

Appropriation Account 2023

Vote 22

Courts Service

Introduction

As Accounting Officer for Vote 22, I am required each year to prepare the appropriation account for the Vote, and to submit the account to the Comptroller and Auditor General for audit.

In accordance with this requirement, I have prepared the attached account of the amount expended in the year ended 31 December 2023 for such of the salaries and expenses of the Courts Service and of the Supreme Court, the Court of Appeal, the High Court, the Special Criminal Court, the Circuit Court and the District Court and of certain other minor services as are not charged to the Central Fund.

The expenditure outturn is compared with the sums

- granted by Dáil Éireann under the Appropriation Act 2023, including the amount that could be used as appropriations-in-aid of expenditure for the year, and
- provided for capital supply services in 2023 out of unspent 2022 appropriations, under the deferred surrender arrangements established by section 91 of the Finance Act 2004.

A surplus of €1.459 million is liable for surrender to the Exchequer.

The Service is governed by a Board consisting of a chairperson and 17 other members. In accordance with the Courts Service Act 1998, the term of office of the Board is three years. The current Board was established on 9 November 2023. The Board is responsible for determining policies for the Service and for overseeing their implementation. It performs these functions directly and through the committees of the Board.

The statement of accounting policies and principles and notes 1 to 6 form part of the account.

Statement of accounting policies and principles

The standard accounting policies and principles for the production of appropriation accounts, as set out by the Department of Public Expenditure, National Development Plan Delivery and Reform in circular 22 of 2023, have been applied in the preparation of the account.

The useful lives and associated amortisation rates of classes of intangible assets have been estimated as follows.

<i>Asset class</i>	<i>Useful life</i>	<i>Rate of amortisation</i>
Software licences	5 years	20%
Acquired/developed software	10 years	10%

Valuation of land and buildings

Buildings are valued every five years on the basis of depreciated replacement cost. This is the current cost of replacing the asset with its modern equivalent asset less deduction for physical deterioration and all relevant forms of obsolescence and optimisation. Land and buildings not in use but required for future development are valued at market value.

Statement on internal financial control

Responsibility for system of internal financial control

As Accounting Officer, I acknowledge my responsibility for ensuring that an effective system of internal financial control is maintained and operated by the Courts Service.

This responsibility is exercised in the context of the resources available to me and my other obligations as Chief Executive Officer. Also, any system of internal financial control can provide only reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded, and that material errors or irregularities are either prevented or would be detected in a timely manner. Maintaining the system of internal financial controls is a continuous process and the system and its effectiveness are kept under ongoing review.

Shared services

I have fulfilled my responsibilities in relation to the requirements of the service management agreement between the Courts Service and the Financial Shared Services Centre, Killarney for the provision of financial shared services, and the National Shared Services Office for the provision of human resource services and payroll services.

I rely on letters of assurance from the Accounting Officers for the National Shared Services Office and from the Financial Shared Service Centre, Killarney that the appropriate controls are exercised in the provision of shared services to the Courts Service.

Financial control environment

A control environment comprising the following elements is in place.

- Financial responsibilities have been assigned at management level with corresponding accountability.
- Reporting arrangements have been established at all levels where responsibility for financial management has been assigned.
- Formal procedures have been established for reporting significant control failures and ensuring appropriate corrective action.
- Procedures for all key business processes have been documented.
- There are systems in place to safeguard the assets.
- There is an Audit and Risk Committee to advise me in discharging my responsibilities for the internal financial control system.

Administrative controls and management reporting

A framework of administrative procedures and regular management reporting is in place, including segregation of duties and a system of delegation and accountability. This includes the following elements.

- There is an appropriate budgeting system with an annual budget which is kept under review by senior management.
- There are regular reviews by senior management of periodic and annual financial reports which indicate financial performance against forecasts.
- A risk management system operates within the Courts Service.
- There are systems aimed at ensuring the security of the ICT systems.
- There are appropriate capital investment control guidelines and formal project management disciplines.

Audit and Risk Committee

The Courts Service has an Audit and Risk Committee which is a sub-committee of the Courts Service Board. The role of the Committee is to oversee, advise and support the Board and the Chief Executive Officer/Accounting Officer by reviewing the assurances on a range of matters including the integrity of internal financial controls, risk management and financial statements. The Committee operates under a written charter and reports to the Courts Service Board. It also reviews and approves the internal audit annual work programme.

