



An Roinn Dlí agus Cirt
Department of Justice

Performance Delivery Agreement
between
the Courts Service
and
the Department of Justice

2021

Performance Delivery Agreement

1. Introduction

This Performance Delivery Agreement (PDA) is an agreement between the Department of Justice and the Courts Service, documenting an agreed level of service and performance, designed to result in the improved effectiveness and efficiency of public services. The PDA has been drawn up in accordance with the 2016 Code of Practice for the Governance of State Bodies, as amended, and together with the separate, but related, Oversight Agreement, succeeds the previous Performance Delivery Agreement 2020 between the two parties.

2. Objectives of the Agreement

The Agreement sets out

- Key inputs, outputs and expected outcomes of Courts Service activities in 2021 on which performance will be measured;
- The expectations of the Department in relation to the Courts Service;
- The expectations of the Courts Service in relation to the Department.

The Agreement will

- Support the Courts Service in fulfilling its remit under the Courts Service Act, 1998;
- Support the Courts Service in achieving its high-level goals as set out in its Strategic Plan 2021 - 2023 and
- Support the achievement of the high-level goals of the Department.

2.1 High Level Goals

The Courts Service is responsible for the management and administration of the Courts and its functions are set out in section 5 of the Courts Service Act, 1998. In developing the objectives of this Agreement, particular regard was had to the Courts Service's organisational and strategic objectives and the provisions of *Our Public Service 2020*, the government's framework for development and innovation in the public service.

The High-Level Goals of the Courts Service are *Enabling Access to Justice; Supporting the Judiciary and Providing High Quality Services to Court Users*.

The Agreement will support the Department in achieving Goal 2 *“Improve access to justice and modernise the courts system”* of its Strategic Plan 2021 – 2023 along with other goals and the associated Justice Plan 2021 which involve a number of specific delivery initiatives designed to promote access to and support for the courts. It will also support the Courts Service in achieving its high level goals as set out in its own Strategic Plan 2021 - 2023. This will be aligned with the Department’s Action Plan for the justice sector as part of the Government’s response under the *“Covid-19 Resilience and Recovery 2021: The Path Ahead”*.

The Courts Service works closely and collaborates with the Department and other bodies both within and external to the Justice sector to promote and support the effective administration of justice using both formal and informal arrangements for engagement and collaboration. The Courts Service is a member of a number of key strategic justice sector committees such as the Criminal Justice Strategic Committee, Working Group on Fixed Charge Penalty System, Judicial Planning Working Group, the Peter Kelly Civil Review Implementation Group, Data Needs and Interoperability Working Group and the Implementation Oversight Group on the Review of Protections for Vulnerable Witnesses in the investigation and prosecution of sexual offences. It is also represented on groups such as the High-Level Group established to review the Fines Act and the Capital Projects Governance Committee.

The Courts Service has played a key role in the design and development of cross justice sector initiatives including the Criminal Justice Interoperability project in relation to the transfer of information to An Garda Síochána (circa 2m. messages annually); the ongoing development of video conferencing/video link services with the Prisons Service and the ICT system to exchange information with the Insolvency Service. It is also working closely with the Department in relation to the Review of the Administration of Civil Justice. The Courts Service is also part of the Sale of Alcohol Bill Inter-Departmental/Agency Steering Group which is looking at a codification and simplification of the licensing laws as well as the Family Justice Oversight Group.

The Courts Service is a key member in the development of the Criminal Justice Hub which will act as the central enabler for electronic collaboration between justice agencies and the Hub Forum which is helping to identify projects that can be used to expand on the deliverables of the main justice stakeholders. The Courts Service actively participates in the Departmental and Agency Financial Management Committee.

The Courts Service continues to review its operation and streamline processes to maximise resources, ensure value for money and enhance operational efficiency and effectiveness.

3. Commitments

3.1 Mutual commitments

Both parties will

- Commit to proactive and timely communications, cooperation and information sharing on service delivery;
- Support the effective achievement of agreed targets as well as the promotion of partnership, responsiveness and mutual cooperation in their ongoing interactions;
- Keep each other fully apprised of and updated on all key issues; and
- Support prompt and timely responses to correspondence, information requests and related matters.

3.2 Courts Service Support to the Department of Justice

As set out in the Oversight Agreement between the Courts Service and the Department, ongoing supports provided by the Courts Service to the Department include that it will:

- Work with the Department and other justice agencies, to provide an integrated justice system that provides efficient and effective services to the public;
- Participate in cross sector initiatives involving or impacting on the provision of court services and the administration of justice;
- Provide input and commentary on policy and legislative proposals where relevant; and
- Provide appropriate information to allow the Minister discharge appropriate accountability to the Oireachtas.

