

Northern Ireland Courts & Tribunals Service

Business Plan

2018-19

Foreword by Acting Chief Executive

This Business Plan outlines the key activities and priorities for the Northern Ireland Courts and Tribunals Service (NICTS) in 2018/19. The annual Plan is derived from the Agency Corporate Plan 2012-15, the objectives and targets of which were extended until March 2019. This Plan has been set in the context of not having an Executive in place, however it is assumed that devolution will be restored during the period. A new Corporate Plan will be developed once a Minister is in place.

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 2018/19 we will establish a Business Transformation Board, whose work will span several years and will provide a framework for NICTS to continue to develop and implement organisational change on a long-term basis. We will also consult on proposed changes in relation to civil court fees and also 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. Given the current financial climate, the delivery of these initiatives is important for NICTS to allow us to live within our allocated budgets which, as for all public sector bodies, is very challenging.

During 2018/19 NICTS will establish a new Fine Collection and Enforcement Service which will modernise the way in which fines and other penalties are collected, including the introduction of attachment of earnings; deduction from benefits and bank freezing orders. In addition, courts will have a broader range of options to deal with non-payment, including supervised activity orders.

We will establish a pilot 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. The Substance Misuse Court is one of a number of problem

solving initiatives being brought forward by the Department of Justice (DoJ) under the Programme for Government. Lastly we will support the DoJ and other Civil Service Departments in the development of Brexit delivery plans.

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); has responsibility for enforcing the judgments of the civil courts through the EJO; for funds 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, 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 the Board meetings. The judicial representation consists of:

The Right Honourable Lord Justice Deeny;

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 2017/18 the courts dealt with approximately 80,000 criminal, civil and family cases annually. Coroners had around 4,200 deaths reported to them and last year held 124 inquests.

Tribunals and Enforcement is responsible for providing the administrative support for the majority of Northern Ireland's tribunals and PCNI. It is also responsible for the EJO and the Taxing Office.

Tribunals in Northern Ireland disposed of approximately 9,500 cases and the Parole Commissioners issued approximately 900 decisions and recommendations. The EJO processed approximately 10,500 notices of intention to enforce a judgment and 6,300 applications to enforce a judgment. The EJO received approximately 600 applications for repossession.

The Taxing Office receives approximately 1,300 applications for taxation and complete taxation on around 1,200 cases.

The CFO 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. CFO is also responsible for money held in court pending the settlement of civil court actions; or those who lodge bail monies. It 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 680 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 2018/19.

In addition we are working 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 2018/19 is:

	£'000
NICTS gross expenditure ¹	69,443
NICTS income ²	(31,360)
Total Unringfenced Resource Departmental Expenditure Limit (DEL) Budget ⁽¹⁻²⁾	31,083
NICTS Depreciation ³	7,626
Total Resource Departmental Expenditure Limit (DEL) Budget ⁽¹⁻²⁺³⁾	45,709
Total Annually Managed Expenditure (AME) Budget	225
Capital Budget	2,076

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

Like every other public sector organisation, NICTS will be required during the 2018/19 year to maintain a high quality service against an ongoing backdrop of innovation and reform to deliver savings.

Business Planning 2018/19

The NICTS Business Plan for 2018/19 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 2018/19 Business Plan throughout the year. We shall publish an Annual Report on our 2018/19 performance.

Key Themes for 2018/19

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 (SMT)	March 2019
7	38	Support the implementation of the reforms contained in the Justice Act (Northern Ireland) 2015 including continued review of the policy proposals for Committal Reform.	Elaine Topping	March 2019
7	38	Manage the timely and effective implementation of the new Fine Collection and Enforcement Service and conduct an initial review of performance standards and service delivery by year end.	Jim Coffey	1 June 2018 for implementation March 2019 for review
7	39	Support the pilot Substance Misuse Court in Laganside Courts during 2018/19 and establish an evaluation process to report initial findings by March 2019.	Elaine Topping	December 2018 for Pilot Completion March 2019 for review
7	38	Work with the Department of Justice to secure the necessary resources to improve the delivery of legacy inquests.	Elaine Topping	March 2019
7	38	Work with the Department for Communities to achieve the statutory transfer of The Appeals Service to NICTS within the agreed timeframe.	Jim Coffey	March 2019
7	38	Consult on the future structure for civil and family fees and imbed changes arising from the 2017 Fees Orders.	Sharon Hetherington	Autumn 2019

