

Northern Ireland Courts & Tribunals Service

Business Plan

2021-22

Foreword

This Business Plan outlines the key activities and priorities for the Northern Ireland Courts and Tribunals Service (NICTS) in 2021/22. It is derived from the Department of Justice (DoJ) Corporate Plan for 2019-22 and the Departmental 2021-22 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 remain business recovery. The pandemic crisis has greatly limited the way court and tribunal business has traditionally been delivered. Working in collaboration with the Office of the Lord Chief Justice and our justice system partners, NICTS will continue to review business recovery plans in light of the prevailing public health guidance. The organisation has made good progress on a number of fronts including adapting court and tribunal hearing rooms, increasing the provision of video-conferencing technology, increasing remote working facilities for staff, greater use of virtual/Hybrid hearings and implementing enhanced cleaning procedures across the court estate. This approach has ensured key services continue to be delivered and provide a firm basis for longer term business recovery.

Social distancing requirements and the physical restrictions of a number of court buildings will continue to heavily influence how business can be conducted. We will continue to work with partners to agree a shared approach to tackling specific issues such as the backlog in Crown Court business. While the Agency has been able to secure additional accommodation on a temporary basis, most notably the International Conference Centre Belfast, it will be necessary to review the forward accommodation requirements as restrictions are gradually lifted.

While business recovery will be the overriding focus for the Agency over the course of the 2021-22 financial year, other plans for the period include the following key areas of work:

As part of the Modernisation Portfolio, we will review the court estate to ensure it supports new ways of working by completing a draft Estate Strategy and will also progress the development of a five year capital programme. Under the digital modernisation strand projects include:-

- Finalising and publishing a NICTS Digital Strategy for the delivery of future digital justice solutions;
- Delivering the digital projects set out in the Digital Strategy Roadmap for 2021/22 including progressing an electronic case bundles solution;
- Completing the Probate Online Portal Project; and
- Implementing a new case management system for Official Solicitor's Office / Office of Care and Protection

Other key areas of work for the 2021/22 business year include working with the Department for Communities (DfC) to prepare for the effective statutory transfer of the Tribunals Appeals Service (TAS) and supporting the delivery of justice reform projects including Committal Reform, implementation of Gillen recommendations, Domestic Abuse Bill and modernisation of the Civil Justice System.

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

Integrity

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

Openness

undertake our work in an open and transparent manner

Professionalism

conduct our business to the highest standards

Accountability

be responsible for delivering a high quality service to the public

Fairness

treat everyone fairly

About the Northern Ireland Courts and Tribunals Service

Who we are

The NICTS is an Agency of the Department of Justice (DoJ), responsible for the provision of administrative support for all Northern Ireland's courts and the majority of Northern Ireland's tribunals.

We provide administrative support to the Coroners Service of Northern Ireland (CSNI) and the Legacy Inquest Unit (LIU), have responsibility for enforcing judgments of the civil courts through the Enforcement of Judgments Office (EJO); collect and enforce outstanding financial penalties imposed (or registered) by a criminal court and for funds held in court through the Court Funds Office (CFO). We also provide administrative support to the Parole Commissioners for Northern Ireland (PCNI) and the HIA Redress Board as well as processing awards on behalf of the Redress Board. 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, Mark Goodfellow;
- Chief Modernisation Officer, Karen Ward;
- Finance Officer, Louise Lavery; and
- two independent members, Graham Dalton and Nicole Lappin.

Although not Board members, the Head of Legacy Investigations Unit and the Principal Private Secretary are nominated by the Lord Chief Justice and attend the Board with his agreement.

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

The Honourable Mr Justice Colton;

His Honour Judge Fowler, 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

The Agency provides administrative support for criminal, civil and family court business and for the Coroners Service. Business levels in 2020/21 were impacted by the pandemic and are reflected in the following paragraphs.

In 20/21 the courts dealt with approximately 56,000 criminal, civil and family cases annually. Coroners dealt with around 3,350 deaths reported and last year held approximately 15 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 (EJO), the Fine Collection and Enforcement Service, the Taxing Office and for the sponsorship of PACWAC.

Tribunals in Northern Ireland disposed of approximately 4,800 cases and the Parole Commissioners received approximately 610 case referrals. The EJO processed approximately 2,000 notices of intention to enforce a judgment and 1,100 applications to enforce a judgment. The EJO also received approximately 50 applications for repossession. The Taxing Office received approximately 1,100 applications for taxation of legal costs. In total the Fine Collection Service activated 16,900 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 in total approximately 830 members of staff, with the majority delivering frontline services at courthouses , tribunal centres, EJO, Fine Collection Service, CFO, Parole Commissioners Secretariat and PACWAC.