3.3 Public Sector Equality and Human Rights Duty

As outlined in the Oversight Agreement, the Courts Service has regard to its obligations under section 42 of the Irish Human Rights and Equality Commission Act 2014 and in addition to the well-developed equality policies already in place, will be developing policies to meet its Human Rights obligations as required under the Act.

3.4 Department of Justice support to the Courts Service

The Department of Justice will, as set out in the Oversight Agreement, provide supports to the Courts Service under this Performance Delivery Agreement including particularly:

- Support the provision of the necessary funding and resources to the Courts Service to enable it to fulfil its remit in the management and administration of the courts and deliver on its commitments as set out in this agreement;
- Provide clear and timely information regarding budget estimates and annual allocations;
- Provide and support effective communication between the Courts Service, the Department and the Department of Public Expenditure and Reform in relation to expenditure, staffing and related matters;
- Inform the Courts Service of any policy or objective of the Government which relates to the functions of the Service in a timely manner;
- Apprise and liaise with the Courts Service at the earliest possible opportunity concerning any intended legislation impacting on court jurisdiction, procedure or operations to enable the potential impacts of proposed legislation on the Courts and the Courts Service and their ability to fulfil their role, to be identified, assessed and considered prior to any enactment;
- Facilitate incorporation into legislation, in a timely manner, where required and agreed, Courts Service proposals for reform of court jurisdiction, procedure or operations;
- Support through the estimates process, subject to available funding, expenditure in the delivery of the Courts Service capital programmes and PPP projects.
- Support communication and co-operation between Justice Sector agencies in ICT development;
- Provide guidance on Civil Service HR policy, Public Expenditure, remuneration, industrial relations, procurement and contracts as appropriate; and
- Provide guidance on Government Accounting and Governance.

4. Hammond Lane PPP

The Hammond Lane business case was approved by the Courts Service Board on 1st June 2021 and will be supported in its delivery by both parties under the relevant Justice Sector PPP programme.

Governance structures:

In late 2020, the Department established a Working Group comprised of representatives from the Department, Courts Service, An Garda Síochána, Office of Public Works and the NDFA to advance planning.

The project will be divided into two phases.

Phase 1 will include the activities involving the appraisal of the project, preparing and finalising the output specifications and the Public Sector Benchmark (PSB) and other budgetary items, to complete determination of any policy issues. This phase will be directed

by the Department in conjunction with Courts Service and AGS/OPW with the assistance of the NDFA and is subject to approval and sanction of the Department.

Phase 2 commences following the sign off and approval by a Project Board (to be established) of the output specifications and the PSB (following receipt of notification of decision to grant planning permission) and agreement that all policy and budgetary issues relating to the Project have been dealt with and satisfactorily resolved, where necessary. At this point the Project is handed over to the NDFA for procurement. Phase 2 will comprise the procurement of the PPP contract and the construction and delivery of the Project from contract execution / financial close until handover at the end of the construction period.

Business case:

A Business Case for the Hammond Lane project compiled in line with the Public Spending Code and framed within the €100m allocation was approved by the Board on 1st June 2021. Keeping within the €100m allocation for the project will result in a separate project for a Children's Courts and the extension of the lease in Phoenix House. A new Children's Court project has therefore been included in the Courts Service's submission to the new National Development Plan 2030.

User consultations

Given (i) the time that has passed since the last round of consultations in 2017, (ii) anticipated changes to Family Law consequential to the Family Law Bill and (iii) the revised plans produced by the Office of Public Works, it was decided to hold further consultations with user groups. Consultations with the Legal Aid Board, Family Law Modernisation Programme Board and One Family took place 8th December 2020. A joint OPW/Courts Service working group to review and adapt existing plans in light of user feedback, changes anticipated arising from the Family Law Bill and the Courts Service modernisation programme has been established.

At present, the timetable for the Hammond Lane project envisages handover to the NDFA for procurement at the end of 2021. Procurement is expected to take up to 18 months with a completion date by June 2023. Construction would commence thereafter and could be expected to take up to 2.5 years to complete (end 2025/early 2026). This timeline means that it will be necessary to extend the lease on Dolphin House which expires on 31st March 2023.