Finance Committee

The Courts Service has a Finance Committee which is a sub-committee of the Courts Service Board. The role of the Committee is to provide oversight and scrutiny on financial matters of the Courts Service on behalf of the Board. The Committee is authorised by the Board to investigate any activity within its terms of reference and carry out prescribed duties on behalf of the Board and the Accounting Officer as appropriate. These include the approval and monitoring of the annual budget, approval of contracts above specified thresholds, value for money and financial risks. The Committee is also responsible for reviewing the annual appropriation account.

Internal audit

The Courts Service has an internal audit function with appropriately trained personnel, which operates in accordance with a written charter that has been approved by the Courts Service Board. Its work is informed by analysis of the financial and operational risks to which the Service is exposed, and its annual internal audit plans, approved by me, are based on this analysis. These plans aim to cover the key controls on a rolling basis over a reasonable period. The internal audit function is reviewed periodically by me and by the Audit and Risk Committee. I have put procedures in place to ensure that the reports of the internal audit function are followed up.

Procurement

The Courts Service ensures that there is an appropriate focus on good procurement practice in the award of all contracts and that procedures are in place to ensure compliance with all relevant guidelines. Expenditure on goods and services, including the cost of contracted-in staff, amounted to a total of €107.334 million in 2023.

The Courts Service has provided details of 23 non-competitive contracts in excess of €25,000 in the annual return in respect of circular 40/2002 to the Comptroller and Auditor General and the Department of Public Expenditure, National Development Plan Delivery and Reform.

Non-compliance with procurement rules

The Courts Service complied with the guidelines with the exception of 10 contracts in excess of €25,000 (exclusive of VAT) undertaken without a competitive process, totalling €2.569 million (exclusive of VAT) as set out below.

- One contract with a value of €1,694,284 relating to interpretation services. This contract could not be re-tendered earlier as the OGP framework is subject to legal challenges. A new contract was signed in November 2023.
- Two instances with a value of €362,369 for services relating to the Fines (Payment and Recovery) Act 2014, beyond the expiry of the original contract. The Courts Service are awaiting recommendations of a Department of Justice working group regarding the future process for the payment of fines.
- One contract with a value of €187,479 relating to supply and installation of furniture not readily available from existing frameworks. This contract was awarded following a compliant below threshold procurement and was extended to complete additional priority works. A specification is currently being drafted for the future Supply and Installation of these items in Q1 2024.
- Two contracts with a value of €110,447 relating to provisions of legal advice and provision of drafting and legal services to Court Rules. Tender Documents are with the OGP for publication.
- One instance with a value of €110,201 for costs of telephony services, this is a legacy arrangement which pre-dates the establishment of the Courts Service. Alternative solutions are being explored to address this matter.
- One instance with a value of €40,091 for replacing obsolete franking machines and the purchase of consumables. A contract is now in place.
- One instance with a value of €34,443 for the provision of meals for Juries and catering services. There were additional Jury sittings in 2023 to deal with the back log of cases. A procurement for catering services is scheduled for 2024.
- One instance with a value of €29,849 for costs of the provision of security / footfall management for the North Midlands and Western Region. There is now a contract in place for these services.

The above contracts have been included in the 40/2002 annual return referenced above.

Governance

Good governance is fundamental to the effective operation of the Service. The Courts Service's *Corporate Governance Framework* sets out the statutory basis within which we operate, including the governance arrangements in place, functions and organisational structure, accountability and audit assurance arrangements. This framework was published in 2016 and updated in February 2023. The Courts Service also has an oversight agreement in place with the Department of Justice.

The *Governance Framework* reflects and is developed in the context of the Courts Service legislative framework under the Courts Service Act, 1998, in addition to the *Code of Practice for the Governance of State Bodies*, developments in the *Civil Service Renewal Plan* and the *Civil Service Code of Standards and Behaviour*.

Risk and control framework

The Service has implemented a risk management system which identifies and reports key risks and the management actions being taken to address and, to the extent possible, to mitigate those risks.

A corporate risk register is in place which identifies the key risks facing the Service and these have been identified, evaluated and graded according to their significance. The register is reviewed and updated quarterly by the Senior Management Team (SMT) and Audit and Risk Committee. Risk management is a standing item for the Courts Service Board and the Chief Risk Officer reports to the Board on the operations of risk management. The outcome of these assessments is used to plan and allocate resources to ensure risks are managed to an acceptable level.

The risk register details the controls and actions needed to mitigate identified risks and assigns responsibility for operation of controls to specific staff.

