

1. Evaluation of the judicial systems (2016-2018 cycle)



Ireland

Generated on : 29/08/2018 11:18

Reference data 2016 (01/01/2016 - 31/12/2016)

Start/end date of the data collection campaign : 01/06/2017 - 31/12/2017

Objective :

The CEPEJ decided, at its 28th plenary meeting, to launch the seventh evaluation cycle 2016 – 2018, focused on 2016 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as two observer states (Israel and Morocco). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

The present questionnaire was adapted by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, for the sake of the European citizens.

Instruction :

The ways to use the application and to answer the questions are guided by two main documents:

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. The user manual is accessible in the "Documentation" tab of the application.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

1.General information

1.1.Demographic and economic data

1.1.1.Inhabitants and economic general information



001. Number of inhabitants (if possible on 1 January of the reference year +1)

[4673700]

Comments The population number for 2016 based on the GDP figure below for 2016 is 4,673,700 Taken from Population and Migration Estimates April 2016 release date 23 August 2016.

002. Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State or federal level	71352000000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

003. Per capita GDP (in €) in current prices for the reference year

[58961]

Comments Taken from the National Income and Expenditure Annual Results 2016.

The National Income and Expenditure data each year is subject to revisions.

The following is an extract from the National Income and Expenditure 2016 methodology note

...The estimates for 2016 are based upon indicators for the different aggregates and must be regarded as tentative. The provisional nature of the estimates for 2014 and 2015 must also be borne in mind. In particular, the estimates for the year 2016 must be regarded as preliminary. Many of the inquiries upon which the basic compilations rest are incomplete and to the extent that figures given for 2014 and 2015 are still partly subject to revision, projections for the year 2016 are also affected. While no guarantee can be given that published figures will remain unaltered as inquiries proceed and as sources and methods are reviewed, it is expected that any changes made in future in relation to years earlier than 2011 will have a relatively insignificant effect on the year-to-year trend in these data. ...

See Link to the National Income and Expenditure 2016 methodology note on the CSO website

<http://www.cso.ie/en/media/csoie/methods/nationalincomeandexpenditureannualresults/NIE2016MethodologyNote.pdf>

The GDP figure increased significantly in 2015. The scale of increase was unprecedented. Therefore the GDP per capita increased. Please see link to the Press Statement of 12 July 2016

http://www.cso.ie/en/media/csoie/newsevents/documents/pr_GDPexplanatorynote.pdf

Link to the National Income and Expenditure Annual Results 2016 release on the CSO website.

<http://www.cso.ie/en/releasesandpublications/er/nie/niear2016/>

Please scroll down to Table A Main Aggregates, 2011-2016 The 3rd block of data shows data at Per head of population. See GDP at current market prices first line under Per head of population for years 2011 to 2016

004. Average gross annual salary (in €) for the reference year

[36919]

NA

Comments Average annual earnings increased by 1.1% to €36,919 in 2016, from €36,519 in 2015.

Taken from CSO release of 29 June 2017 - Earnings and Labour Costs Annual 2016. See link

<http://www.cso.ie/en/releasesandpublications/er/elca/earningsandlabourcostsannualdata2016/>

005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year

+1

[]

Allow decimals : 5

NAP

A1. Please indicate the sources for answering questions 1 to 5

Sources: Central Statistics Office (CSO) - Q1, 3, 4, Department of Finance - Q2

1.1.2. Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budgets of public prosecution services and/or legal aid, please go to question 7. If you are able to answer this question 6, please answer NAP to the question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	113172000 [] NA [] NAP	112365000 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	49726000 [] NA [] NAP	48998000 [] NA [] NAP
2. Annual public budget allocated to computerisation (equipment, investments, maintenance)	8320000 [] NA [] NAP	9105000 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc), without legal aid. NB: this does not concern the taxes and fees to be paid by the parties.	4278000 [] NA [] NAP	4041000 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	14986000 [] NA [] NAP	15283000 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	4723000 [] NA [] NAP	4223000 [] NA [] NAP
6. Annual public budget allocated to training	310000 [] NA [] NAP	273000 [] NA [] NAP
7. Other (please specify)	30829000 [] NA [] NAP	30438000 [] NA [] NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main differences: Training - this subhead relates to Judicial Training in the Courts Service. This budget was revised downwards from €0.425m to €0.225m in 2014 as part of our Technical Supplementary for that year, based on an analysis of funding requirements for the year. The budget in the following years was largely in line with the revised budget of 2014 being €0.250m in 2015 and €0.310m in 2016. The Implemented Budget for 2014 was in line with the Revised Budget, and in 2015 and 2016 the Implemented

Budget was in line with the Budget. The full budget allocated for training was not spent during the year.

