

Northern Ireland Courts & Tribunals Service

Business Plan

2020-21

Foreword

This Business Plan outlines the key activities and priorities for the Northern Ireland Courts and Tribunals Service (NICTS) in 2020/21. It is derived from the Department of Justice (DoJ) Corporate Plan for 2019-22 and the Departmental 2020-21 Business Plan supporting the policy agenda set by the Minister.

As a front-line service delivery agency, one of our main priorities for the forthcoming year will be business recovery taking account of the prevailing public health advice and guidance. The pandemic crisis has greatly impacted the way NICTS traditionally conducts court business and, in conjunction with stakeholders, NICTS has responded to the emerging situation. As part of the response we have maximised the number of staff that can work remotely and made greater use of remote hearings via a range of audio and video conferencing platforms. There is a continuing risk of a further wave of the pandemic later in the year, nevertheless we continue to learn the lessons from our initial response, so that we may fully meet future challenges and ensure business continuity. Moving forward, social distancing requirements and the physical restrictions presented by our court buildings will continue to heavily influence how we conduct business and the range of services we offer. This will undoubtedly enable NICTS, along with stakeholders, to consider alternative ways of working and seek solutions that will help process business while reducing the overall footfall in our buildings.

In this context business recovery will be the overriding focus for the Agency over the course of the 2020-21 financial year. Planning for, and committing to, other targets in the current circumstances is problematic. However, plans for the period include the following key areas of work:

- As part of the Modernisation Portfolio we will review the NICTS Estate in advance of a consultation on an overall Estates Strategy in 2021 by carrying out building condition and functionality surveys and pre-consultation engagement, taking account of public health advice and implications of Covid-19;
- Progressing the recommendations from the Line of Business Review of our ICT systems to include the development of a Digital Strategy and the continued upgrade of courtroom technology across the court estate;
- Redesign of services including progressing a new probate online portal and electronic case bundles to reduce reliance on paper files;
- Continuing to work with the Department for Communities (DfC) to prepare for the effective statutory transfer of The Appeals Service (TAS);
- Continuing to support the DoJ in a range of policy initiatives and reforms as set out in the Departmental Business Plan;
- Taking forward further recommendations arising from the Business Consultancy Service (BCS) review to ensure all staff are better equipped to deliver change and support enhanced service delivery; and
- Preparing for the end of the EU transition period.

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

Anthony Harbinson

Director NI Courts & Tribunals Service

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;
- support an independent Judiciary;
- provide advice to the Minister of Justice on matters relating to the operation of the courts, tribunals and the Enforcement of Judgments Office (EJO);
- enforce civil court judgments and collect and enforce outstanding financial penalties imposed (or registered) by a criminal court;
- 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

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 Legacy Inquest Unit (LIU); has responsibility for enforcing judgments of the civil courts through the Enforcement of Judgments Office (EJO); for collecting and enforcing outstanding financial penalties imposed (or registered) by a criminal court; for funds held in court through the Court Funds Office (CFO); and the Parole Commissioners for Northern Ireland (PCNI). We also sponsor the Planning Appeals Commission and Water Appeals Commission (PACWAC).

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

The Board

The NICTS Board (the Board) oversees the work of NICTS. The Director of NICTS through the senior management team, is responsible for the day-to-day operation of the Agency and leadership and management of its staff.

The Board consists of:

- Director NICTS, Anthony Harbinson
- Chief Operating Officer, Peter Luney;
- Head of Business Modernisation (currently vacant);
- Finance Officer, Louise Lavery; and

- two independent members, Graham Dalton and Nicole Lappin.

Although not Board members, the Head of the Legacy Inquest Unit and the Principal Private Secretary to the Lord Chief Justice attend meetings.

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 2019/20 the courts dealt with approximately 81,000 criminal, civil and family cases annually. Coroners dealt with around 4,500 deaths reported and last year held approximately 100 inquests.

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

Tribunals in Northern Ireland disposed of approximately 10,300 cases and the Parole Commissioners received approximately 630 case referrals. The EJO processed approximately 7,000 notices of intention to enforce a judgment and 4,100 applications to enforce a judgment. The EJO also received approximately 580 applications for repossession. The Taxing Office received approximately 1,300 applications for taxation of legal costs. In total the Fine Collection Service activated 20,400 Collection Orders.