5. Modernisation Programme

The Courts Service is currently in the Transition Phase of the Modernisation Programme, 2021-2022. This initial phase is focused on establishing the foundations for modernisation - building capability and capacity, establishing modern technology platforms, developing organisational strategies and ICT frameworks, and piloting new user-centric models.

A series of key deliverables some of which overlap with the KPIs set out in our Strategic objectives, have therefore been identified for delivery in 2021 that will deliver significant benefit to the organisation and provide the structure and capabilities to deliver a successful long-term programme. This document outlines each of these deliverables and indicative quarterly delivery dates

The contract for a Transformation Partner was awarded to *Deloitte* who commenced work in March 2021.

The Key deliverables for the Modernisation Programme in 2021 are set out below.

Programme	Key deliverables for 2021	Date
User Centric Services	Establish and resource Civil Law Reform Programme/Workstream	Complete
	Establish and resource Family Law Reform Programme/Workstream	Complete
	Target Operating Model finalised	Complete
	Civil Reform: Process review (Including Civil Justice Review Recommendations)	Q2
	Identify priority civil projects	Q3
	Commence Service Design for priority projects	Q3
	Standardisation & simplification of civil processes commenced	Q3
	Family Reform: Complete staff engagement	Complete
	Finalise Trauma Informed Training Programme	Q2
	Research into Family law work in other jurisdictions	Complete
	Complete public consultation	Q3
	Identify potential family projects	Q4
	Org. Reform: New Jury system, requirements gathering phase complete	Q3
	Appointment System available in 3 pilot offices	Q4

	Chip and Pin Card Payment facility available in Court offices	Q4
Business Continuity	Business Continuity Framework complete	Q2
	Business Continuity Plans piloted and implementation commenced	Q3
	Data Retention Framework complete	Q3
People	Career Development pathway – programme rolled out	Q2
	People and Organisation Strategy	Q4
Partner Coalition	Learning and Development strategy 2020/23	Complete
	Courts Service Innovation strategy launch	Complete
	Advisory Group established	Complete
	Stakeholder and communication strategy	Q3
Estates	Business case for Hammond Lane	Q2
	Estates strategy	Q3
ICT	Upgraded Remote Court Hearing Video Platform available for remote hearings	Complete
	Procurement for technical architecture to support modernisation programme complete	Q3
	ICT strategy	Q3
	Commence implementation of first digital solutions on new technical architecture	Q4
	ICT data strategy	Q4
	Technology Courts available in 100 venues	Q4
Governance	Develop Single Change Governance Framework for the Courts Service	Complete

Transformation Partner Contract Awarded

Complete

Benefits Realisation framework agreed

Q2

It is intended that the Modernisation Programme will prioritise how the Courts Service can work with other agencies, the Department and the judiciary to provide an efficient, responsive and cost-effective courts system providing greater access to justice and an enhanced experience for court users. The continued commitment and support of the Department of Justice in implementing agreed initiatives will be key to successful collaboration and the necessary resourcing of projects.

6. Inputs

6.1 Financial Inputs_(Vote 22)

The following table summarises budget allocations for 2016 – 2021

Subhead (Current) (Gross)	Vote 22	2016 REV €'000	2017 REV €'000	2018 REV €'000	2019 REV €'000	2020 REV €'000	2021 REV €'000
A	Manage the Courts and Support the Judiciary - Pay	50,226	€51,814	53,975	56,805	58,078	60,215
A.1	Non- Pay – Current	26,583		28,583	30,083	32,283	41,883
A.3 + A2 (v)	Capital (including ICT)	10,700	€15,200	15,318	16,300	28,300	22,695**
A.4	PPP Costs	22,163	€45,483	39,699	37,717*	37,717	38,617
	Total Gross	109,672	€140,080	137,575	140,905	156,378	163,410
B	Appropriations-in- Aid	46,003	€47,828	47,969	47,781	50,133	34,633
	Total Net Funding	63,669	€92,252	89,606	93,124	106,245	128,777