As concerns the category "computerization", the budget originally approved differs from that implemented due to additional provision made during the year for ICT expenditure. Additional funding of €2.5m was provided to the Courts Service in 2016 by way of Supplementary Estimate. The additional €2.5m spent in 2016 was across the following headings: New video conferencing installations; replacement of equipment - €1.1m; Fines Act - €0.630m; DAR refresh - €0.350m and Prepayment of the ICT managed services charge for Q1 2017 - €0.500m.

ICT Budget - it has been acknowledged that the minimum requirement by the Courts Service in ICT for the maintenance of business critical systems is in the order of €7.2m, which allows for a minimum level of investment and development of business critical systems. The ICT budget increased from €3.820m in 2014 to €4.820m in 2015. This increase was primarily in order to provide for the development of ICT systems in preparation for the introduction of the Fines (Payment and Recovery) Act. An additional €1.0m was provided to the ICT budget in 2016, bringing the budget up to €5.820m. This increase was provided for critical operational ICT systems and the development of new systems to support Government projects in the areas E-Filing and Courtroom Technology. An additional €2.5m was provided by way of Supplementary Estimate in 2016. The €2.5m was broken down by €1.0m for general ICT requirements and €1.5m for Video Conferencing facilities. The additional funding of €2.5m brought the 2016 budget up to €8.320m. Outturn - The outturn in 2014 in ICT was €5.655m, in 2015 was €6.492m and in 2016 was €9.026m. Due to the pressure on the ICT budget year on year the Courts Service managed underspends or excess income in other areas to allow for additional expenditure in ICT.

Training: the Committee for Judicial Studies is the body responsible for judicial training. However its budget is provided through the Courts Vote and some administrative support is provided by Courts Service staff. Therefore, the same budget line is reflected in both Q6 and Q131-0 (€310,000 for 2016). According to the explanation of the Courts Service, the lack of vertical consistency concerning the implemented budget is due to small adjustments in some of the figures as follows: "Training": 276000 and "Other": 30439000.

007. (Modified question) If you cannot answer question 6 because you cannot isolate the budget allocated to courts from the budget allocated to public prosecution services and/or legal aid, please fill only the appropriate line in the table according to your system:

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Total annual public budget allocated to all courts and legal aid together	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments: NAP

008. Are litigants in general required to pay a court tax or fee to start a proceeding at a court of general jurisdiction:

	Litigants required to pay a court tax or fee to start a proceeding at a court of general jurisdiction ?
for criminal cases	<input type="checkbox"/> Yes <input type="checkbox"/> No
for other than criminal cases	<input type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If there are exceptions to the rule to pay a court tax or fee, could you please provide comments on those exceptions?

008-1. Please briefly present the methodology of calculation of court taxes or fees:

- Court fee amounts are prescribed for the various court jurisdictions by statutory instruments (secondary legislation) – the Court Fees Orders – promulgated by the Minister for Justice and equality with the consent of the Minister for Public Expenditure and Reform. The Court Fees Orders set out the various fees payable as listed items. The Court Fees Orders currently in force are:

S.I. No. 492/2014 - Supreme Court, Court of Appeal and High Court (Fees) Order 2014

<http://www.irishstatutebook.ie/eli/2014/si/492/made/en/pdf>

S.I. No. 23/2014 - Circuit Court (Fees) Order 2014

<http://www.irishstatutebook.ie/eli/2014/si/23/made/en/pdf>

S.I. No. 22/2014 - District Court (Fees) Order 2014

<http://www.irishstatutebook.ie/eli/2014/si/22/made/en/pdf>

Court fee amounts are calculated in a number of ways, viz. court fees may be set

- as fixed amounts payable on the issuing or lodgement of a specific document itemised in the Fees Order, e.g. the issuing of an originating document (such as a summons or petition) commencing court proceedings, or on the lodging of a document (such as an affidavit) in the proceedings
- as fixed amounts which vary by reference to the value associated with the transaction – e.g. the amount payable on issuance of civil proceedings for a liquidated (quantified) debt claim will vary depending on the band within which the value of the claim falls
- as a percentage, e.g. the court fees payable annually on the supervision of the estate of a person taken into the wardship of the court is calculated as a percentage of the net annual income of the ward of court concerned.