PFG		Business Objective	Who will deliver?	Target date for delivery?
Outcome	Indicator			
THEME 2 – Deliver high quality services that support an independent Judiciary and meet the needs of our customers				
7 and 11	38	<p>During 2018/19 NICTS will establish a Transformation Portfolio Board and seek to develop the following outputs:</p> <ul style="list-style-type: none"> • gain Strategic Outline Case approval for the overall Transformation Portfolio; • develop an Outline Business Case for a pilot Estates Programme; • develop an Outline Business Case for a pilot Digital Services Programme; and • conclude the review of the Business Operating Model and develop an associated action plan to incorporate the recommendations of the 2017/18 Court Operations Review. 	Peter Luney	March 2019
7	38	Consult on future role of the Court Funds Office.	Sharon Hetherington	Autumn 2018
7	38	Support the delivery of the prioritised recommendations from the Civil and Family Justice Review.	Elaine Topping	March 2019
7	38	Implement the agreed recommendations arising from the reports by BCS and Internal Audit Service on the Official Solicitor's Office to improve performance and maximise the effectiveness and efficiency of administrative and legal resources.	Mairead Holder	March 2019

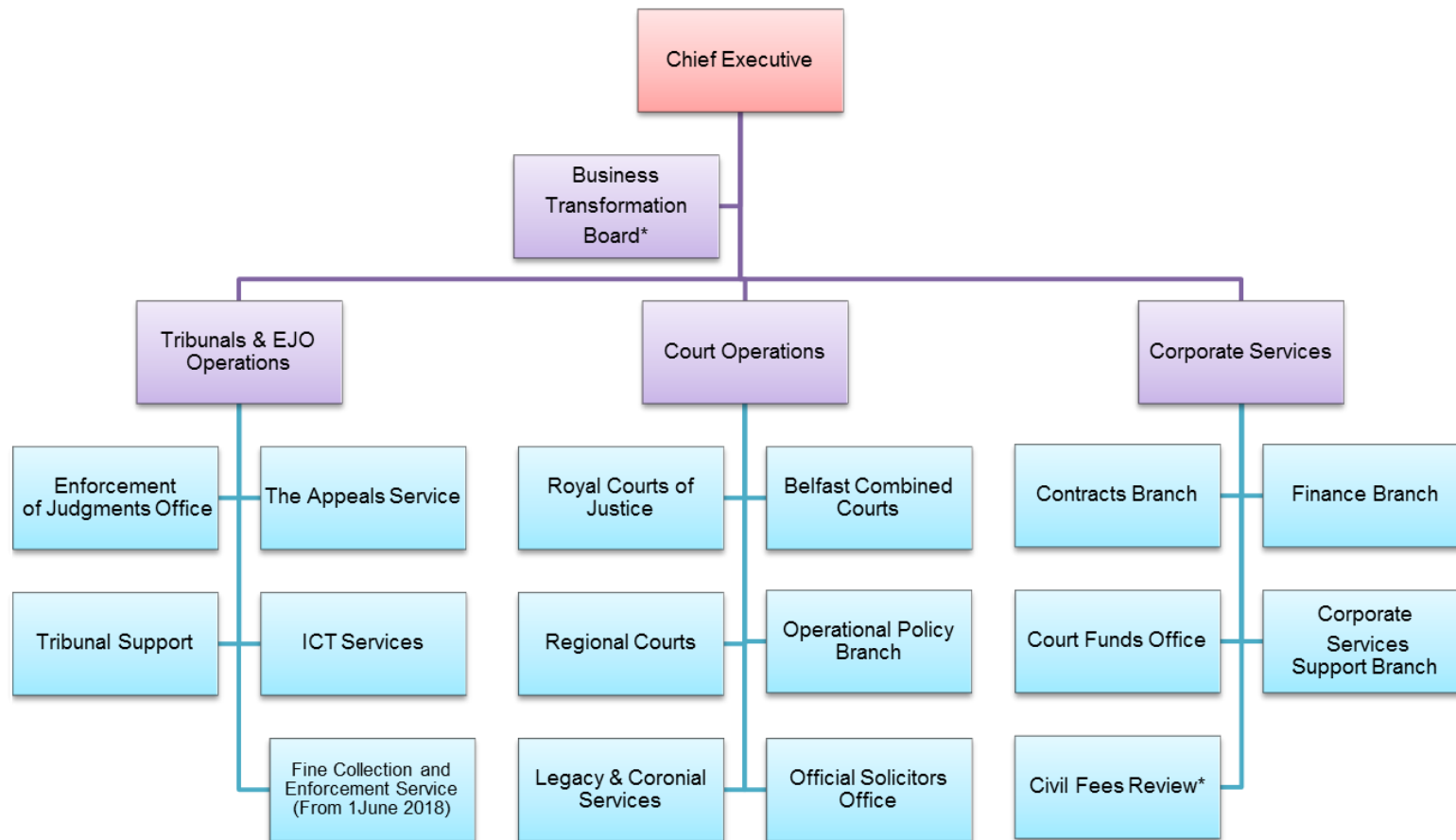
PFG		Business Objective	Who will deliver?	Target date for delivery?
Outcome	Indicator			
THEME 3 – Develop and lead our people to achieve our business objectives				
7	38	Implement and monitor the agreed actions in the Staff Engagement Action Plan 2017-19 to address the issues raised by staff in the NICS Staff Attitude Survey; and complete the formal review process with NICSHR and TUS colleagues.	SMT	December 2018
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 2019
7	38	Manage absenteeism in line with NICS policies and procedures and support the promotion of health & wellbeing initiatives.	SMT	March 2019
THEME 4 – Deliver a controlled financial and commercial environment achieving value for money and good corporate governance				
7	38	Live within allocated resources, deliver savings plans and prepare for the next Spending Review while looking for opportunities for innovation and efficiencies.	Sharon Hetherington	March 2019
7	38	Produce financial plans, statements and reports in accordance with DoJ and NI Executive requirements.	Sharon Hetherington	March 2019
7	38	Deliver effective, affordable and appropriate governance, encompassing appraisal and evaluation, procurement processes, contract management and statutory compliances.	Sharon Hetherington	March 2019