* Includes capital carryover over from 2018 of €2.5m

** Includes a capital carryover from 2020 of €4.895m

6.2 Human Resource Inputs

Breakdown of staff numbers at 1st January, 2016 - 2020

GRADE	2017 Head Count	2017 FTE	2018 Head Count	2018 FTE	2019 Head Count	2019 FTE	2020 Head Count	2020 FTE	2021 Head Count	2021 FTE
Chief Executive	1	1.0	1	1.0	1	1.0	1	1.0	1	1.0
Asst. Secretary (Head of Directorate)	4	4.0	5	5.0	5	5.0	3	3.0	4	4.0
Assistant Secretary/ County Registrar	19	19.0	21	21.0	21	21.0	23	23.0	20	20.0
Principal Officer	31	31.0	32	32.0	32	32.0	33	33.0	31	31.0
Assistant Principal Officer	110	107.8	118	115.4	122	118.7	136	133.2	134	132.0
Higher Executive Officer	143	136.23	151	144.23	148	140.93	142	136.4	157	153.4
Executive Officer	234	225.03	269	259.23	273	260.8	289	278.7	293	282.8
Staff Officer	10	8.5	0	0	0	0	0	0		0.0
Clerical Officer	289	260.84	309	282.48	303	278.67	324	303.0	328	306.7
Tipstaff	58	58.0	52	52.0	49	49.0	44	44.0	42	42.0
Judicial Assistant	55	55.0	48	48.0	76	75.6	77	77.0	84	84.0
Court Messengers	20	20.0	18	18.0	20	20.0	19	18.8	18	18.0
Services Officers	28	27.3	28	27.3	29	28.1	27	26.2	28	27.4

Cleaners	4	4.0	3	3.0	3	3.0	3	3.0	2	2.0
TCO	18	18.0	17	17.0	15	15.0	0	0	0	0.0
Total	1024	975.70	1072	1025.64	1097	1048.8	1121	1080.3	1,142	1,104.2

7. Outputs /Targets

The following section sets out the Key Performance Indicators which will be used to assess the Courts Service's progress towards achieving its key mandate and core functions under the Courts Service Act 1998.

The Courts Service has identified six key strategic objectives in the Strategic Plan 2021-2024 which are the focus of its current work programme;

1. **Take a User-Centric Approach;**
2. **Support the Judiciary;**
3. **Digital First;**
4. **Better Ways of Working;**
5. **Provide a modern and improved estate and facilities; and**
6. **Accountability and Leadership.**

Supporting the Judiciary and High Quality Service Delivery are the two key overarching strategic priorities for the Courts Service. These are achieved and supported by the strategic objectives in relation to the development of Courts Service staff, technology, court accommodation and facilities and reform.

The following Key Performance Indicators have been developed:

Strategic Objective 1 – Take a User Centric Approach;

We will adopt new collaborative ways of working, taking a user-centric approach, to provide improved and enhanced service delivery.

Goals	Actions	KPIs	Target
Establish User Research and Service Design function to partner with the Judiciary and stakeholders to ensure best outcomes for all court users, with a specific focus on vulnerable users.	Create a services catalogue and service design priorities and to conduct user research	Services catalogue and service design priorities created. User research conducted	Q4.
Develop and implement a Communication and Stakeholder Engagement Strategy and plan to effectively engage stakeholders.	Develop Strategy Implement plan including research, consultation, branding project and training Review & implement communication plan for Modernisation Programme Implementation of Strategy incorporating Website, Legal Diary and Social Media platform management on an on-going basis.	Strategy developed. Plan implemented Communication plan for Modernisation programme reviewed and implemented. Strategy implemented	Q2 Q2 Q1 Quarterly
Standardise and simplify appropriate court procedures.	Establish Civil & Family Law Reform programmes Prioritise and commence projects as required Support awareness and understanding of court procedures through improved communications.	Civil and Family law reform programmes established Projects prioritised and commenced. Communication of Awareness and understanding of Court processes supported	Q1 Q2 Q4

Support legislative initiatives as prioritised in the Programme for Government such as the Family Courts Bill.	Actively assist with the enactment and preparation of legislation including the Courts Bill and the Family Courts Bill	Assistance actively supported.	Quarterly
	Develop arrangements for commencement of the Assisted Decision Making Capacity Act	Arrangements developed.	Quarterly

Strategic Objective 2 – Support the Judiciary

We will work collaboratively with the Judiciary to define and provide the resources needed to effectively carry out their judicial functions

Goals	Actions	KPIs	Target
Engage with the Judiciary to define requirements, to improve efficiencies and share information and best practice.	Establish a joint working group to develop and implement a communications framework for sharing information between the CS and the Judiciary	Joint working group established	Q2
	Upgrade of Judges Portal including integrated search functionality	Judges Portal upgraded	Q3
	Lead out on agreed recommendations of Civil Justice Review Report.	Work on agreed recommendations led by CS	Quarterly
Review and restructure Judicial and Library Research Services, with a focus on improved Judicial research functionality.	Establishment of Research Support Office	Office Established	Q1
	Review library resources and integrate with Legal Search Connect project	Library resources reviewed and integrated	Q2