008-2. The amount of court fees to commence an action for 3000€ debt recovery:

[25]

NA

NAP

Comments

009. Annual income of court taxes or fees received by the State (in €)

[47780000]

NA

NAP

Comments

012. Annual approved public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	82390000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	47552000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	34838000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
12.1 for cases brought to court	<input type="checkbox"/> NA <input type="checkbox"/> NAP	47552000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
12.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	91666000 [] NA [] NAP	52998000 [] NA [] NAP	38668000 [] NA [] NAP
12-1.1 for cases brought to court	[] NA [] NAP	52998000 [] NA [] NAP	[] NA [] NAP
12-1.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	[] NA [] NAP	[] NA [] NAP	[] NA [] NAP

Comments - If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main differences:

013. Total annual (approved and implemented) public budget allocated to the public prosecution services, in €.

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in €	38886000 [] NA [] NAP	38626000 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget allocated to the public prosecution services, please indicate the main differences:

014. Authorities formally responsible for the budgets allocated to the courts (multiple options possible):

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level
Ministry of Justice	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other ministry	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Parliament	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Supreme Court	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
High Judicial Council	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Courts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Inspection body	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP

Comments - If any other Ministry and/or inspection body and/or other, please specify: Inspection Body: Comptroller and Auditor General and the Public Accounts Committee

A2. Please indicate the sources for answering questions 6 to 14:

Sources: Q6-9 - Courts Service
Q13 - Office of the Director of Public Prosecutions
Q12 - Legal Aid Board (Civil Legal Aid) & Department of Justice and Equality (Criminal Legal Aid)

1.1.3. Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the court system as defined under question 6 and also the prison system, the judicial protection of juveniles, the operation of the Ministry of Justice, etc.).

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	2418240000 [] NA [] NAP	2436408000 [] NA [] NAP

Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget allocated to the whole justice system, please indicate the main differences:

015-2. (Modified question) Please indicate the budgetary elements that are included in the whole justice system by specifying on the one hand the elements of the judicial system budget (please check the consistency with questions 6, 12 and 13). (Note: NAP means that the element does not exist in your system):

	Included
Court (see question 6)	<input type="checkbox"/> Yes <input type="checkbox"/> No [] NAP

Legal aid (see question 12)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Public prosecution services (see question 13)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments:

015-3. (Modified question) On the other hand, please specify the other budgetary elements included in the whole justice system budget. (Note: NAP means that the element does not exist in your system):

	Included
Prison system	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Probation services	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Council of the judiciary	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Constitutional court	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Judicial management body	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
State advocacy	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Enforcement services	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Notariat	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Forensic services	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Judicial protection of juveniles	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Functioning of the Ministry of Justice	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Refugees and asylum seekers services	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Immigration Service	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If "other", please specify: Ireland does not have a Judicial Council, however the costs of the Judiciary are included under Q15. Legislation to provide for a Judicial Council is under preparation.

A3. Please indicate the sources for answering questions 15-1, 15-2 and 15-3:

Sources: Department of Justice and Equality

2. Access to justice and all courts

2.1. Legal Aid

2.1.1. Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Legal advice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

017. Does legal aid include the coverage of or the exemption from court fees?

Yes

No

Comments - If yes, please specify:

018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

Yes

No

Comments - If yes, please specify:

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify:

2.1.2. Quantitative information on legal aid

020. (Modified question) Please indicate the number of cases for which legal aid has been granted:

	Cases brought to court	Cases not brought to court / non-litigious cases
TOTAL	66191 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16649 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In criminal cases	55617 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In other than criminal cases	10574 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16649 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify when appropriate:

021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

	Assisted by a free of charge lawyer
Accused individuals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If yes, please specify:

022. If yes, are individuals free to choose their lawyer within the framework of the legal aid system?

Yes

No

Comments

023. (Modified question) Does your country have an income and assets evaluation for granting

(full or partial) legal aid to the applicant? The answer NAP means that there is no income and/or assets evaluation system for granting legal aid.

