



Northern Ireland
Assembly

Committee for Justice

OFFICIAL REPORT (Hansard)

Overview Briefing on Northern Ireland Courts
and Tribunals Service

6 February 2020

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Paul Givan (Chairperson)

Ms Linda Dillon (Deputy Chairperson)

Mr Doug Beattie

Mr Gordon Dunne

Mr Paul Frew

Mr Pat Sheehan

Miss Rachel Woods

Witnesses:

Ms Sharon Hetherington

Northern Ireland Courts and Tribunals Service

Mr Peter Luney

Northern Ireland Courts and Tribunals Service

Ms Gillian McClearn

Northern Ireland Courts and Tribunals Service

Ms Elaine Topping

Northern Ireland Courts and Tribunals Service

The Chairperson (Mr Givan): I welcome Peter Luney, the chief executive of the Courts and Tribunals Service. We touched on some courts issues when we looked at the statutory rules on Tuesday. Peter was able to talk us through those issues. Peter, I will let you introduce your team to save repetition.

Mr Peter Luney (Northern Ireland Courts and Tribunals Service): Thank you, Chair.

The Chairperson (Mr Givan): You are all very welcome. When you have finished introducing your team, you can give a brief overview. Then we will move to questions.

Mr Luney: Absolutely. Thank you, Chair. I am grateful for the opportunity to brief the Committee on the work of the Courts and Tribunals Service. I am joined by three senior colleagues: Elaine Topping, who is head of court operations; Gillian McClearn, who is head of tribunals and enforcement division; and Sharon Hetherington, who is head of modernisation. In making my opening remarks, I want to provide some background briefing about the service before saying a little bit about our priorities, challenges and opportunities.

As the Committee will know, the Courts and Tribunals Service is an agency of the Department of Justice (DOJ). It comprises around 700 staff who work at 19 venues across Northern Ireland. Ninety per cent of the staff work in front-line posts, administering around 100,000 cases per annum, across all business areas. We have a forecast annual expenditure of around £79 million, with £4 million of capital. Through the Court Funds Office, we manage over £300 million, which is held in court on behalf of some of the most vulnerable members of society. We support 15 tribunals of various sizes, and we provide administrative support for the parole commissioners and the Planning Appeals and Water

Appeals Commission. We are also responsible for the Enforcement of Judgments Office, which is the central facility for creditors seeking to enforce civil judgments in Northern Ireland.

Our business plan sets out our strategic objectives. In delivering those objectives, whether through administering our routine business or through the implementation of our modernisation programme, our priority is to deliver high-quality services that meet the needs of our customers.

Turning briefly to the challenges that we face, budget uncertainty remains a concern. Over the past few years, the DOJ has faced some very difficult and challenging times in respect of funding. Like other parts of the DOJ, the Courts and Tribunals Service has faced significant austerity cuts. Since 2010, we have seen a reduction of £9.7 million in our funding allocation. At the same time, we have had to deliver a further £10.5 million of savings to meet inflationary and other in-year pressures. This year, we received a flat cash settlement from the Department, which was a welcome outcome, given the magnitude of internal pressures. We received additional in-year funding for specific new functions or pressures, including legacy inquests, the substance misuse court, our modernisation programme and changes to pension contributions.

After many years of austerity, we continue to face financial challenges. While we anticipate being able to live within this year's budget, we will work closely with the Department to set a budget for next year and future years. In order to facilitate a more strategic approach to planning, it is important that we move away from the one-year budget cycle to a multi-year approach, which will encourage a longer-term view to be taken. Maintaining our court estate is also challenging. There is a need for capital investment, not least in the north-west where Derry courthouse is more than 200 years old. Recent failures of the heating and electrical installations in the Royal Courts of Justice will also require considerable investment to address and emphasises the need to look strategically at how and where we invest in our future estate.