Develop and implement a framework for collaborative working with Judges, the Judicial Council and the Courts Service.	Finalise arrangements on support for Judicial Studies between the agencies	Arrangements finalised	Q2
	Develop a Memorandum of Understanding in relation to accommodation with Judicial Council	MOU developed	Q2
Support strategy to promote Ireland as the leading venue for dispute resolution in the EU.	Work with members of the judiciary and stakeholders to develop materials for the promotion of Ireland post Brexit	Materials developed	Quarterly

Strategic Objective 3 – Digital First

We will adopt a digital first approach

Goals	Actions	KPIs	Target
Develop an ICT and data strategy to define the application, infrastructure and data architecture to support a modern and digitally enabled Courts Service.	Develop a 3-year ICT strategy	ICT strategy developed	Q3
	Develop a 3-year Data strategy	Data Strategy developed	Q4
	Establish a modern ICT application architecture that will support the secure and efficient provisioning of services online.	Modern ICT application architecture established	Q3
	Introduce a pilot online appointment booking system with a view to full rollout	Pilot online appointment booking system introduced	Q3

	<p>Expand Video Courtroom technology estate by over 50%</p> <p>Work through the Modernisation Programme to identify and implement digital first projects</p> <p>Introduce first phase of cashless payments – in-office chip and pin</p> <p>Carry out broad-based consultation to define the medium-long term Courtroom video conferencing platform</p>	<p>Expansion achieved.</p> <p>Digital first projects identified.</p> <p>1st phase of cashless payments introduced</p> <p>Consultation carried out.</p>	<p>Q4</p> <p>Quarterly</p> <p>Q4</p> <p>Q2</p>
<p>Engage in collaborative digital initiatives with other agencies to drive efficiencies.</p>	<p>Implement digital Court Lists project as part of Criminal Justice Operational Hub (CJOH) programme</p> <p>Implement digital Charge Sheets project as part of CJOH programme</p> <p>Support DOJ in definition and implementation of sharing of anonymous data for statistical purposes.</p>	<p>Digital Court lists implemented</p> <p>Digital Charge Sheets Implemented</p> <p>DOJ supported</p>	<p>Q2</p> <p>Q4</p> <p>Quarterly</p>

Strategic Objective 4 – Better Ways of working

We will continue to invest in and support our people to create a high- performing organisation, delivering on the modernisation agenda and broader government priorities.

Goals	Actions	KPIs	Target
Develop a people and organisation strategy to create a diverse organisation that supports digitally enabled operations and new ways of working.	People and organisation strategy developed	Strategy developed	Q4
	Develop Workforce Plan.	Plan developed and delivery requirements defined.	Q4
	Define the competence, behaviours, management and leadership required to deliver the Modernisation Programme		Q2
	Finalise Location Independent Working Protocol and supporting arrangement	Protocol finalised	Q3
Build on existing Health and Safety Authority ‘Work Positive’ programmes.	Establish an ICT Desktop programme of work in line with the Modernisation Programme	ICT desktop programme of work established	
	Design and agree Health & Wellbeing Plan for 2021 to 2023.	Plan agreed and designed	Q2
	Roll out Health and Wellbeing awareness	Wellbeing awareness rolled out	Q3

	<p>for managers and key personnel</p> <p>Undertake baseline survey on well-being and positive working environment</p>	Baseline survey undertaken	Q3
Implement our Innovation Strategy.	<p>Develop a “Pathways to Innovation” Strategy</p> <p>Establish multi-disciplinary innovation team and network from across the whole organisation</p>	<p>Strategy developed</p> <p>Team and network established</p>	<p>Q1</p> <p>Q1</p>
Prevent discrimination, promote equality of opportunity and protect the human rights of staff and of those to whom we provide services and meet our obligations under the Irish Human Rights and Equality Act 2014.	Complete and publish an assessment of the equality and human rights issues relevant to the Service’s purpose and functions, in a manner that is accessible to the public.	Assessment completed and published	Q2

Strategic Objective 5 – Provide a Modern and Improved Estate and Facilities

Provide buildings that are modern, fit-for-purpose, safe and accessible and support the new ways in which we will conduct business.