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

NICTS has a complement of approximately 730 posts, the majority of staff (some 90%) deliver frontline services at courthouses and tribunal centres throughout Northern Ireland, EJO, Fine Collection Service, 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 2020/21.

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 2020/21 is:

	£'000
NICTS gross expenditure ¹	86,204
NICTS income ²	(37,192)
Total Unringfenced Resource Departmental Expenditure Limit (DEL) Budget ⁽¹⁻²⁾	49,012
NICTS Depreciation ³	7,667
Total Resource Departmental Expenditure Limit (DEL) Budget ⁽¹⁻²⁺³⁾	56,679
Total Annually Managed Expenditure (AME) Budget	638
Capital Budget	4,014

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 the Planning Appeals Commissioners & Water Appeals Commissioners. The table below sets out the complement of salaried 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 2020/21 year to maintain a high quality service against the backdrop of the ongoing public health environment while identifying opportunities to innovate and reform to deliver savings.

Business Planning 2020/21

The NICTS Business Plan for 2020/21 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 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 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 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 2020/21 Business Plan throughout the year and will publish an Annual Report on performance.

Key Themes for 2020/21

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 Causeway Service Level Agreement standards.	Senior Management Team	March 2021
7	38	<p>Working with the Office of the Lord Chief Justice and stakeholders, agree methods to increase the levels of business that can be processed by courts and tribunals taking account of public health advice including:-</p> <ul style="list-style-type: none"> • Complete Covid-19 risk assessments of our court estate including guidelines for court users; • Develop procedures to support the recovery of court and tribunal business; and • Increase provision of video conferencing technology to support remote hearings, support changing operational processes and maximise remote working facilities. 	Senior Management Team	<p>August 2020</p> <p>September 2020</p> <p>September 2020</p>
7	38	Provide advice to the Minister of Justice on all Court and Tribunal related business before the Northern Ireland Assembly.	Senior Management Team	March 2021
7	38	Support the Department of Justice in a range of initiatives to reform the criminal justice system including Committal Reform, Victim & Witness Charters, Case Progression and the Indictable Cases Process.	Elaine Topping	March 2021
7	39	Support the Department of Justice with problem solving justice pilots including Phase 2 of the Substance Misuse Court in Laganside	Elaine Topping	March 2021

PFG		Business Objective	Who will deliver?	Target date for delivery?
Outcome	Indicator			
		Courts.		
7	38	Support the delivery of the prioritised recommendations from the Civil and Family Justice Reviews.	Elaine Topping	March 2021
7	38	Continue to support the Department of Justice in the development of an Implementation Plan for delivery of the Gillen recommendations to support transformation of the criminal justice system for victims of sexual offences.	Elaine Topping	March 2021
7	38	Develop, prepare and implement plans to maintain services to an agreed level by the end of EU Implementation Period.	Elaine Topping	December 2020
7	38	Through the Legacy Inquest Unit, support the Department of Justice and the Office of the Lord Chief Justice to deliver the scheduled inquest caseload for 2020/21.	Patrick Butler	March 2021
7	38	To provide the necessary administrative support to the HIA Redress Board including:- <ul style="list-style-type: none"> • Providing the necessary staff required for the Board as approved by TEO; and • Processing payments awarded by the HIA Redress Board within the agreed target dates. 	Louise Laverty	March 2021
7	38	Continue to work with the Department for Communities to prepare for the effective statutory transfer of the Tribunals Appeals Service.	Gillian McClearn	March 2021
7	38	Implement the agreed NICTS recommendations from the BCS review	Gillian McClearn	March 2021

PFG		Business Objective	Who will deliver?	Target date for delivery?
Outcome	Indicator			
		of the Fine Collection Service.		
7	38	Reduce by 20% the volume of Land and Money Judgments registered with the EJO as active on the 1st April 2020.	Gillian McClearn	March 2021

* The standards listed in Annex C will continue to be monitored each quarter with performance reported to Agency Board. The established levels of service are retained at this stage to help assess business performance and recovery from the Covid-19 pandemic.