Ongoing monitoring and review

Formal procedures have been established for monitoring control processes, and control deficiencies are communicated to those responsible for taking corrective action and to management and the SMT, where relevant, on a timely basis. I confirm that key risks and related controls have been identified and processes have been put in place to monitor the operation of those key controls and report any identified deficiencies.

Review of effectiveness

The Service has procedures to monitor the effectiveness of its risk management and control procedures. The monitoring and review of the effectiveness of the system of internal financial control is informed by the work of the internal and external auditors and the senior management within the Service responsible for the development and maintenance of the internal financial control framework.

Internal financial control issues

No weakness in internal financial control were identified in relation to 2023 that require disclosure in the appropriation account, or that resulted in, or may result in a material loss.

The Service continually reviews and implemented recommendations arising from the Comptroller and Auditor General and internal audit to strengthen the control environment, particularly in the areas of procurement and contract management, record management and ICT security and infrastructure. This is a continuous process and the system, and its effectiveness is kept under ongoing review.

Angela Denning
Accounting Officer
Courts Service

20 September 2024

Comptroller and Auditor General

Report for presentation to the Houses of the Oireachtas

Vote 22 Courts Service

Opinion on the appropriation account

I have audited the appropriation account for Vote 22 Courts Service for the year ended 31 December 2023 under section 3 of the Comptroller and Auditor General (Amendment) Act 1993.

In my opinion, the appropriation account

- properly presents the receipts and expenditure of Vote 22 Courts Service for the year ended 31 December 2023, and
- has been prepared in the form prescribed by the Minister for Public Expenditure, National Development Plan Delivery and Reform.

Basis of opinion

I conducted my audit of the appropriation account in accordance with the International Standards on Auditing (ISAs) as promulgated by the International Organisation of Supreme Audit Institutions. My responsibilities under those standards are described in the appendix to this report. I am independent of the Courts Service and have fulfilled my other ethical responsibilities in accordance with the standards.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Report on the statement on internal financial control, and on other matters

The Accounting Officer has presented a statement on internal financial control together with the appropriation account. My responsibilities to report in relation to the information in the statement, and on certain other matters upon which I report by exception, are described in the appendix to this report.

Non-compliance with procurement rules

The Accounting Officer has disclosed in the statement on internal financial control that material instances of non-compliance with procurement rules occurred in respect of contracts that operated in 2023.

Seamus McCarthy

Comptroller and Auditor General

23 September 2024

Appendix to the report

Responsibilities of the Accounting Officer

The Accounting Officer is responsible for

- the preparation of the appropriation account in accordance with section 22 of the Exchequer and Audit Departments Act 1866
- ensuring the appropriation account complies with the requirements of the Department of Public Expenditure, National Development Plan Delivery and Reform's *Public Financial Procedures*, and with other directions of the Minister for Public Expenditure, National Development Plan Delivery and Reform
- ensuring the regularity of transactions, and
- implementing such internal control as the Accounting Officer determines is necessary to enable the preparation of the appropriation account free from material misstatement, whether due to fraud or error.

Responsibilities of the Comptroller and Auditor General

I am required under section 3 of the Comptroller and Auditor General (Amendment) Act 1993 to audit the appropriation account and to report thereon to the Houses of the Oireachtas stating whether, in my opinion, the account properly presents the receipts and expenditure related to the vote.

My objective in carrying out the audit is to obtain reasonable assurance about whether the appropriation account is free from material misstatement due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the appropriation account.

As part of an audit in accordance with the ISAs, I exercise professional judgment and maintain professional scepticism throughout the audit. In doing so,

- I identify and assess the risks of material misstatement of the appropriation account whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- I obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal controls.
- I assess whether the accounting provisions of the Department of Public Expenditure, National Development Plan Delivery and Reform's *Public Financial Procedures* have been complied with.

I communicate with the Accounting Officer regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I report by exception if, in my opinion,

- I have not received all the information and explanations I required for my audit, or
- the accounting records were not sufficient to permit the appropriation account to be readily and properly audited, or
- the appropriation account is not in agreement with the accounting records.

Reporting on the statement on internal financial control

My opinion on the appropriation account does not cover the Accounting Officer's statement on internal financial control, and I do not express any form of assurance conclusion thereon.

In connection with my audit of the appropriation account, I am required under the ISAs to read the statement on internal financial control and, in doing so, consider whether the information contained therein is materially inconsistent with the appropriation account or with knowledge obtained during the audit, or if it otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement, I am required to report that fact.