	Annual income value (for one person), (in €)	Annual assets value (for one person), (in €)
Full legal aid for criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Full legal aid for other than criminal cases	11500 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Partial legal aid for criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid for other than criminal cases	18000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	100000 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the figures provided above: There are no concepts of "full" and "partial" legal aid in civil cases in Ireland. A person is either legally aided or not. In completing the above we have equated "full" legal aid with "minimum legal aid contribution" (i.e. a person will only have to pay the minimum contributions of €30 for advice and €130 for aid) and "partial" with having to pay a contribution in excess of these amounts. In criminal cases legal aid is awarded at the discretion of the judge.

024. In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

Yes

No

Comments - If yes, please explain the exact criteria for denying legal aid:

025. In other than criminal cases, is the decision to grant or refuse legal aid taken by (one option only):

the court

an authority external to the court

a mixed authority (court and external bodies)

Comments

026. Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?

Yes

No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon?

027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:

	Judicial decisions direct how legal costs will be shared
in criminal cases	() Yes (X) No
in other than criminal cases	(X) Yes () No

Comments

B1. Please indicate the sources for answering questions 20 and 23 :

Sources: Legal Aid Board and the Department of Justice and Equality

2.2.Users of the courts and victims

2.2.1.Rights of the users and victims



028. Are there official internet sites/portals (e.g. Ministry of Justice, etc.) for which the general public may have free of charge access to the following:

	Yes, please indicate the internet adresse(es)	No
legal texts (e.g. codes, laws, regulations, etc.)	(X) www.irishstatutebook.ie	()
case-law of the higher court/s	(X) www.courts.ie	()
other documents (e.g. downloadable forms, online registration)	(X) www.courts.ie	()

Comments - Please specify what documents and information the addresses for “other documents” include:

029. (Modified question) Is there an obligation to provide information to the parties concerning the foreseeable timeframes of proceedings?

- () Yes, always
- (X) No
- () Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify:

030. Is there a public and free-of-charge specific information system to inform and to help victims of crime?

- (X) Yes
- () No

Comments - If yes, please specify:

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of terrorism	() Yes (X) No	() Yes (X) No	() Yes (X) No
Minors (witnesses or victims)	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of domestic violence	(X) Yes () No	(X) Yes () No	(X) Yes () No
Ethnic minorities	() Yes (X) No	() Yes (X) No	() Yes (X) No
Disabled persons	(X) Yes () No	(X) Yes () No	(X) Yes () No
Juvenile offenders	(X) Yes () No	(X) Yes () No	(X) Yes () No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	() Yes (X) No	() Yes (X) No	() Yes (X) No

Comments - If “other vulnerable person” and/or “other special arrangements”, please specify:

031-1. Is it possible for minors to be a party to a judicial proceeding:

- (X) Yes
() No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure) and at which conditions (can children benefit from legal aid, be represented by a lawyer, etc.):

032. Does your country allocate compensation for victims of crime?

(X) Yes, please specify for which kind of offences: Criminal Injuries Compensation Tribunal considers applications from people who suffer a personal injury or death as a result of a crime of violence.

- () No

Comments

032-1. (New question) Is a court decision necessary in the framework of the compensation procedure?

- (X) Yes
() No

Comments Yes in relation to the Garda Síochána (police force) Compensation Scheme

033. If yes, does this compensation come from:

- [X] a public fund
[X] damages and interests to be paid by the person responsible

a private fund

Comments

034. Are there studies that evaluate the recovery rate of the damages awarded by courts to victims?

Yes

No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

035. Do public prosecutors have a specific role with respect to the victims (protection and assistance)?

Yes

No

Comments - If yes, please specify:

036. Do victims of crime have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answer with that of question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge". (The answer NAP means that the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed.)

Yes

No

NAP

Comments - If necessary, please specify:

2.2.2. Confidence of citizens in their justice system

037. (Modified question) Is there a system for compensating users in the following circumstances:

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Excessive length of proceedings	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-execution of court decisions	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful arrest	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful conviction	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
-------	--	--	--

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions):

038. (Modified question) Did your country implement surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system? If yes, how frequently and up to what level?