THEME 2 Deliver high quality services that support an independent Judiciary and meet the needs of our customers				
7 and 11	38	<p>As part of the Modernisation Portfolio, deliver the agreed programme of estates modernisation projects to include :-</p> <ul style="list-style-type: none"> • Complete building condition and functionality surveys; • Pre-consultation engagement with a view to issuing a consultation document early in the 2021/22 business year; • Progress the Outline Business Case for the North West Accommodation Project; and • Establish a structured approach to whole life estate management for the Royal Courts of Justice including an External Consultancy Business Case to progress a supporting project. 	Peter Luney	<p>December 2020</p> <p>March 2021</p> <p>March 2021</p> <p>March 2021</p>
7	38	<p>In tandem with the Estates Modernisation Portfolio continue to maintain the NICTS Estate including:-</p> <ul style="list-style-type: none"> • Provide a safe and secure environment for NICTS staff, Judiciary and court users; • Maintain the NICTS Estate to ensure statutory compliance and value for money; and • Demonstrate our commitment to environmental sustainability. 	Peter Luney	March 2021
7 and 11	38	<p>As part of the Modernisation Portfolio, deliver the agreed programme of digital modernisation projects to include:-</p> <ul style="list-style-type: none"> • Take forward agreed recommendations from the NICTS Line of Business Review to support the delivery of future digital justice solutions; 	Pamela Reid	March 2021

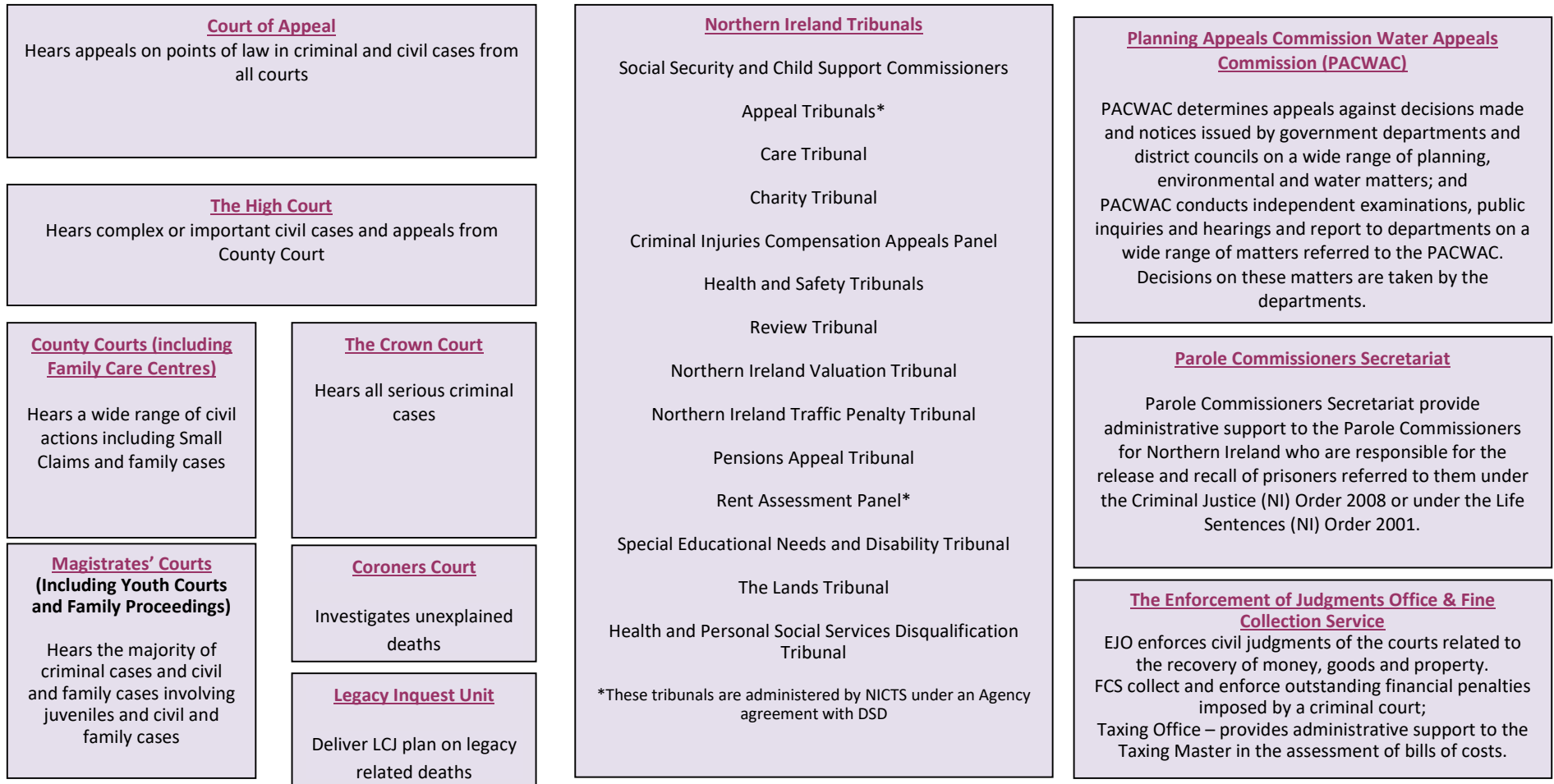
		<ul style="list-style-type: none"> • Develop a Digital Strategy for the delivery of future digital justice solutions; • Deliver Year 2 of the digital projects including progressing an electronic case bundles pilot; • Complete Year 2 of the Courtroom Technology Refresh Project to include a refresh of digital audio recording and video presentation technology and installation of a secure Wi-Fi connectivity service to facilitate the display of digital evidence in court; and • Work in partnership with Department of Justice and stakeholders to deliver a new remote vulnerable witness suite in a suitable Belfast location. 		
7 and 11	38	<p>As part of the Modernisation Portfolio, deliver the agreed programme of service redesign projects to include:-</p> <ul style="list-style-type: none"> • Progressing the Probate online project; and • Progressing a new case management system for Official Solicitors Office/Office of Care and Protection 	Pamela Reid	March 2021
7	38	<p>Make provisions for the agreed Court Funds Office reforms arising from the 2019/20 public consultation exercise within the Justice (Miscellaneous Provisions) Bill.</p>	Louise Lavery	March 2021