Reporting on other matters

I seek to obtain evidence about the regularity of financial transactions in the course of audit. I am required to report under section 3 of the Comptroller and Auditor General (Amendment) Act 1993 if I identify any material instance where public money has not been applied for the purposes intended or where transactions did not conform to the authorities governing them.

I am also required under the 1993 Act to prepare, in each year, a report on such matters arising from my audits of the appropriation accounts as I consider appropriate. In such cases, the audit reports on the relevant appropriation accounts refer to the relevant chapter(s) in my annual *Report on the Accounts of the Public Services*.

Vote 22 Courts Service

Appropriation Account 2023

		2023		2022
		Estimate provision	Outturn	Outturn
		€000	€000	€000
Programme expenditure				
A	Manage the courts and support the judiciary			
	<i>Original</i>	179,593		
	<i>Deferred surrender</i>	1,850		
	<i>Supplementary</i>	2,081		
			183,524	163,564
			183,500	
				163,564
Gross expenditure		183,524	183,500	163,564
	<i>Deduct</i>			
B	Appropriations-in-aid			
	<i>Original</i>	34,633		
	<i>Supplementary</i>	2,080		
			36,713	35,836
			38,148	
				35,836
Net expenditure				
	<i>Original</i>	144,960		
	<i>Deferred surrender</i>	1,850		
	<i>Supplementary</i>	1		
			146,811	127,728
			145,352	
				127,728

Surplus

The surplus of the amount provided over the net amount applied is liable for surrender to the Exchequer.

	2023	2022
	€	€
Surplus	1,458,888	5,254,040
Deferred surrender	—	(1,850,000)
Surplus to be surrendered	1,458,888	3,404,040

Angela Denning
Accounting Officer
Courts Service

20 September 2024

Notes to the Appropriation Account

Note 1 Operating Cost Statement 2023

	2023	2022
	€000	€000
Programme cost	48,649	43,853
Pay	70,338	62,952
Non pay	64,513	56,759
Gross expenditure	183,500	163,564
<i>Deduct</i>		
Appropriations-in-aid	38,148	35,836
Net expenditure	145,352	127,728
Changes in capital assets		
<i>Property, plant and equipment (note 2.1)</i>		
Purchases	(5,258)	
Depreciation	10,020	
<i>Intangible assets (note 2.2)</i>		
Purchases	(2,180)	
Amortisation	2,299	
	4,881	5,481
Changes in net current assets		
Decrease in inventories	488	
Increase in prepayments	(1,430)	
Decrease in accrued income	223	
Increase in accrued expenses	2,305	
	1,586	(427)
Direct expenditure	151,819	132,782
Expenditure borne elsewhere		
Net allied services expenditure (note 1.1)	71,213	34,016
Notional rents ^a	3,605	3,605
Net programme cost	226,637	170,403

Note ^a Notional rents for Office of Public Works (OPW) owned buildings occupied by the Courts Service.

1.1 Net allied services expenditure

The net allied services expenditure amount is made up of the following amounts in relation to Vote 22 borne elsewhere.

		2023	2022
		€000	€000
Vote 9	Office of the Revenue Commissioners	214	270
Vote 12	Superannuation and Retired Allowances	19,314	20,263
Vote 13	Office of Public Works	1,572	721
Vote 18	National Shared Services Office	144	132
Vote 20	Garda Síochána	233	224
Vote 24	Justice – Financial Shared Services Centre	408	341
Vote 43	Office of the Government Chief Information Officer	129	—
Central Fund – Judicial salaries and pensions ^a		49,199	12,065
		71,213	34,016

Note ^a The Central Fund – Judicial salaries and pensions amount for 2023 includes both judicial salaries and pensions. Judicial salaries are not reflected in the 2022 amount.

Note 2 Statement of Financial Position as at 31 December 2023

	Note	2023 €000	2022 €000
Fixed assets			
Property, plant and equipment	2.1	336,794	345,313
Intangible assets	2.2	6,039	6,158
Total fixed assets		342,833	351,471
Current assets			
Bank and cash	2.3	(398)	3,802
Inventories	2.4	—	488
Prepayments	2.5	4,642	3,212
Accrued income	2.6	652	875
Other debit balances	2.7	3,568	2,726
Total current assets		8,464	11,103
Less current liabilities			
Accrued expenses	2.8	4,105	2,245
Other credit balances	2.9	2,621	4,820
Net Exchequer funding	2.10	549	1,708
Total current liabilities		7,275	8,773
Net current assets		1,189	2,330
Net assets		344,022	353,801
Represented by:			
State funding account	2.11	344,022	353,801