Our people have been key to delivering the full range of court and tribunal services throughout the past year with the contribution and commitment of staff central in maintaining services to the public during the pandemic. A skilled and committed workforce remains essential to the successful achievement of our corporate aims and, in particular, the challenging targets which we have agreed for 2021/22.

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 impact on our staffing figures and budget.

Our budget allocation for 2021/22 is:

	£'000
NICTS gross expenditure ¹	85,349
NICTS income ²	(36,638)
Total Unringfenced Resource Departmental Expenditure Limit (DEL) Budget ⁽¹⁻²⁾	48,711
NICTS Depreciation ³	8,390
Total Resource Departmental Expenditure Limit (DEL) Budget ⁽¹⁻²⁺³⁾	57,101
Total Annually Managed Expenditure (AME) Budget	321
Capital Budget	5,232

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	11
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	4*

* In addition, there are 15 salaried judges who hold the role of Coroner concurrently with their other judicial post

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	9
Commissioners	7
Total	20

Business Planning Context

Economic & Public Sector Context

NICTS will be required during the 2021/22 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 2021/22

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 2021/22 Business Plan throughout the year and will publish an Annual Report on performance.

Key Themes for 2021/22

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					
Outcome	Indicator	Objective	Action	Target Date	Owner
THEME 1 – Deliver efficient and effective court, tribunal and enforcement services					
7	38	1. Provide administrative support for Northern Ireland's courts, tribunals and Parole Commissioners and the Planning Appeals and Water Appeals Commission.	Continue to work collaboratively with justice partners to support recovery of the justice system taking account of the prevailing public health guidance.	March 2022	Mark Goodfellow Elaine Topping Adrian Gallagher
7	38		To complete a review of accommodation requirements to support business recovery taking account of the NICS New Ways of Working Project.	July 2021	Karen Ward Francis Drain
7	38		To reopen Banbridge Courthouse as a further Nightingale venue.	May 2021	Karen Ward Francis Drain
7	38		Continue to work with the Department for Communities to prepare for the effective statutory transfer of the Tribunals Appeals Service.	March 2022	Mark Goodfellow Adrian Gallagher

* 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.

PFG					
Outcome	Indicator	Objective	Action	Target Date	Owner
THEME 2 – Deliver high quality services that support an independent Judiciary and meet the needs of our customers					
7	38	2. Deliver high quality services that support an independent Judiciary and meet the needs of our customers.	Support delivery of justice reform projects including Committal Reform, implementation of Gillen recommendations (Civil / Family & Serious Sexual Assault), Domestic Abuse Bill and modernisation of the Civil Justice System.	March 2022	Mark Goodfellow Karen Ward Elaine Topping Pamela Reid
7	38		Support delivery of the scheduled inquest caseload for 2021/22.	March 2022	Paddy Butler Michael Meehan
7	38		Implement the accepted recommendations arising from the CJINI report on the Fine Collection and Enforcement Service.	December 2021	Mark Goodfellow Adrian Gallagher
7 & 11	38	3. Deliver court and tribunal services that increase the effectiveness of the justice system and improve access to online court and	As part of the Modernisation Portfolio, modernise our estate to ensure it supports new ways of working by: <ul style="list-style-type: none"> Progressing the Outline Business Cases for three major capital projects; Completing a draft of the Estate 	March 2022	Karen Ward Francis Drain

		tribunal services.	<p>Strategy document; and</p> <ul style="list-style-type: none"> Progressing the development of a five year capital programme. 		
7 & 11	38		<p>As part of the Modernisation Portfolio, deliver an agreed programme of digital modernisation and service redesign projects including:-</p> <ul style="list-style-type: none"> Deliver the 21/22 Courtroom Technology Refresh Project in line with the agreed timetable to facilitate the display of digital evidence in court. Finalise and publish a NICTS Digital Strategy for the delivery of future digital justice solutions. Deliver the digital projects set out in the Digital Strategy Roadmap for 2021/22 including progressing an electronic case bundles solution. Implement the Probate Online Portal Project. Progress and implement a new case management system for Official Solicitor's Office/ Office of 	March 2022	Karen Ward Pamela Reid