The Courts and Tribunal Service has delivered significant change in recent years. I would like to highlight briefly a number of reforms or new business areas that we have implemented or are taking forward. Speeding up justice is one of the biggest challenges facing the justice system and is a priority for the Department. The speed at which cases progress matters to victims, witnesses and parties generally. We are committed to supporting this work through the introduction of case-progression officers to support the effective management of cases in the Crown Court and by supporting the implementation of committal reform. We have supported a pilot to identify and tackle causes of delay in care proceedings in the family court, and we are working with the judiciary to pilot the use of civil hearing centres to better manage civil business in the county court.

As part of the DOJ's problem-solving justice portfolio, we worked with the Probation Board and other partners to establish a substance misuse court in Belfast in April 2018. The aim of the pilot was to specifically target individuals whose offending behaviour is driven by drug and/or alcohol misuse and to provide them with support to tackle the root causes of their offending behaviour. Acceptance on to the pilot programme was by way of clinical assessment and predicated on a guilty plea at the outset. It was open to 50 clients and ran for 15 months. The initial evaluation has found a significant improvement in abstinence as well as a reduction in re-offending and the likelihood of re-offending. The evaluation also made a number of recommendations to improve the model. These have been incorporated into a second phase of the pilot, which started in July 2019.

In February 2019, the DOJ announced an initiative to speed up legacy inquest arrangements and to deal with outstanding cases. The initiative supported a significant expansion of capacity to clear outstanding legacy inquests and allowed for the implementation of reform proposals developed by the Lord Chief Justice (LCJ). The Courts and Tribunal Service has established a legacy inquest unit to support the delivery of the LCJ's plan. The unit has a complement of 32 legal, administrative and investigative staff. In order to facilitate the preparation and hearing of legacy inquests, we will make facilities available for the digital sharing and presentation of evidence as well as other investigative software.

There are currently 44 outstanding inquests relating to 71 deaths that have not yet commenced and which will be listed for hearing during a period of five years from April 2020. There are seven inquests at hearing, including those relating to the events at Ballymurphy in 1971. The listing of inquests is a judicial matter. On 20 November 2019, the presiding coroner, Mrs Justice Keegan, announced details of 10 inquests to be heard in year 1. She confirmed that the remaining pending inquests would be subject to active judicial case management, with the first reviews to be held in April 2020. She stated that she hopes to be in a position at that point to consider provisional year 2 inquest listings.

The new fine collection and enforcement service came into operation on 1 June 2018, following commencement of the relevant provisions in the Justice Act. The new arrangements provide for a broader range of additional collection methods, including deduction from benefits, attachment of earnings and bank account orders. Where payment cannot be secured, cases are progressed to referral hearing where the court can consider options such as supervised activity orders, bank account orders, vehicle seizure or, ultimately, committal. The aims of the new service are to increase the number of financial penalties paid prior to default; reduce the number of fine warrants being issued to the police; and reduce the number of defendants being committed to prison for non-payment. While all these aims have been met, we believe that there is scope to further improve the effectiveness of the new arrangements, and we are working with the judiciary, the Department for Communities and Revenue and Customs to deliver this.

The Historical Institutional Abuse Act 2019 received Royal Assent on 5 November. The Act provides the legal framework for the establishment of a redress board to receive and process applications for compensation from those who experienced abuse in residential institutions in Northern Ireland between 1922 and 1995. The Executive Office retains policy responsibility in that area, and it is statutorily responsible for funding the administration costs and awards of compensation, but the Courts and Tribunals Service is working to establish the redress board. Mr Justice Colton was appointed as president elect on 15 November, and the interim secretary was appointed shortly thereafter. The setting up of the redress board involves a number of strands, including finance, staffing, accommodation, IT, the recruitment and training of panel members, and the agreement of rules and procedures. On 17 December, David Sterling announced that the board will open to receive online applications from 27 March. It is anticipated that panels will be available to sit from the end of April, with the first approved payments to follow thereafter.

To finish, I mention briefly our modernisation programme, which provides a framework to deliver change projects intended to modernise courts and tribunals services. At strategic level, the work is overseen by a group comprising the Justice Minister, the Lord Chief Justice, and the permanent secretary. The overarching objectives of the modernisation portfolio are to redesign and optimise service-delivery models and processes in order to provide more effective services; to improve access to justice through the further adoption of digital and other online service-delivery channels; to deliver a reconfigured and modernised physical courts and tribunals estate to support new ways of working; to achieve a sustainable financial operating environment; and to support staff and court users to work in a changing environment.