2.1 Property, plant and equipment ^a

	Buildings ^{b,c}	Office and IT equipment ^a	Furniture and fittings	Assets under development	Total
	€000	€000	€000	€000	€000
Cost or valuation					
At 1 January 2023	424,575	52,739	30,908	3,418	511,640
Additions	1,403	595	45	2,770	4,813
Revaluations	(4,862)	—	—	—	(4,862)
Brought into use	581	—	—	(581)	—
Disposals	—	(2)	—	—	(2)
At 31 December 2023	421,697	53,332	30,953	5,607	511,589
Accumulated depreciation					
At 1 January 2023	87,081	48,752	30,494	—	166,327
Depreciation for the year	8,387	1,508	125	—	10,020
Depreciation on revaluations	(1,550)	—	—	—	(1,550)
Depreciation on disposals	—	(2)	—	—	(2)
At 31 December 2023	93,918	50,258	30,619	—	174,795
Net assets					
At 31 December 2023	327,779	3,074	334	5,607	336,794
At 31 December 2022	337,494	3,987	414	3,418	345,313

- Note ^a On 1 January 2023, acquired and developed software assets were reclassified to intangible assets (note 2.2).
- ^b Section 26 of the Courts Service Act 1998 provides for the transfer to the Courts Service of legal title in respect of certain land and buildings.
- ^c The Courts Service currently owns 44 buildings and six sites. All properties have been valued and are reflected in the table above. Of the 50 buildings/sites, 35 have valuations dating within the past five years, 14 were valued seven or more years ago and one is a 2023 purchase. Two of the properties with older valuations are in the process of being transferred to local authorities, and 12 are due to be revalued in 2024.

2.2 Intangible assets ^a

	Acquired and developed software €000	Assets under development €000	Total €000
Cost or valuation			
At 1 January 2023	10,596	2,036	12,632
Additions	89	2,091	2,180
Brought Into use	1,977	(1,977)	—
At 31 December 2023	12,662	2,150	14,812
Accumulated amortisation			
At 1 January 2023	6,474	—	6,474
Amortisation for the year	2,299	—	2,299
At 31 December 2023	8,773	—	8,773
Net assets			
At 31 December 2023	3,889	2,150	6,039
At 31 December 2022	4,122	2,036	6,158

Note ^a At 1 January 2023, acquired and developed software assets were reclassified from property, plant and equipment.

2.3 Bank and cash

at 31 December	2023 €000	2022 €000
PMG balances and cash	(2,535)	1,993
Commercial bank account balance ^a	2,137	1,809
	(398)	3,802

Note ^a Represents the Exchequer-related balances of the bank accounts held by the Courts Service at 31 December each year.

A separate sum of €13.942 million (2022: €10.935 million) is not included in the account balance. This principally consists of non-Exchequer funding relating to lodgements of maintenance payments under family law, bail money lodgements and court poor box receipts.

2.4 Inventories

at 31 December	2023	2022
	€000	€000
Stationery	—	134
IT consumables	—	342
Miscellaneous	—	12
	—	488

Note ^a Commencing in 2023, high-volume, low-value items are fully expensed in the year, and are no longer classified as stock items.

2.5 Prepayments

at 31 December	2023	2022
	€000	€000
A.2 Administration – non pay	4,434	2,674
A.3 Courthouse (capital works)	208	538
	4,642	3,212

2.6 Accrued income

at 31 December	2023	2022
	€000	€000
Fees	650	873
Miscellaneous	2	2
	652	875

2.7 Other debit balances

at 31 December	2023	2022
	€000	€000
Advances to OPW	3,311	2,504
Recoupment of salaries	74	48
Other debit suspense items	145	138
Imprests	38	36
	3,568	2,726

2.8 Accrued expenses

at 31 December	2023	2022
	€000	€000
A.2 Administration – non pay	4,105	2,235
A.3 Courthouse (capital works)	—	10
	4,105	2,245

2.9 Other credit balances

at 31 December	2023	2022
	€000	€000
Amounts due to the State		
Income tax	1,046	996
Professional services withholding tax	132	200
Value added tax	177	95
Pay related social insurance	642	603
Fines	3	836
Funds for surrender to the Exchequer ^a	353	1,809
	2,353	4,539
Payroll deductions held in suspense	267	280
Other credit suspense items	1	1
	2,621	4,820

Note ^a This balance represents the balances of the Exchequer-related bank accounts held by the Courts Service at 31 December each year.