Goals	Actions	KPIs	Target
Conduct a National Review of Venues and develop an Estates Strategy to align with the future operating model.	Develop the Estate Management Strategy incorporating the output from venue review.	Strategy developed.	Q2
Review condition assessment surveys and develop a strategy to move towards a Planned Preventative Maintenance regime.	Complete condition assessment surveys.	Surveys completed	Q2
	Review output from surveys, venue review and strategy to determine optimal long term maintenance arrangements.	Outputs reviewed.	Q3
	Tailored preventative maintenance model developed	Model developed.	Q4
Develop a user-centric approach to the development of new specialist Family Law Courts at Hammond Lane in Dublin.	As part of the Modernisation Programme consult with stakeholders to ensure the building is developed around needs of court users and supports proposed reforms in the area of family law	Stakeholders consulted	Q2
	Hammond Lane Business Case and governance arrangements completed and	Business case and governance arrangement completed and approved	Q2
		Sanction obtained	

	<p>approved Sanction to proceed obtained in accordance with PSC</p> <p>Project handed over to NDFA for procurement</p> <p>Part 9 planning permission obtained</p>	<p>Project handed to NDFA</p> <p>Planning permission obtained</p>	<p>Q2</p> <p>Q3</p> <p>Q3</p>
<p>Progress preparatory work on the priority capital projects in the National Development Plan 2018 – 2027.</p>	<p>Submission to new National Development Plan to 2030</p> <p>Acquisition of sites at Galway, Tralee, Naas and Navan</p>	<p>Plan submitted</p> <p>Sites acquired</p>	<p>Q1</p> <p>Q4</p>
<p>Develop an Environmental Sustainability vision for the Courts Service, including a strategy to achieve 2030 public sector energy and carbon targets.</p>	<p>Develop strategy for approval</p> <p>Complete pilot biodiversity projects for more widescale roll out at multiple venues as partner organisation in All-Ireland pollinator plan</p> <p>Completion of gap analysis following government finalisation of 2030 targets and updated reporting tools</p> <p>Initiate a staff engagement program to increase awareness of, support for and inclusion of sustainability</p>	<p>Strategy developed</p> <p>Pilot biodiversity projects completed.</p> <p>Analysis Completed</p> <p>Staff engagement programme initiated</p>	<p>Q1</p> <p>Q1 & Q3</p> <p>Q4</p> <p>Q3</p>

	objectives in all areas of business		
--	-------------------------------------	--	--

Strategic Objective 6 – Accountability and Leadership

We will put in place robust governance structures to ensure effective accountability and leadership for our modernisation and reform agenda.

Goals	Actions	KPIs	Target
Develop and implement a Single Change Governance Framework.	Develop Single Change Governance Framework for the Courts Service	Framework developed	Q2
Ensure the governance framework for the Modernisation Programme is reviewed and monitored regularly.	Regular review meetings held to monitor and update framework as necessary, necessary reporting protocols in place	Regular review meetings held	Quarterly
Ensure a process to review, adapt, evaluate and test Business Continuity Plans for all offices, including a supporting ICT Disaster Recovery Plan.	As part of the modernisation programme, develop robust BCP and DR plans to act as a baseline for future projects	Develop robust BCP and DR plans	Q4
Monitor progress and performance of the actions set out in this strategic plan.	Quarterly review of progress against strategic plan and CEO report to CS Board	Quarterly review of progress together with quarterly CEO report to CS Board	Quarterly
Monitor and report on the benefits accruing from the Modernisation	The Change Programme Office (CPO) to report monthly to	Monthly reporting to MPB by CPO, and 4 times to CSB	Q4

Programme and reform agenda.	Modernisation Programme Board, quarterly to Modernisation Committee and at minimum on 4 occasions to the Courts Service Board		
Establish an Advisory Group to support our Modernisation Programme.	External Advisory Group to the Modernisation Programme established	Advisory Group established.	Q2

8. Potential Risk Factors

The Courts Service operates a formal Risk Management policy and maintains a Corporate Risk Register which, in accordance with the Department of Public Expenditure and Reform Guidelines, is updated on an ongoing basis, most recently for the Courts Service Board meeting on the 1st June 2021.