Our future courts and tribunals services will be built around modern technology, streamlined processes and buildings that are fit for purpose. We want a justice system that is much more proportionate in order to save citizens time, is efficient and seeks to reduce the impact on their lives. The justice system needs to embrace technology fully. Facilities to initiate and manage certain types of proceedings online should be available for all types of business. Document and case-management systems should replace paper filing and improve efficiency throughout the system. We will also seek to build on existing practices that allow legal representatives, parties and witnesses to participate in hearings by telephone and video-conference. We will engage extensively with stakeholders to agree the vision and priorities for the modernisation programme and for the selection of individual projects, which will be evidence-based with a focus on outcomes and benefits for service users.

We have begun a number of preparatory workstreams, including a refresh of our courtroom technology solution across the estate, condition surveys for all our property assets, and a review of all our IT systems. We are also developing a number of proof of concepts to allow us to test new functionality in controlled areas before deploying them more fully in other business areas. These include a fully digital end-to-end solution for non-contentious probate business and digital evidence-sharing and presentation for legacy inquests. We will also develop a new remote evidence facility for vulnerable witnesses that is adjacent to Laganside Courts to replicate an important facility that, to date, has been available only at the National Society for the Prevention of Cruelty to Children (NSPCC) premises in Bishop Street, Derry.

It is difficult in a short time to articulate fully the breadth of work that is being taken forward by the Courts and Tribunals Service. However, I hope that this very high-level overview has been helpful. We are happy to take questions.

The Chairperson (Mr Givan): Thank you, Peter. It is helpful. Certainly, a lot of good work has been taking place over the past number of years. I commend you for that.

I have a couple of questions. Then I will bring in Linda. The estate strategy is due at the end of March. I note that it is to provide the evidence base for change. Is there any indication of the number of assets that the Courts and Tribunals Service has and the direction of travel?

Mr Luney: No. At this stage, we are gathering the evidence in order to understand the condition of our various buildings and how we will invest in them. The estate strategy that will be published in March will be a high-level principles document that will set out the standard of facilities and accommodation that we want to provide at each of our venues. It will not be a future configuration. Once we have consulted and agreed on the standard of accommodation and facilities that we want to provide, we will try to map business flows and the travel that customers will have onto that to work out the optimum configuration. I see that as a longer-term piece of work, because we are mindful that, at present, access to justice is characterised by physically attending court. A lot of the stuff that we are doing to modernise our services, put them online and have greater use of remote evidence facilities may help to mitigate the impact that a more consolidated, albeit better equipped, court estate would offer.

The Chairperson (Mr Givan): Yes. I agree with that. If people do not need to be there and they can do it remotely, then, why not do it remotely? I could give you plenty of evidence as to why Lisburn needs a brand new courthouse [*Laughter.*] I am happy to brief you on that in future.

The digitisation and modernisation work is a good thing. Have any conversations taken place about televising court proceedings, or elements of court proceedings, even judgements from the Court of Appeal, for example?

Mr Luney: I am not aware that that has been discussed recently. I am aware of the recent developments in England and Wales. That would be a policy matter for the Department and the Chief Justice's office. I do not believe that there have been any discussions on that, certainly in recent years.

The Chairperson (Mr Givan): If the policy was to do it, from the Courts Service's point of view, are you confident that that could be implemented, given the infrastructure that would be needed?

Mr Luney: Again, it would require investment in a different type of technology. We have done something similar for a couple of high-profile criminal cases, where we broadcast the proceedings to another building where witnesses and family members were, just because of the capacity. Broadcasting can be done, but we would need to work through the structure of broadcasting for media purposes.

The Chairperson (Mr Givan): How have the IT improvements enhanced the overall delivery of the service?