2.10 Net Exchequer funding

at 31 December	2023	2022
	€000	€000
Surplus to be surrendered	1,459	3,404
Deferred surrender	—	1,850
Exchequer grant undrawn	(910)	(3,546)
Net Exchequer funding	549	1,708

Represented by:**Debtors**

Bank and cash	(398)	3,802
Debit balances: suspense	3,568	2,726
	3,170	6,528

Creditors

Due to the State	(2,353)	(4,539)
Credit balances: suspense	(268)	(281)
	(2,621)	(4,820)
	549	1,708

2.11 State funding account

	Note	2023	2022
		€000	€000
Balance at 1 January		353,801	346,160
Disbursements from the Vote			
Estimate provision	Account	146,811	
Surplus to be surrendered	Account	(1,459)	
Net vote		145,352	127,728
Expenditure (cash) borne elsewhere	1.1	71,213	34,016
Non cash items			
Notional rent	1	3,605	3,605
Revaluations		(3,312)	12,698
Other		—	(3)
Net programme cost	1	(226,637)	(170,403)
Balance at 31 December		344,022	353,801

2.12 Commitments

a) Global commitments	2023	2022
at 31 December	€000	€000
Procurement of goods and services		
Other goods and services ^a	29,955	23,361
ICT	44,216	46,107
Leases	25,743	26,722
Refurbishment of Roscommon temporary courthouse ^b	—	1,068
Refurbishment of Washington St courthouse ^c	—	4,021
Public private partnership projects	577,230	608,672
Total of legally enforceable commitments	677,144	709,951

Note ^a The increase in other goods and commitments in 2023 is due to the Service entering into 13 new contracts which included interpreting, digital audio recording transcripts and security services amongst others.

^b This commitment relates to repayments for the refurbishment of the temporary courthouse in Roscommon. Agreement was reached in 2023 with the supplier to repay the outstanding balance.

^c This commitment relates to repayments due to Cork City Council in respect of a loan taken out by the Council to fund the refurbishment of the courthouse at Washington Street, Cork. The loan was fully settled in 2023.

b) Multi-annual capital commitments

Project	Cumulative expenditure to 31 December 2022	Expenditure in 2023	Project commitments in subsequent years	Expected total spend lifetime of project 2023	Expected total spend lifetime of project 2022
	€000	€000	€000	€000	€000
Refurbishment of Cork Courthouse	21,325	3,675	—	25,000	25,000
	21,325	3,675	—	25,000	25,000

c) Capital cost of public private partnership project

Projects	Cumulative expenditure to 31 December 2022	Expenditure in 2023	Legally enforceable commitments to be met in subsequent years	Project total 2023	Project total 2022
	€000	€000	€000	€000	€000
Criminal Courts Complex	299,993	22,470	281,107	603,570	598,247
PPP bundle	100,622	14,744	296,123	411,489	411,040
	400,615	37,214	577,230	1,015,059	1,009,287

Significant variations

An explanation is provided below where multi-annual commitments changed by more than €500,000 from 2022 to 2023.

Criminal Courts Complex

Increase in projected total spend: €5.323 million

The main movement in the project's total costs is due to the update of inflation for the current year, which also impacts future years.

2.13 Matured liabilities

There were no matured liabilities not discharged at year end (2022: nil).

Note 3 Vote Expenditure

Analysis of administration expenditure

Administration expenditure set out below are included in Programme A to present complete programme costings.

		2023		2022
		Estimate provision	Outturn	Outturn
		€000	€000	€000
i	Salaries, wages and allowances			
	<i>Original</i>	69,439		
	<i>Supplementary</i>	<u>1,200</u>		
		70,639	70,338	62,952
ii	Travel and subsistence			
	<i>Original</i>	3,242		
	<i>Supplementary</i>	<u>600</u>		
		3,842	3,541	3,027
iii	Training and development and incidental expenses			
	<i>Original</i>	14,480		
	<i>Supplementary</i>	<u>1,160</u>		
		15,640	16,373	13,493
iv	Postal and telecommunications services			
	<i>Original</i>	3,353		
	<i>Supplementary</i>	<u>(450)</u>		
		2,903	3,242	3,451
v	Office equipment and external IT services			
	<i>Original</i>	17,244		
	<i>Supplementary</i>	<u>4,910</u>		
		22,154	22,071	18,850
vi	Office premises expenses			
	<i>Original</i>	21,456		
	<i>Supplementary</i>	<u>(639)</u>		
		20,817	19,082	17,806
vii	Consultancy services and value for money and policy reviews			
	<i>Original</i>	100		
	<i>Supplementary</i>	<u>150</u>		
		250	204	132
		136,245	134,851	119,711

Significant variations

The following note presents an analysis of the administration expenditure of the Vote and outlines the reasons for significant variations (+/- 25% and €100,000).

v Office equipment and external IT services

Estimate provision: €17.244 million: outturn: €22.071 million.