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	Take forward year two recommendations arising from the Business Consultancy Service Review of Court Operations to ensure staff are better equipped to deliver change and support enhanced service delivery.	Elaine Topping	December 2020
7	38	Implement the accepted grading and organisational recommendations arising from the Business Consultancy Service Review of the EJO.	Gillian McClearn	December 2020
7	38	To establish a staff engagement structure which complements the work being undertaken at Departmental level and works to address new ways of working as a result of Covid-19 challenges including:- <ul style="list-style-type: none"> • Finalising a Communication Plan; and • Agreeing a draft Engagement Strategy. 	Senior Management Team	October 2020 December 2020
7	38	Promote and support the timely identification of staff training and development through Divisional Training Plans with an increased emphasis on business specific training to support the delivery of business objectives and maximise capability and personal development opportunities.	Senior Management Team	September 2020
7	38	Manage absenteeism in line with NICS policies and procedures and support the promotion of health & wellbeing initiatives.	Senior Management Team	March 2021

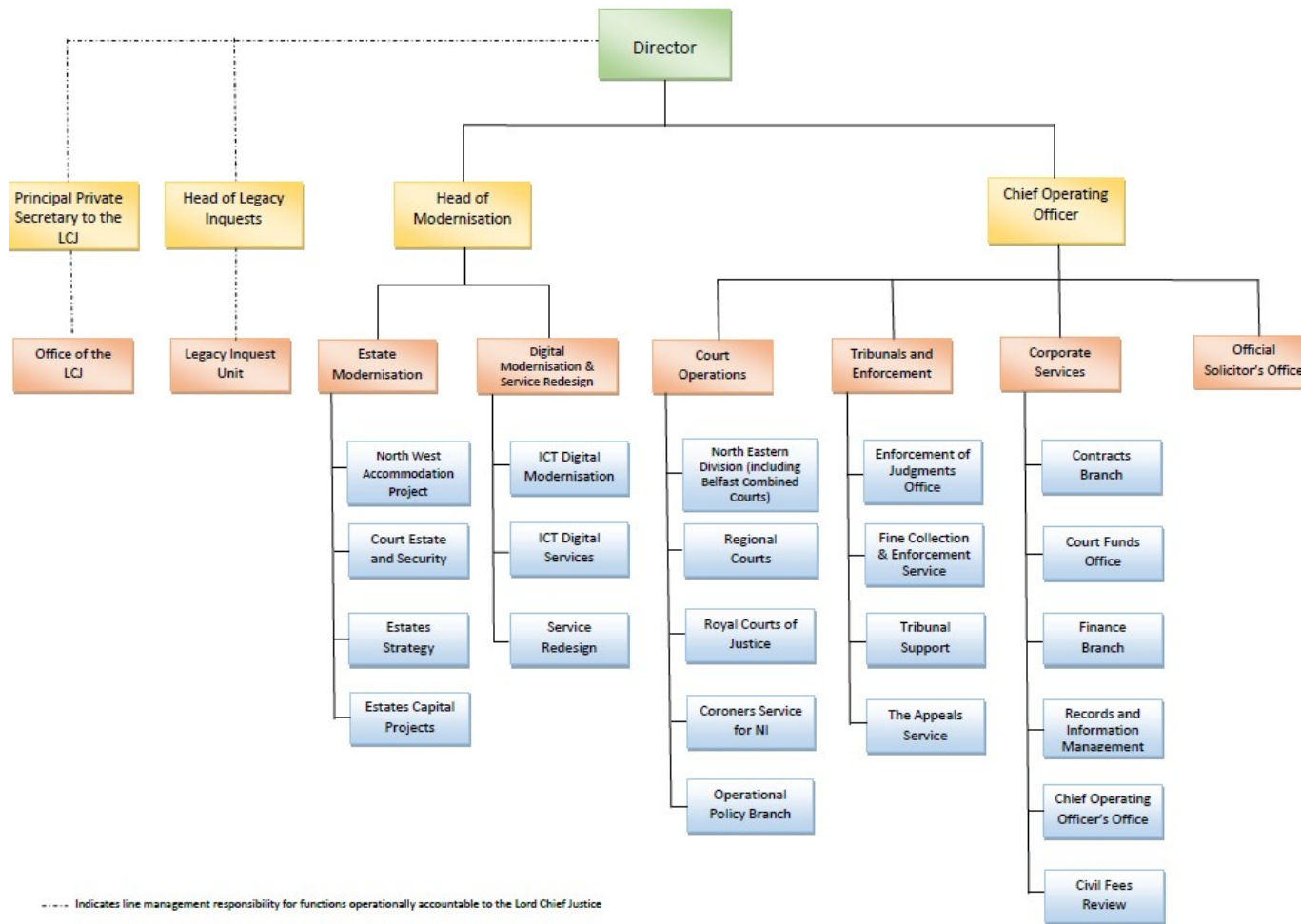
THEME 4 Deliver a controlled financial and commercial environment achieving value for money and good corporate governance

7	38	Monitor the level of civil and family fee income and contribute to the Business Recovery Plan in terms of forecast income and cost recovery.	Louise Lavery	March 2021
7	38	Effectively manage the Agency budget to maximise efficiency, and utilise resources for maximum effectiveness, ensuring underspend of less than 2%.	Louise Lavery	March 2021
7	38	Produce financial plans, statements and reports in accordance with DoJ and NI Executive requirements.	Louise Lavery	March 2021
7	38	Deliver effective, affordable and appropriate governance, encompassing appraisal and evaluation, procurement processes and contract management.	Louise Lavery	March 2021
7	38	Provide an effective and legislatively compliant Records and Information Management function.	Louise Lavery	March 2021
7	38	Support an effective Judicial Appointment, Payroll and Pension function, which accurately reflects current and any future changes to judicial policy.	Louise Lavery	March 2021

Annex A – Courts and Tribunals in Northern Ireland



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 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 Review Tribunal appeals will be disposed of within 8 weeks of receipt.
- 80% of cases regarding Deprivation of Liberty within the provision of the Mental Capacity Act 2016 will be disposed of within 10 weeks.

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). NICTS will continue to administer the agreed performance targets for 20/21 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 accepted applications, 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.