	National level	Court level
1. (Satisfaction) surveys aimed at judges	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
2. (Satisfaction) surveys aimed at court staff	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
3. (Satisfaction) surveys aimed at public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
4. (Satisfaction) surveys aimed at lawyers	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
5. (Satisfaction) surveys aimed at the parties	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
6. (Satisfaction) surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies)	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
7. (Satisfaction) surveys aimed at victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
8. Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: A survey of external customers/stakeholders and internal stakeholders was undertaken in 2016 for the purposes of the Probate Service Modernisation Review, covering quality and level of services and seeking customers'/stakeholders view of the potential of ICT solutions in meeting their needs.

040. Is there a national or local procedure for making complaints about the functioning of the judicial system? (for example the handling of a case by a judge or the duration of a proceeding)

Yes

No

Comments The Courts Service operates a formal customer feedback and complaints procedure for persons wishing to make comment on or make formal complaint regarding service provided by the courts administration. Complaints /comments are made to the Courts

Service's Quality Customer Service officer. A complainant dissatisfied with the response may have a complaint referred to the Courts Service's Chief Executive Officer. The complaints procedure does not apply to judges, who are independent in the discharge of their judicial functions. The number and admissibility of complaints made under the procedure is reported by the Courts Service in its Annual Report. 51 formal customer complaints were received during 2016. The majority (41) concerned administrative matters which were dealt with through the customer complaints procedure. Ten complaints related to matters which were not appropriate to the procedure. Complaints regarding judicial / quasi-judicial decisions can only be addressed through the appropriate legal channels (review by /appeal to court).

041. (Modified question) If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Time limit for dealing with the complaint
Court concerned	() Yes (X) No	() Yes (X) No
Higher court	() Yes (X) No	() Yes (X) No
Ministry of Justice	() Yes (X) No	() Yes (X) No
Council of the Judiciary	() Yes (X) No	() Yes (X) No
Other external bodies (e.g. Ombudsman)	() Yes (X) No	() Yes (X) No

041-1. (Modified question) Please specify further certain aspects of this procedure:

	Number of complaints	Compensations amount granted to users
Court concerned	[] NA [X] NAP	[] NA [X] NAP
Higher court	[] NA [X] NAP	[] NA [X] NAP
Ministry of Justice	[] NA [X] NAP	[] NA [X] NAP
Council of the Judiciary	[] NA [X] NAP	[] NA [X] NAP
Other external bodies (e.g. Ombudsman)	[] NA [X] NAP	[] NA [X] NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment:

3. Organisation of the court system

3.1. Courts

3.1.1. Number of courts

042. Number of courts considered as legal entities (administrative structures) and geographic



locations

	Number of courts
42.1 First instance courts of general jurisdiction (legal entities)	3 [] NA [] NAP
42.2 First instance specialised courts (legal entities)	2 [] NA [] NAP
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all supreme courts)	95 [] NA [] NAP

Comments The specialised courts referred to are the two Special Criminal Courts the jurisdiction of which generally relates to trial of terrorism- and organised crime-related offences.

The increase of one location over the figure provided for 2014 refers to the temporary relocation of the Dublin District Court's Drug Treatment Court in 2016.

043. Number (legal entities) of first instance specialised courts (or specific judicial order)

	Number of courts
Total (must be the same as the data given under question 42.2)	2 [] NA [] NAP
Commercial courts (excluded insolvency courts)	[] NA [X] NAP
Insolvency courts	[] NA [X] NAP
Labour courts	[] NA [X] NAP
Family courts	[] NA [X] NAP
Rent and tenancies courts	[] NA [X] NAP
Enforcement of criminal sanctions courts	[] NA [X] NAP
Fight against terrorism, organised crime and corruption	2 [] NA [] NAP
Internet related disputes	[] NA [X] NAP
Administrative courts	[] NA [X] NAP

Insurance and / or social welfare courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Military courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised 1st instance courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other specialised 1st instance courts", please specify:

044. Is there a foreseen change in the structure of courts [for example a reduction of the number of courts (geographic locations) or a change in the powers of courts]?

Yes

No

Comments - If yes, please specify: The Assisted Decision-Making (Capacity) Act 2015 will, when commenced, replace the existing wardship regime for persons with capacity issues and introduce new decision support arrangements for such persons. New jurisdiction will, in particular, be conferred on the Circuit Court in respect of such arrangements.

045. Number of first instance courts (geographic locations) competent for a case concerning:

	Number of courts
a debt collection for small claims	92 <input type="checkbox"/> NA <input type="checkbox"/> NAP
a dismissal	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
a robbery	91 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

045-1. (New question) Is your definition for small claims the same as the one in the Explanatory note?