The increase in expenditure of €4.827 million was due to the expanded investment in ICT modernisation, increasing the number of technology enabled court rooms and delivering further online services as part of the modernisation programme. This was in addition to commencing the development of an eProbate solution as part of the Government's *Housing for All* initiative.

vii Consultancy and other services

Estimate provision: €100,000: outturn: €204,000.

The overspend of €104,000 was due to expenditure incurred as part of the investment management tender, which was not factored into the original budget.

Programme A Manage the Courts and Support the Judiciary

		2023		2022
		Estimate provision		Outturn
		€000	€000	€000
A.1	Administration – pay			
	<i>Original</i>	69,439		
	<i>Supplementary</i>	<u>1,200</u>		
			70,639	62,952
A.2	Administration – non pay			
	<i>Original</i>	59,875		
	<i>Supplementary</i>	<u>5,731</u>		
			65,606	56,759
A.3	Courthouse (capital works)			
	<i>Original</i>	11,539		
	<i>Deferred surrender</i>	1,850		
	<i>Supplementary</i>	<u>(3,350)</u>		
			10,039	6,837
A.4	PPP costs			
	<i>Original</i>	38,740		
	<i>Supplementary</i>	<u>(1,500)</u>		
			37,240	37,016
			183,524	163,564
			183,500	

Significant variations

The following outlines the reasons for significant variations in non-administration programme expenditure (+/-5% and €100,000).

A.3 Courthouse (capital works)

Estimate provision: €13.389 million: outturn: €11.435 million.

The underspend of €1.954 million was due to delays in two large value projects: the Dublin Family Courts and Sustainability Pathfinder projects which were expected to commence in 2023 but fell behind schedule.

Note 4 Receipts

4.1 Appropriations-in-aid

		2023		2022
		Estimated	Realised	Realised
		€000	€000	€000
1	Fees			
	<i>Original</i>	31,693		
	<i>Supplementary</i>	2,100		
			33,793	33,476
2	Miscellaneous			
	<i>Original</i>	1,442		
	<i>Supplementary</i>	(330)		
			1,112	694
3	Receipts from additional superannuation contributions on public service remuneration			
	<i>Original</i>	1,498		
	<i>Supplementary</i>	310		
			1,808	1,666
	Total		36,713	35,836

Significant variations

The following outlines the reasons for significant variations in individual appropriations-in-aid headings (+/-5% and €100,000).

1 Fees

Estimate €31.693 million; realised €34.164 million

2023 fee receipts were higher than the original estimate by €2.471 million (8%) primarily due to an increase in the volume of licensing applications.

2 Miscellaneous

Estimate €1.442 million; realised €2.209 million

The additional receipts of €767,000 were mainly due to Department of Social Protection receipts, related to prior years, which had not been recognised in the relevant year.

3 Receipts from additional superannuation contributions on public service remuneration

Estimate: €1.498 million, realised: €1.775 million

2023 receipts were higher than the original estimate by €277,000 (18%) due to the increase in staff numbers.

4.2 Extra receipts payable to the Exchequer

	2023	2022
	€000	€000
Balance at 1 January	—	—
Road Traffic Act fines ^a	4,807	5,593
Other fines ^a	2,824	3,783
Refunds ^b	(11)	(26)
Other receipts ^c	526	691
Transferred to the Exchequer	(8,146)	(10,041)
Balance at 31 December	—	—

Note ^a The reduction for Road Traffic Act fines and other fines is due to recoupment of costs incurred in 2022, relating to the Fines Act, not recouped until 2023, with a total value of €650,000 in addition to costs recouped in 2023 of €680,000.

^b Refunds relate to refunds of fines due to successful appeals.

^c The Office of the Accountant of the Courts of Justice holds funds from the Companies Liquidation Account for seven years before they are due to be paid over to the Department of Finance. The 2023 receipts reported above relate to funds lodged in 2016. The balance of these funds as at 31 December 2023 is €5.393 million.

4.3 Fines and fees collected on behalf of other Departments

Direct payments were made to the following government departments/agencies in respect of fines and fees collected by the Court Service on their behalf in 2023.