Mr Luney: At the moment, we are working on a refresh of courtroom technology. We have experienced a number of occasions where, perhaps, evidence from a vulnerable witness is brought in on a DVD or on another device, and whenever they seek to use it, it is incompatible with the system, or the audio is not particularly clear. That has resulted in cases, perhaps unnecessarily, being adjourned.

The new solution that we are putting in place will be much more flexible when combined with the in-court Wi-Fi solution. It is what is called technology-agnostic, which means that if the prosecution or the defence comes in with any device using any type of software, they will be able to log securely on to the courtroom audio-visual equipment and there will be no issue with compatibility. From that point of view, we expect to see significant improvements in reliability.

However, one of the other things that we want to do, as I said at the beginning, is to look at creating a new remote witness suite just beside Laganside Courts to do the same as we have in the NSPCC's offices in Derry. That was one of the recommendations from Lord Justice Gillen's review of sexual offences, and we are very keen to push that forward this year. That will be built into our accommodation in Courts Service headquarters.

The Chairperson (Mr Givan): OK. I covered the income issue and the financing of the organisation on Tuesday, including the issues of fees and moving to full-cost recovery, so I do not intend to go over that ground with you.

Ms Dillon: I have one quick question about HIA and the redress board, and Paul asked questions on this too. TEO has said that it will finance that. Have you been given assurances on that? There is a concern that between Departments, where one Department has promised another Department that finance will be forthcoming that, for one reason or another, is not forthcoming. I want to gauge what kind of guarantees you have been given. Obviously, this is something that TEO has to deliver on, and it is certainly something that I want to see delivered. I am delighted to see that it has moved on so quickly and that the Department of Justice has moved quickly to put somebody in place.

Mr Luney: The duty on the Executive Office to provide funding and to provide grants to the nominated Department is contained in the legislation, so it is probably as secure as it can be.

Mr Frew: Just on that, is the set-up of the redress panel and its management, organisation and basic apparatus the responsibility of the Executive Office?

Mr Luney: No. Under the legislation, the redress board is a body corporate, but, on a day-to-day basis, it will be managed by the Courts and Tribunals Service because of our familiarity with working with those kinds of structures. The interim secretary was, previously, the head of tribunals and enforcement division, and I asked him to move across to lead on establishing the redress board. Certainly, to date, a lot of the staff who have been deployed to it have come internally from the Courts and Tribunals Service and we are waiting for the remaining post to be filled externally. So, we will be leading on it on a day-to-day basis.

Mr Frew: You will pay their wages?

Mr Luney: Yes, and, again, invoice the Executive Office.

Mr Frew: Where will they sit?

Mr Luney: The redress board will be based in Headline Building, and the panels will do their work in Headline Building. It is anticipated at this stage that the assessment of compensation applications will be done on the papers. There is provision under the legislation for an oral hearing in exceptional circumstances if that is appropriate. We believe that we can accommodate three panel sittings simultaneously in Headline Building, so that is the approach that we are taking.

Mr Frew: Do you expect that money to come out of the existing budget, or is this part of the play with regard to New Decade, New Approach?

Mr Luney: I expect the money to come from the Executive Office. There is a conversation for the Executive Office to have with Finance and Treasury about where the funding ultimately comes from, but, from our point of view, we will invoice the Executive Office regularly for costs and outlay.

Mr Frew: So that I am clear: you pay the staff and the management of the redress board and you then expect to get that get invoice back.

Mr Luney: We bill the Executive Office, and we will put arrangements in place to ensure that both the invoicing and the forecasting is done regularly so that there can be no end-of-year surprises.

Mr Frew: I have put in a question for oral answer to the Executive Office Question Time on this issue. I mention that for your interest.

Chair, can I ask about the court estate?

The Chairperson (Mr Givan): Before you do, Linda wanted to ask a follow-up on the HIA. I will then come back to you, Paul.

Ms Dillon: You said that you pay the staff and then invoice TEO. What about the backfill? Obviously, if you have taken staff from somewhere else and put them into those positions, there has to be backfill. Is that balanced out as long as TEO pays for the staff that you have moved? I assume that it is.