Yes

No, please give your definition for small claims:

Comments

045-2. (New question) Please indicate the value in € of a small claim:

[2000]

Comments €2000 for a domestic small claim (District Court Rules Order 53A Rule 1)

€2000 for a European small claim (Reg (EC) No 861/2007 - this was amended in 2017 to raise the European small claim to €5000)

C. Please indicate the sources for answering questions 42, 43 and 45:

Sources: Courts Service

3.2. Court staff

3.2.1. Judges and non-judge staff



046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	162 [] NA [] NAP	105 [] NA [] NAP	57 [] NA [] NAP
1. Number of first instance professional judges	143 [] NA [] NAP	92 [] NA [] NAP	51 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	10 [] NA [] NAP	8 [] NA [] NAP	2 [] NA [] NAP
3. Number of supreme court professional judges	9 [] NA [] NAP	5 [] NA [] NAP	4 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above: Number of first instance professional judges refers to ordinary judges of the District Court, ordinary and specialist judges of the Circuit Court and ordinary judges of the High Court - including Court Presidents. As regards the number of Supreme Court judges, the figures reflect a reduction in the actual number of judges compared to the number reported in the previous reporting cycle.

047. Number of court presidents (professional judges). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	5 [] NA [] NAP	3 [] NA [] NAP	2 [] NA [] NAP
1. Number of first instance court presidents	3 [] NA [] NAP	2 [] NA [] NAP	1 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP
3. Number of supreme court presidents	1 [] NA [] NAP	0 [] NA [] NAP	1 [] NA [] NAP

Comments

048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible on 31 December of the reference year):

	Figure
Gross figure	[] NA [X] NAP
In full-time equivalent	[] NA [X] NAP

Comments - If necessary, please provide comments to explain the answer provided:

048-1. (New question) Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?

() Yes, please give specifications on the types of cases and an estimate in percentage.

(X) No

Comments

049. (Modified question) Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (if possible on 31 December of the reference year) (e.g. lay judges and “juges consulaires”, but not arbitrators and persons sitting in a jury):

	Figure
Gross figure	[] NA [X] NAP
In full time equivalent	[] NA [X] NAP

Comments

049-1. If such non-professional judges exist in first instance in your country, please specify for which types of cases:

	Yes	No	Echevinage
in criminal law cases	()	(X)	()
- severe criminal cases	()	(X)	()
- misdemeanour and/or minor criminal cases	()	(X)	()
in family law cases	()	(X)	()
in civil cases	()	(X)	()
in labour law cases	()	(X)	()
in social law cases	()	(X)	()

in commercial law cases	()	(X)	()
in insolvency cases	()	(X)	()
other	()	(X)	()

Comments - If "other", please specify:

050. Does your judicial system include trial by jury with the participation of citizens?

(X) Yes

() No

Comments

050-1. (New question) If yes, for which type of case(s)? (Please, for severe criminal cases and misdemeanour cases refer to the CEPEJ definitions)

[X] Severe criminal cases

[] Misdemeanour cases

[] Other cases

Comments

051. Number of citizens who were involved in such juries for the year of reference:

[7776]

[] NA

[] NAP

Comments The above figure is approximate, based on trial volumes in the Circuit and Central Criminal Courts and excluding the very small number of civil jury trials.

052. Number of non-judge staff who are working in courts (on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	975 [] NA [] NAP	374 [] NA [] NAP	601 [] NA [] NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	23 [] NA [] NAP	12 [] NA [] NAP	11 [] NA [] NAP
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	790 [] NA [] NAP	268 [] NA [] NAP	522 [] NA [] NAP

3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	161 [] NA [] NAP	93 [] NA [] NAP	68 [] NA [] NAP
4. Technical staff	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP
5. Other non-judge staff	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "other non-judge staff", please specify: With regard to the category "staff in charge of different administrative tasks", additional staff have been employed since the last reporting cycle.