	2023	2022
	€000	€000
Balance at 1 January	—	—
Revenue Commissioners		
Revenue fines ^a	528	556
Excise duty ^b	2,375	2,380
Department of the Environment, Climate and Communications	38	29
Department of Agriculture, Food and the Marine	11	—
Total transferred	(2,952)	(2,965)
Balance at 31 December	—	—

Note ^a Monies collected relate to court fines imposed where the prosecutor is the Revenue Commissioners

^b Monies collected relate to fees for certain licensing applications such as extension of opening hours and special exemption orders which are received by the Courts Service on behalf of the Revenue Commissioners.

Note 5 Staffing and Remuneration

5.1 Employee numbers

Full time equivalents	2023	2022
Number of staff at year end	<u>1,269</u>	<u>1,224</u>

5.2 Pay

	2023	2022
	€000	€000
Pay	63,067	56,771
Higher, special or additional duties allowances	662	315
Other allowances	791	809
Overtime	298	311
Employer's PRSI	<u>5,520</u>	<u>4,746</u>
Total pay	<u>70,338</u>	<u>62,952</u>

5.3 Allowances and overtime payments

	Number of recipients	Recipients of €10,000 or more	Highest individual payment	
			2023	2022
			€	€
Higher, special or additional duties allowances	187	10	78,080	25,868
Other allowances	203	11	23,501	22,782
Overtime	141	10	30,955	31,589
Extra remuneration in more than one category	84	17	35,585	35,555

5.4 Courts Service staffing by pay band

The number of Court Service employees whose total employee benefits (including basic pay, allowances, overtime; excluding employer PRSI, employer pension costs) for the financial year fell between €20,000 and €59,999 and within each band of €10,000 from €60,000 upwards are as follows.

Pay bands (€)		Number of employees	
From	To	2023	2022
20,000	59,999	937	866
60,000	69,999	63	65
70,000	79,999	86	61
80,000	89,999	48	41
90,000	99,999	34	36
100,000	109,999	17	14
110,000	119,999	8	5
120,000	129,999	3	1
130,000	139,999	—	3
140,000	149,999	2	1
150,000	159,999	11	12
160,000	169,999	3	4
170,000	179,999	4	1
180,000	189,999	—	—
190,000	199,999	—	—
200,000	209,999	1	—
210,000	219,999	—	1
220,000	229,999	1	—

5.5 Other remuneration arrangements

There were no staff on secondment from the Courts Service in 2023.

Six retired civil servants in receipt of civil service pensions were re-engaged on a fee basis at a total cost of €49,093. The payments made were consistent with the principles of the Public Service (Single Scheme and other Provisions) Act 2012.

5.6 Salary overpayments

at 31 December	Number of recipients	2023 €	2022 €
Overpayments	110	319,497	260,298
Recovery plans in place	40	137,256	49,711

5.7 Remuneration and benefits of Accounting Officer

The Accounting Officer's remuneration and taxable benefits for the financial year was as follows.

	2023 €000	2022 €000
Basic pay	<u>227</u>	<u>212</u>

The value of retirement benefits earned in the period is not included above. The Accounting Officer is a member of the post 1995 superannuation scheme for established civil servants and her entitlements to retirement benefits do not extend beyond the standard terms of that scheme.

Note 6 Miscellaneous

6.1 Compensation and legal costs

Payments/costs paid by the Court Service in the year

	Claims by				2023	2022
	Employees		Members of the public		Total	Total
	Personal injury	Other	Personal injury	Other		
Number of cases	7	7	4	19	37	46
	€000	€000	€000	€000	€000	€000
Court Service's own legal costs	—	77	—	55	132	233
Payments by/on behalf of the Courts Service						
Compensation	—	—	—	46	46	71
Legal costs	17	9	40	296	362	460
2023 Total	17	86	40	397	540	764
2022 Total	1	133	57	573	764	

Cumulative costs of cases completed in 2023

	Claims by				Total
	employees		members of the public		
	Personal Injuries	Other	Personal Injuries	Other	
Number of cases	—	1	1	3	4
	€000	€000	€000	€000	€000
Court Service's own legal costs	—	52	—	23	75
Payments by/on behalf of the Courts Service					
Compensation	—	—	—	3	3
Legal costs	—	—	23	304	327
2023 Total	—	52	23	330	405

6.2 Fraud and suspected fraud

The Courts Service has no instances of fraud or suspected fraud in 2023.

6.3 Prompt payment interest

The amount of prompt payment interest and compensation incurred in 2023 was €20,106.