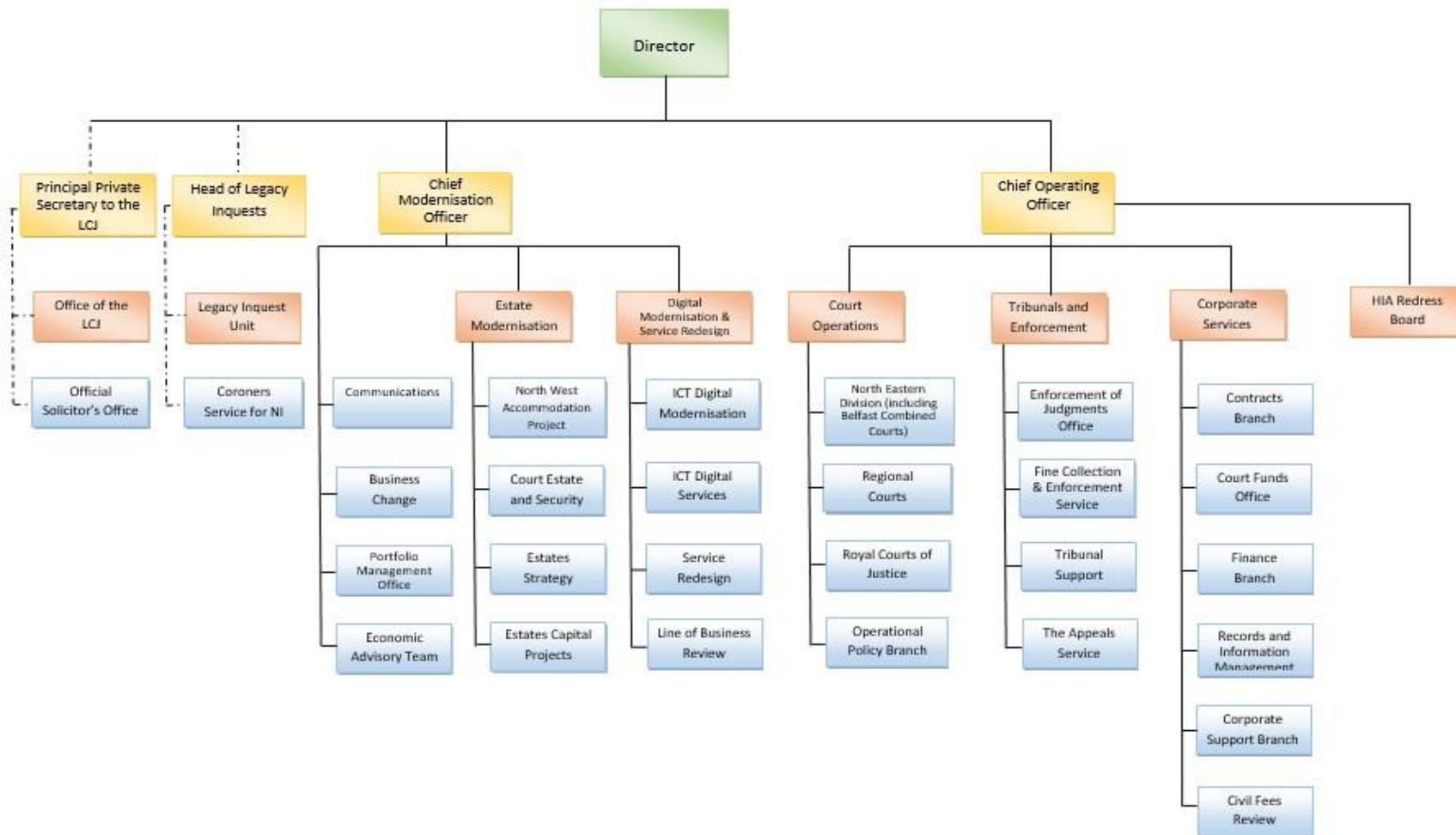
			Care and Protection and the Planning Appeals and Water Appeals Commissions.		
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PFG					
Outcome	Indicator	Outcome	Indicator	Outcome	Indicator
THEME 3 – Develop and lead our people to achieve our business objectives					
THEME 4 – Deliver a controlled financial and commercial environment achieving value for money and good corporate governance					
7	38	4. Support the effective delivery of Justice through the promotion of sustainability, effective budget management and development of staff.	Ensure the effective management of the Agency’s budget to maximise efficiency and utilise resources for maximum effectiveness.	March 2022	Mark Goodfellow Louise Laverty
7	38		Support and promote leadership development of the Agency’s people.	March 2022	All Heads of Division
7	38		Develop a People Plan as part of the Modernisation Programme.	March 2022	Karen Ward
7	38		Promote and manage the Department’s sustainability agenda and target a 5% reduction in carbon emissions, relative to 2019/20.	March 2022	Karen Ward Francis Drain

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>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 & Fine Collection Service</u></p> <p>EJO enforces civil judgments of the courts related to the recovery of money, goods and property. FCS collect and enforce outstanding financial penalties imposed by a criminal court; Taxing Office – provides administrative support to the Taxing Master in the assessment 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 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 14 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 21/22 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.