Mr Luney: It is. The staffing that we have put into place so far was really so that we could hit the ground running with our preparation, but we do have a number of schemes to fill the posts substantively. We will have, or will be taking, steps to ensure that the posts are filled to cover anybody who has moved sideways from the Courts and Tribunals Service to the redress board.

Ms Dillon: The process will be reviewed. Who does that review: TEO or Justice?

Mr Luney: TEO is the sponsor for the redress board, so we expect it to take that forward, but obviously we will be inputting into that.

The Chairperson (Mr Givan): For completeness, does anyone else have a question on HIA?

Mr Beattie: Very briefly. Peter, are you definitely on track to have the online applications available by 27 March, which is important for many people? Will you be on schedule to start sitting tribunals at the end of April?

Mr Luney: Yes, I believe we will be. We are putting every effort into it, and we have been working very closely with the IT provider, Stiona, to make sure that the online application is available on the date that it is required. We have also been working with victims' groups and with the interim advocate on the shape of things like the application form, both the paper version and the online version, which we will share when we have a working model. I am confident that we will achieve that date for going live in one way or another. We will make sure that we are able to get applications in on the date that we have been committed to.

Mr Beattie: And sit at the end of April?

Mr Luney: Yes. The Chief Justice, Mr Justice Colton, is the president, and county court judges have been identified to staff the panels. The Department of Health has also identified the other members for the panel, so, again, we expect that, once the applications start to come in, there is a process to go through to serve them on the institutions and to get the institutions' response. Once that has been done, they will move forward to determination. The panels will be available to do that.

Mr Beattie: I have to ask, Peter, if there is a delay in applications or in the panel sitting for the first time, can we ensure that we are made aware of such a delay?

Mr Luney: Yes.

Mr Dunne: Thanks, Peter, for your presentation. What type of person are you looking for in relation to their qualifications, experience and competencies for the redress board? Are they legal representatives?

Mr Luney: For the panel members?

Mr Dunne: Yes.

Mr Luney: The panels are chaired by a judge, and then the other members have experience around things like emotional trauma and other healthcare attributes. That is why the Department of Health has taken the lead on appointing those members.

Mr Dunne: So it is a range of skills and backgrounds that you are looking for?

Mr Luney: Yes.

Mr Dunne: Not necessarily legal?

Mr Luney: No. The judge will be the legal member of the panel and they will be supported by lawyers, but that is just for managing the claims and providing provisional recommendations about assessments.

Mr Dunne: How many will sit on a board?

Mr Luney: There will be three per panel — the judge and two other members per panel — and we hope to be sitting with two or three panels from an early stage.

Mr Dunne: Similar to benefits and so on?

Mr Luney: It is. Yes, it is similar to the Appeals Service structure.

Mr Frew: Thank you, Chair. I got a wee bit nervous when you raised your local courthouse. You have to be careful what you wish for. The last Alliance Minister we had tried to sell off the estate, and it took Claire Sugden to rescue it and save the day. On that, Peter, can you tell us about any conversations that you have had with the new Minister about the estate and whether there is any inkling about trying to sell it off?

Mr Luney: No, I have not had any discussions with the new Minister about the court estate. I am not yet aware of her views on that. There is a meeting of the strategic oversight group for the modernisation programme next Friday, and I expect to be speaking to her before that about all aspects of the modernisation programmes.

Mr Frew: Has she appointed a spad yet?

Mr Luney: She has. Well, there is a spad-designate. I am not sure whether —.

Mr Frew: Have you met the spad yet?

Mr Luney: Yes.

Mr Frew: Have you had a conversation with the spad about the estate?

Mr Luney: No. I have had a very high-level conversation with the spad about the modernisation programme, but not the estate.

Mr Frew: For what it is worth, having been out of this place for the last three years, I have conducted all my own appeals with regard to tribunals, PIP, DLA and ESA cases. Of the two places in my area of Ballymena where those are held, there is no doubt that the courtroom is the best. Courtroom 3 in Ballymena is as much like a classroom as it is a court. The other place is a boardroom, and it can be very intimidating. Plus, downstairs, you are in a reception area and there is no privacy whatsoever, but in courtroom 3 in Ballymena you have all the privacy that you want; you have small rooms on either side. I am a great fan of tribunals being held in courts, especially in Ballymena. I will leave it there. Thank you very much.

