An tSeirbhís Chúirteanna
Courts Service

By Email Only

Mr. Alan Guidon,
Clerk to the Joint Committee on Justice,
Home Affairs and Migration,
Leinster House,
Dublin 2.

19th June 2025

Ref: JC/7/1/C/1

Dear Mr. Guidon

I refer to your letter of 28th May 2025 inviting the Courts Service to make a written submission on the General Scheme of the Criminal Law and Civil Law (Miscellaneous Provisions) Bill 2025.

By way of background information for the members of the Committee, the Courts Service is an independent State agency, established by the Courts Service Act, 1998 to support the third branch of Government, the courts and judiciary. The Courts Service is responsible for the administration and management of the courts in Ireland. The organisation is governed by a Board chaired by the Chief Justice and comprising of 17 others who are responsible for the determination of policy and for oversight of the implementation of policy by the Chief Executive Officer. The Act provides that the Board in the performance of its functions must have regard to

- the need to secure the most beneficial, effective and efficient use of the resources of the Service and any policy or objective of the

Government or a Minister of the Government insofar as it may affect or relate to the functions of the Service.

The Courts Service is mid-way through a ten-year Modernisation Programme which seeks to improve access to justice in a modern, digital Ireland. This long-term vision of the Courts Service of the future is an ambitious vision of a modern, transparent and accessible courts system that is quicker, easier to access and more efficient. The Board are committed in its Strategic Plan 2024-2027 to supporting several reform programmes with a view to leading transformational change across the justice sector including our Modernisation Programme, the implementation of the Kelly Review, the recommendations of the Judicial Planning Working Group and the Family and Criminal Justice Strategies in addition to the delivery of increased day to day operations.

This legislation is broadly welcomed by the Courts Service as it includes many enabling provisions which will support our modernisation programme, underpin further digitisation, maximise efficiency and resilience and improve processes.

The Service was broadly consulted on Parts 2 and 4 of the Scheme and will, in the usual way, now have an opportunity to provide feedback to the sponsoring Department on the published scheme. For that reason, our high-level head by head submission attached at Appendix 1 does not include views on technical drafting issues which will be dealt with by way of direct contact with the Department of Justice, Home Affairs and Migration.

I hope that this is of assistance to you. Should you require any further information I can be contacted at officeoftheceo@courts.ie or by contacting Lisa Scott, Principal Officer at 01-8886426.

Yours sincerely



Angela Denning
Chief Executive Officer

Appendix 1

Part 1

Head 1, 2, 3 Nil Obs

Part 2

Head 4 Nil Obs

Head 5

This modernising provision is welcomed by the Courts Service as a much-needed enabler of efficiency in criminal matters and international co-operation proceedings except trials and contested matters. It will reduce unnecessary travel to and from courthouses thereby saving time and money and supporting prisoner wellbeing. It significantly reduces the numbers of accused being brought to courthouses for procedural matters while maintaining necessary safeguards. It will support more efficient sittings at evenings and weekends and improved scheduling during normal working hours. This provision will considerably lower security risks at courthouses creating a safer working environment for all court users, staff and judges.

Head 6

This modernising provision is welcomed by the Courts Service as a much-needed enabler of digitisation and efficiency in criminal trials and contested hearings including in international co-operation matters. The Courts Service has invested in a modern digital platform for use across all jurisdictions and in all case types. As the technology available to the courts and justice sector agencies continuously improves, this provision will afford the courts the discretion to decide that any given criminal proceedings are suitable to

proceed either fully or partly remotely thereby enabling the full use of the available technology and providing value for money for the taxpayer.

Head 7

This modernising provision is welcomed by the Courts Service as a much-needed enabler of efficiency. This head will enable the digital transmission of documents in criminal and international co-operation matters including warrants and books of evidence. It will facilitate criminal courts to electronically generate, receive and transmit documents including applications, orders, reports, filings and written submissions and will support implementation of the recommendations of an interagency working group on video conferencing and the Criminal Justice Strategic Committee Subgroup on Strategic Collaboration.

Head 8

This modernising provision is welcomed by the Courts Service as a much-needed enabler of digitisation. This head complements the provisions proposed in head 7 by providing a digital alternative to statutory declarations which are widely used in criminal and international co-operation matters.

Head 9

This head seeks to provides a general power for a court to make arrangements to ensure the just and expeditious conduct of criminal and international co-operation proceedings. Court users have consistently provided feedback to the Courts Service that where possible they require standardised practices including in the scheduling of cases and management of lists.

Head 10

The Courts Service welcomes this provision which expands the application of section 29 of the 1992 Act.

Head 11

This provision is welcomed by the Courts Service as it makes necessary technical amendments and is an enabler of digitisation. It will align certain procedures in criminal and international protection matters with similar procedures in civil proceedings enabling digitisation, streamlining and simplifying for court users, judges and staff.

Part 3

Head 12

The Courts Service understand the burden of non-judicial obligations of the Chief Justice and the objective of the head and supports this provision.

Head 13

Nil obs

Head 14

The Courts Service understand the burden of non-judicial obligations of the Chief Justice and the objective of the head and supports this provision.

Part 4

Head 15

This modernising provision is welcomed by the Courts Service as a much-needed enabler of digitisation and efficiency. It will eliminate the need for prisoners to be produced to courthouses in person in case they need to enter a recognisance and thus will facilitate increased participation by videolink from prisons and free up prison officer time.

Head 16

This modernising provision mirrors Head 15 and is welcomed by the Courts Service as a much-needed enabler of digitisation and efficiency. It will eliminate the need for prisoners to be produced to courthouses in person from Garda custody for bail hearings in case they need to enter a recognisance. This will allow An Garda Síochána after a remote hearing, to release a prisoner on a bond without the need to get a peace commissioner.

Part 5

Head 17

This modernising provision is welcomed by the Courts Service as it should increase efficiency across the criminal justice system.

Head 18

This modernising provision is welcomed by the Courts Service as it should increase efficiency across the criminal justice system.

Head 19

Nil obs

Part 6

Head 20

Nil obs

Part 7

Head 21

Nil obs

Head 22

Nil obs

Head 23

Nil obs

Head 24

Nil obs

Part 8

Head 25

Nil obs

Part 9

Head 26

Nil obs

Part 10

Head 27

Nil obs

Head 28

Nil obs

Head 29

Nil obs

Head 30

Nil obs

Head 31

Nil obs

Head 32

Nil obs

Head 33

Nil obs

Part 11

Head 34

Nil obs

Head 35

Nil obs

Head 36

Nil obs

Head 37

Suggest subsection (1) has a time limit.

Head 38

Nil obs

Part 12

Head 39

Nil obs

Part 13

Heads 40, 41, 42, 43, 44, 45

Nil obs

Part 14

Heads 46, 47, 48, 49, 50 and 51

Nil obs