PFG		Business Objective	Who will deliver?	Target date for delivery?
Outcome	Indicator			
THEME 4 – Deliver a controlled financial and commercial environment achieving value for money and good corporate governance				
7	38	Provide an effective and legislatively compliant Records Management and Information Assurance function within NICTS taking account of changes to data protection law which will come into force in May 2018.	Sharon Hetherington	March 2019
7	38	Maintain and deliver a secure court estate to ensure value for money and statutory compliance.	Sharon Hetherington	March 2019
7	38	Support an effective Judicial Appointment, Payroll and Pension function, which accurately reflects current and any future changes to judicial policy.	Sharon Hetherington	March 2019
7	38	Review current CFO fees to ensure they remain appropriate.	Sharon Hetherington	March 2019

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>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>

Annex B – Organisational Chart



*These posts are time-bound. These would move into the relevant business area once complete.

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 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 creditors' petitions for bankruptcy (presented by creditors) will be listed for hearing within six weeks.
- 90% of creditors' 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 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

These targets are administered by NICTS on behalf of the Department for Communities.

- 80% of appeals will be offered a first date of hearing within 11 weeks of the Hearing Type Enquiry return.
- 95% of parties to the appeal will receive notification of the appeal hearing date 14 days in advance of the hearing.

The Enforcement of Judgments Office

- Accept 90% of Enforcement Applications within 10 working days.
- Complete 85% of repossessions within 26 weeks of acceptance.
- Produce summons for interview in 90% of debt cases within six weeks of acceptance.

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 five 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.