Miss Woods: I have a couple of questions. I welcome the substance misuse court pilot, but I notice that you have mentioned budgetary pressures. How much was budgeted for the pilot, and how much budget do you require for funding to continue into phase 2 for the remainder of this year?

Ms Elaine Topping (Northern Ireland Courts and Tribunals Service): The first pilot was a 12-month pilot, but it eventually ran for 15 months, and the cost was £500,000. Peter mentioned that we learned lessons, and colleagues from the Probation Board are coming after me who are much better skilled and know much more about that side of it, but one of the main lessons learned was that we needed longer; that the intervention of somebody with a mixture of mental health and substance misuse matters and problems needed longer. So it was an 18-month programme dealing with, again, 50 people, and the cost has been £750,000. Obviously this is a pilot and we would imagine that, if and when we got to the point of rolling it out further, there would be economies of scale for individuals, but the costs can also be measured with some of the societal benefits for Health, Communities and elsewhere.

Miss Woods: OK. Thank you. Was it adults that you were dealing with, or were there any under-18s?

Ms Topping: It is all people being taken through the criminal court. Adults.

Miss Woods: On the mental health courts, there was mention of a scoping exercise to be completed, with a potential date of September next year. How much have you budgeted for that pilot?

Ms Topping: It has not been costed yet. It will be much more, because it is mental health. Another lesson learned from the substance misuse court pilot was that there were people who maybe had an underlying mental health problem before the substance misuse. There will be much more of a clinical intervention there, so we are working with colleagues in Health as part of the scoping exercise. That will help to determine the costs.

Miss Woods: Just with regard to the Appeals Service, I do not agree with my colleague; courts should not be the premises for benefit appeals and mandatory reconsideration issues. However, the Executive agreed a programme of tribunal reform. It is stated that the transfer to DOJ did not happen but — maybe I am misreading this — that the appeals are happening in courts with the courts service.

Mr Luney: The statutory transfer of responsibility for the Appeals Service did not happen. That still sits with DFC, but we administer it under an administrative agreement, which we have done for several years now. The intention is that the statutory transfer should be taken forward, but that is a legislative position more than a day-to-day issue.

Miss Woods: Finally, appeal statistics used to be issued publicly, with breakdowns of whether a person was represented, who they were represented by — private, constituency office, advice sector and so on — and success rates. Those have not been published for a number of years. I am informed that that is to do with resource issues. Am I right in saying that? Is there any intention to start issuing those again?

Mr Luney: I actually do not know. I will need to come back to you on that. I was not aware of that publication or whether it is ours or DFC's.

Ms Gillian McClearn (Northern Ireland Courts and Tribunals Service): It actually belongs to DFC, as far as I am aware, but, on some occasions, it comes to the Appeals Service for some of those statistics.

Mr Luney: We will come back to you with a formal response.

Miss Woods: I would appreciate that. Thank you.

Mr Sheehan: Thanks for your presentation, Peter. You mentioned evaluation regarding the issue of the substance misuse courts. Is that evaluation completed yet?

Mr Luney: Yes. An initial evaluation was done at the end of the year. That was a first phase. We want to continue to monitor the cohort so that we can get richer data around reoffending rates.

Mr Sheehan: Can that be shared with the Committee?

Mr Luney: The initial evaluation?

Mr Sheehan: Yes.

Mr Luney: Yes.

Mr Dunne: Peter, you mentioned case progression officers. Are those new posts?

Mr Luney: No. We have had the role before, but there were certainly questions about the effectiveness of it in its original form. As part of the new work on speeding up justice, we have revisited the role and talked with partners in PPS and police about how we can make it more effective. By way of a pilot, we are now using that facility in three Crown Court venues. Subject to that being successfully evaluated, we see that rolling out to other areas.

Mr Dunne: Is it part of the speeding up of justice initiative?

Mr Luney: Yes.