The identified key corporate strategic risks for the organisation along with their risk ratings and mitigating actions and where appropriate due dates in 2021 are as follows:

Risk Category - Reform	Actions
Availability of expertise/resources to implement modernisation activities due to Business As Usual (BAU) and Covid-19 taking priority. (High)	<ul style="list-style-type: none"> Appointment of two Principal Officer (PO) and two Assistant Principal Officer (AP) as modernisation workstream business leads end Q1 '21. A third PO & AP workstream lead to be appointed by end Q2 '21. Modernisation programme timelines being closely monitored – Qrtly '21
Lack of co-ordinated approach and buy-in to the Modernisation Programme from key partners / stakeholders resulting in delays in	<ul style="list-style-type: none"> Regular updates to Courts Service Board, Modernisation Committee and Modernisation Programme Board. Qrtly '21

<p>the delivery of modernisation activities. (Medium)</p>	<ul style="list-style-type: none"> • Development of a comprehensive communications and stakeholders engagement strategy Q1 '21 • Establish a user research and service design function Q3 '21 • Completion of the Target Operating Model, setting out how the Service will be structured to better meet the needs of users. Q2 '21
<p>Delay in delivery of expected benefits realisation from the modernisation programme and VFM from our transformation partner. Medium</p>	<ul style="list-style-type: none"> • Appointment of workstream leads and additional resources to support the modernisation programme – Q1 & Q2 '21 – • Monitor progress and performance of the modernisation programme within the change governance framework. Monthly reporting to Modernisation Programme Board, quarterly reporting to Modernisation Committee of the Board and the Courts Service Board – Mthly / Qrtly '21
<p>Absence of a single approach to change and change adoption impacting our capacity to delivery projects and take up of on-line services. Medium</p>	<ul style="list-style-type: none"> • Develop a single enterprise approach to change (education & communication programme to be rolled out) – Q2 '21 • Commence change awareness campaign for greater adoption of existing on- line applications and further resourcing of helpdesk support – Q2 '21

Risk category - ICT	Actions
<p>Risk to the modernisation programme due to lack of modern technologies, significant legacy systems and supporting capability. High</p>	<ul style="list-style-type: none"> • Development of an IT Strategy, Q3 '21 • Appointment of additional expertise, Ongoing '21 • Establishment of an agile based IT Governance model. Q2 '21 • Selection of new modern technology architecture to support digital first and its introduction on a phased/incremental basis. Q3 '21
<p>Risk to business continuity due to inadequate disaster recovery plans, test procedures, and associated ICT infrastructure and applications capability. High</p>	<ul style="list-style-type: none"> • Support the modernisation business continuity workstream by putting in place and testing complementary ICT disaster recovery procedures and infrastructure. Ongoing'21

Risk category - ICT	Actions
<p>Increased exposure to security and service interruption risks from both external and internal threats across all aspects of IT, including courtroom technology.</p> <p>High</p>	<ul style="list-style-type: none"> • Internal review of recent initiatives introduced to facilitate remote working through the Information Security Committee, Q2 '21 • Introduction of improvements to remote device management and controls, Q4 '21 • Continued review and development of information security policies and procedures through the Information Security Committee. Ongoing '21
Risk Category – Operational/Service Delivery	Actions
<p>Operational difficulties in addressing significant arrears and backlog as a result of restrictions imposed on foot of Covid-19. High</p>	<ul style="list-style-type: none"> • Identification of scale of arrears in different business areas (jurisdictions and case types). Ongoing '21 • Regular meetings with senior members of the judiciary to agree strategies to address arrears. Ongoing '21 • Continued monitoring and review of recovery road maps in place for Criminal and Family Law business. Ongoing '21.
Risk Category - Financial	Actions
<p>Failure to secure funding for modernisation programme and delivery of services to meet our statutory mandates. Medium</p>	<ul style="list-style-type: none"> • Submission of Estimates 2022 - Q2 '21 • Submission for the new NDP to 2030 – Q1'21
<p>Failure to achieve a balanced budget, achievement of VFM in procurement of contract management, and uncertainty around Covid-19 and its impact on the Vote. Medium</p>	<ul style="list-style-type: none"> • Conduct budgetary review (May & September '21), • Monthly / Quarterly Financial updates to the SMT, Finance Committee and the Board, in addition to the DOJ, Financial Management Committee – Mthly / Qrtly '21 • Regular reporting on procurement and contract management to SMT & ARC – Qrtly'21

Risk Category - Buildings	Actions
<p>Deterioration in courthouse infrastructure and substandard</p>	<ul style="list-style-type: none"> • Completion of venues review and development of an Estate Management Strategy for approval by the Courts Service Board – Q2 '21

