u> Hears complex or important civil cases and appeals from County Court</p> | <p><u>Parole Commissioners Secretariat</u></p> <p>Parole Commissioners Secretariat provide administrative support to the Parole Commissioners for Northern Ireland who are responsible for the release and recall of prisoners referred to them under the Criminal Justice (NI) Order 2008 or under the Life Sentences (NI) Order 2001.</p> | | |
| <p><u>County Courts (including Family Care Centres)</u></p> <p>Hears a wide range of civil actions including Small Claims and family cases</p> | <p><u>The Crown Court</u></p> <p>Hears all serious criminal cases</p> | <p><u>The Enforcement of Judgments Office</u></p> <p>EJO enforces civil judgments of the courts related to the recovery of money, goods and property.</p> <p>Taxing Office – provides administrative support to the Taxing Master in the assessment (or taxing) of bills of costs.</p> | |
| <p><u>Magistrates' Courts (Including Youth Courts and Family Proceedings)</u></p> <p>Hears the majority of criminal cases and civil and family cases involving juveniles and civil and family cases</p> | <p><u>Coroners Court</u></p> <p>Investigates unexplained deaths</p> | | |
| | <p><u>Legacy Inquest Unit</u></p> <p>Deliver LCJ plan on legacy related deaths</p> | | |

Annex B – Organisational Chart



Annex C – Performance Standards

Performance Standards are reviewed on an annual basis to ensure relevance against business priorities and to define a challenging set of indicators in the context of emerging issues, such as budget constraints and diminishing staff resource.

A number of the Court Performance Standards are set by the Lord Chief Justice while others are set by the NICTS as indicated below –

Criminal Business

- 90% of appeals against sentence will be listed within four weeks of leave being granted to appeal to the Court of Appeal.
- 80% of Crown Court defendants will be arraigned within six weeks of committal.
- 80% of Crown Court defendants will start their trial within 18 weeks of committal.
- 80% of Crown Court defendants will be sentenced within six weeks of a plea or finding of guilt.
- 80% of Magistrates' Courts adult defendants will have their case disposed of within nine weeks of first listing.
- A finding will be reached within 12 weeks from first listing for 80% of Youth Court defendants.

Civil Business

- 95% of civil bills will be allocated a hearing date within 15 weeks of receipt of a Certificate of Readiness.
- 98% of claims for clinical negligence will be listed for review (before the Master) within 13 months of receipt of writ (applicable to writs lodged since 2011).
- 98% of claims for personal injury will be listed for review within three months of setting down.

- 97% of petitions for bankruptcy (presented by creditors) will be listed for hearing within six weeks.
- 90% of petitions for bankruptcy (presented by debtors) will be listed for hearing within three weeks.
- 85% of applications for Grant of Probate/Letters of Administration will be issued within seven days of receipt of correct information.

Family Business

- 92% of Children Order applications will be listed for first direction within six weeks of receipt of correct information.
- 97% of undefended divorces and dissolution of civil partnerships will be listed for hearing within six weeks of date of receipt and, in the High Court, confirmation of readiness.
- 95% of annual accounts filed by Controllers on behalf of patients will be reviewed by the Office of Care and Protection within eight weeks of receipt.
- 95% of accounts held in court on behalf of patients will be reviewed by the Office of Care and Protection within 12 weeks of the annual review date.
- 95% of applications for Enduring Power of Attorney (where no objection has been lodged) will be registered within 40 days of receipt of all required information.

Coroners Service Business

- 97% of all deaths investigated that do not require a post mortem examination will have the certificate of registration issued to the Registrar of Deaths within three working days of the relevant documentation being received by the Coroner.

- 95% of all deaths where a post mortem examination reveals a natural cause of death, will have the certificate of registration issued to the Registrar of Deaths within five working days of the Coroner making the decision to close the case following receipt of the post mortem report.
- In 95% of inquests the administrative listing arrangements will be completed within 28 working days of the Coroner's direction to list.

Tribunal Business

- 90% of all Tribunal hearing dates will be offered within the specified number of weeks.
- 80% of MHRT appeals will be disposed of within 8 weeks of receipt.

Parole Commissioners Secretariat

- 95% of cases will be scheduled within five working days of receipt from the Department of Justice.
- 95% of decisions will be issued within five working days of receipt from a Commissioner.

The Appeals Service

TAS targets are agreed by the Department for Communities (DfC). The NICTS will continue to administer the agreed performance targets for 19/20 on behalf of DfC.

The Enforcement of Judgments Office

- Accept 90% of Enforcement Applications within 10 working days.
- Complete 85% of repossessions within 26 weeks of acceptance.
- For all applications accepted, an instruction will be issued to make arrangement to be interviewed or summons produced in 90% of debt cases within four weeks.

Taxing Office

- Produce 95% of Taxation Assessments within 15 working days.

Court Funds Office

- 95% of payments will be made within five working days of receiving the relevant paperwork in respect of payments made:
 - to minors reaching 18 years old;
 - on foot of a court order or invoice; or
 - on receipt of a Notice of Acceptance.
- 95% of regular payments will be made on or before the due date.
- 98% of investment sale and purchase transactions will be completed within five working days of the relevant trade date.
- 90% of dividend receipts will be posted within seven working days of the Registrar's payment date.
- 95% of direct credits will be posted within two working days of receipt in the bank account.
- 95% of other receipts (cheques, cash or money orders) will be posted on the day of receipt.

- 95% of confirmations that funds have been received by the Court Funds Office will be issued within five working days of receipt of funds in full in respect of minor cases.