Mr Dunne: Who do the officers liaise with?

Mr Luney: Our officers in the courts service have their counterparts in PPS and the investigating officer in the PSNI. The role is to review the cases that are coming forward to make sure that actions that were previously identified have been completed.

Mr Dunne: Would they contact the legal reps?

Mr Luney: On the defence side?

Mr Dunne: Yes.

Mr Luney: Yes, they would.

Mr Dunne: To chase things and, obviously, progress them? It sounds like a good initiative.

Mr Luney: It is. I think —.

Mr Dunne: I think that we are all aware of the delays and the frustrations out there in relation to processing.

Mr Luney: We know that, without the case progression officer role, there can be a tendency for cases to come back round for a further case management hearing, only to discover that certain tasks that were directed have not been completed. If we can deal with that all in the margins, it means that the time in the courtroom is more meaningful and used more productively.

Mr Dunne: Do they have target dates or key performance indicators to work to in relation to cases?

Ms Topping: The Lord Chief Justice issued a new practice direction, or a revision of the previous practice direction, and that has set deadlines for all parties in it. That was one of the things that might have been missing. Peter mentioned that, in 2010, we had a similar role. As well as the fact that it was not replicated across all of the organisations, one of the things that was really missing there was a strong judicial lead. That issued in November, and it has set out everybody's role and key response times. One of the other factors that Peter was talking about when he mentioned delay was legal aid, and queries around legal aid. That is another aspect that has come out of the new pilot that the case progression officer is able to address more directly with legal aid services in advance of, again, the hearing. Maybe, that way, *[Inaudible.]* adjourned. It is early. We are still learning. We are going to evaluate independently at the end of this financial year.

Mr Dunne: Is the plan to build on that in relation to progression officers?

Ms Topping: It is sponsored by DOJ because it is part of speeding up justice. I had a meeting with the Department at the end of last week. Subject to the evaluation being as positive as the interim evaluation leads us to believe, the Department is very keen to look at roll-out and extension.

Mr Dunne: OK, thanks very much.

Mr Frew: I was struck by something you said, Peter. How often are court cases adjourned because of the built form and the apparatus within, compared to the natural process of court proceedings?

Mr Luney: Sorry, how often are they adjourned —?

Mr Frew: How often are they adjourned because of the built form — a problem with the building or a problem with the sound — compared to the natural procession of court cases?

Mr Luney: I do not know that we have figures on that. Anecdotally, I get word back if a case has been disrupted as a result of either incompatibility or equipment failure. It is not particularly common, but it is very impactful on that individual case. If you have vulnerable witnesses coming, it is to be avoided at all costs. We do have a Crown Court evidence protocol, which was drafted years ago. It provides for pre-hearing testing. The idea is that the parties will come along and test all the functionality beforehand; check that the evidence plays. That is not always done, but I think that the new technology solution will avoid the need for it.

Mr Beattie: Peter, sometimes I get confused about the different departments. I do not know if a legal aid question is right for you or not; is it?

Mr Luney: No. *[Laughter.]* The responsibility for legal aid policy is with Deborah Brown and Stephen Martin. The administration of it sits with the Legal Services Agency. The only bit of legal aid which sits within the courts service is the judges granting in criminal cases.

Mr Beattie: OK. Let me exploit that, if that is the case. The Northern Ireland Legal Services Agency legal bill has been qualified for 2018-19 again. There are a number of reasons why the bill was qualified, but one of those is fraud.

Mr Luney: Yes.

Mr Beattie: And one of the recommendations is that the tasking master for legal aid for the High Court should be not a High Court judge but somebody else; a civil servant, possibly. Are we looking into changing that?

Mr Luney: I do not know. I am afraid I am —.

Mr Beattie: OK. Well, I sounded good asking the question. *[Laughter.]*

The Chairperson (Mr Givan): Deborah is coming up shortly.

Mr Beattie: Yes, OK.

The Chairperson (Mr Givan): Peter and the team, thank you very much for coming to the Committee. I have no doubt that we will follow up in more detail some specific aspects of the courts service, but that overview is appreciated.