Risk Category - Buildings	Actions
facilities and delays in progressing key buildings projects. Medium	<ul style="list-style-type: none"> • Completion of Hammond Lane Business Case, (Family Law Complex) and approval by the Board - Q1 '21 • Progression of Hammond Lane project in conjunction with DOJ and An Garda Siochana – Q3 '21 • Review of the results of the condition assessment surveys to prioritise projects – Q2 '21 • Development of an Sustainability Strategy – Q3 '21 • Progress energy and sustainable initiatives across the courts estate to meet short term energy targets – Q2'12
Security and safety of court users, staff & judiciary in court buildings Medium	<ul style="list-style-type: none"> • Development of an action plan to focus on priority items – Q2 '21 • Engagement with Department of Justice and An Garda Siochana on Courthouse/room Security – Q1 '21

Risk	Actions
Failure to comply with or breach of GDPR obligations and principles, resulting in potential increased costs to the Service of individual claims and or fines as a result of breaches of GDPR legislation. Medium	<ul style="list-style-type: none"> • Assess the impact of the Circuit Court decision on the Service being a joint data controller & data processor – Q1'21 • Engage with the Judiciary regarding practices in handling the release of information in light of the new controller/processor role. Ongoing '21 • Review and improve the governance framework required by GDPR, such as Data Protection impact assessments and GPDR policy. Ongoing '21 • Ensure the register of personal data held by the Courts Service is maintained and revised regularly Q2-'21 • Ensure data protection training continues to be provided as part of induction and on at least an annual basis for all staff. Ongoing '21 • Promote awareness of GDPR through training /eLearning modules. Ongoing '21

Risk	Actions
<p>Risk to operational and strategic decision making due to inadequate availability of quality data with the support of modern analytics tooling and capability to support an improving data driven organisation. (including addressing the absence of record management protocol to protect information assets). Medium</p>	<ul style="list-style-type: none"> • Putting in place a Data Governance framework on which to incrementally improve the organisations data maturity, Q2 '21 • Implement a data maturity assessment to baseline and monitor progress. Q2 '21 • Development of a Data Strategy, Q3 '21

Risk	Actions
<p>Inability or failure to recruit expertise (ICT and Transformation) required to support the modernisation programme. Medium</p>	<ul style="list-style-type: none"> • Recruitment of expertise in ICT and Transformation - Q1 & Q2 '21 • Deployment of Subject Matter Experts from Operational and Supporting Directorates to the modernisation programme – Ongoing '21
<p>Impact of sustained remote working on staff well-being leading to changes in productivity and access to development and promotion opportunities. Medium</p>	<ul style="list-style-type: none"> • Development of appropriate management training to identify and address potential problems - Q1 '21 • Implementation of well-being, staff engagement and internal communications programmes – Q1 '21

Risk Category – External Environment Scanning	Actions
<p>Spread of Covid-19 among staff, judiciary and courts users Medium</p>	<ul style="list-style-type: none"> • Review & updating of Safety Management Programme including risk assessment of buildings, Health & Safety protocol, signage, social distancing, hygiene facilities, and ensuring continued adherence with NPHE & HSE guidelines - Ongoing '21 • Remote working policy and return to work policy in place being kept under review Ongoing 2021 • Continue training for managing remote staff and provision of on-line technical training to upskill staff to cover absences. Ongoing '21

Risk Category – External Environment Scanning	Actions
	<ul style="list-style-type: none"> Continue to issue staff and judicial surveys which informs management response to Covid-19 restrictions. Ongoing '21
Brexit – Impact of the UK’s departure from the EU on supply chain management Low	<ul style="list-style-type: none"> Monitor, advise and promote awareness of possible delays in goods/services from abroad – Q1' 21

9. Flexibility and Amendment of Targets

Where amendments become necessary, both parties will engage to agree on amended targets.

10. Monitoring Arrangements

The Courts Service and the Department of Justice will meet twice yearly or more frequently if required to provide an update on developments and achievement of targets as set out in this Agreement. The Courts Service will provide a report in advance of the meeting. Targets will be reviewed and amended as necessary. The Courts Service will provide

- (a) Relevant and appropriately detailed performance information to allow for monitoring of this Agreement and
- (b) Relevant and appropriately detailed performance information for inclusion in the Revised Estimates for Public Services volume.

11. Duration and Signatories to the Agreement

It is agreed that the arrangements as set out in this Agreement will apply with effect from the date signed hereunder until 31st December 2021.



Angela Denning
Chief Executive Officer
Courts Service

Date: 23rd June 2021



Yvonne White
Head of Civil Governance
Department of Justice

Date: 23rd June 2021