053. (Modified question) If there are Rechtspfleger (or similar bodies) in your judicial system, please specify in which fields do they have a role:

- legal aid
- family cases
- payment orders
- registry cases (land and/or business registry cases)
- enforcement of civil cases
- enforcement of criminal cases
- other cases not mentioned (please describe in comment)
- non-litigious cases

Comments - Please briefly describe their status and duties: County Registrar - senior professional legal officer in the Circuit Court. Duties: adjudication on claims against immoveable property in proceedings for sale of such property; granting of orders for judgment in default; granting of pre-trial orders (e.g. discovery, joining of parties) and various types of order on consent. Master of the High Court - Duties: granting of orders for judgment in default; granting of pre-trial orders (e.g. discovery, joining of parties) and various types of order on consent. Taxing Masters - Duties: assessment of legal costs due by one party to civil proceeding to another party. Examiner of the High Court - Duties: adjudication on claims against immoveable property in proceedings for sale of such property; adjudication on claims against company assets court proceedings to liquidate company; conduct of inquiries into next of kin of deceased persons. Official Assignee in Bankruptcy - Duties: adjudication on unsecured claims in personal insolvency proceedings; adjudication on secured claims against immoveable property in personal insolvency proceedings.

054. Have the courts outsourced certain services, which fall within their powers, to private providers?

- Yes
- No

Comments

054-1. (New question) If yes, please specify which services have been outsourced:

- IT services

- Training of staff
- Security
- Archives
- Cleaning
- Other types of services (please specify):

Comments Support and maintenance of ICT systems (networks, case tracking systems, financial accounting and management applications) and provision of certain building maintenance, cleaning, file storage and security services. The main criminal courthouse in Dublin is provided on a Public Private Partnership (PPP) basis and other PPP provide courthouses are being developed. Interpretation and stenography services are also outsourced.

C1. Please indicate the sources for answering questions 46, 47, 48, 49 and 52

Sources: Q 46 and 47 Department of Justice and Equality; Q 48, 49 and 52 Courts Service

3.3. Public prosecution

3.3.1. Public prosecutors and staff

055. Number of public prosecutors (on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts.

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	102 <input type="checkbox"/> NA <input type="checkbox"/> NAP	44 <input type="checkbox"/> NA <input type="checkbox"/> NAP	58 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of prosecutors at first instance level	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Number of prosecutors at second instance (court of appeal) level	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Number of prosecutors at supreme court level	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Please indicate any useful comment for interpreting the data above: Of the staff complement in the Office of the Director of Public Prosecutions at the end of the reference year, 102 were of professional or technical grade at Prosecutor equivalent level or above.

056. Number of heads of prosecution offices (on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled, for all types of courts – ordinary and specialised jurisdictions.

Total	Males	Females

Total number of heads of prosecution offices (1 + 2 + 3)	1 [] NA [] NAP	0 [] NA [] NAP	1 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Number of heads of prosecution offices at supreme court level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Please provide any useful comment for interpreting the data above:

057. Do other persons have similar duties to public prosecutors?

(X) Yes, please specify their number (in full-time equivalent):32

() No

Comments - If yes, please specify their title and functions: There are 32 State Solicitors contracted to provide a solicitor service to the Director of Public Prosecutions in cases to be heard outside Dublin. Serious criminal offences, with the exception of certain criminal matters having an international dimension, are prosecuted in the name of the DPP. Much of the work of the DPP is carried out by barristers in private practice rather than by barristers in the employment of the State. Therefore, there is no equivalent to the salaried official known as a public prosecutor in other member states.

059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

() Yes

(X) No

Comments

059-1. Do prosecution offices have specially trained prosecutors in domestic violence and sexual violence etc.?

(X) Yes

() No

Comments The relatively small population and geographic area of this jurisdiction, together with its common law history, have meant that prosecutors traditionally acted as general practitioners rather than as specialists in any particular area of criminal law. However, the increasing breadth and complexity of the criminal law has given rise to a certain specialist focus within the prosecution service and the police service (An Garda Síochána). A Domestic Violence Working Group was established by the head of the police service (the Garda Commissioner) and the Director of Public Prosecutions to review policy and procedures applying to domestic violence cases. Training seminars in the area of violence towards women were delivered to prosecutors in the Office of the DPP within 2016. In relation to recent rape and sexual assault offences, the Office of the DPP participates in the National Sexual Assault Treatment Unit Guidelines Development Group in order to develop and maintain National Guidelines on Referral and Forensic Clinical Examination in Ireland. The purpose of the Guidelines is to facilitate all aspects of a responsive and coordinated service for women and men over the age of 14 years who have been raped or sexually abused.

060. Number of staff (non-public prosecutors) attached to the public prosecution service (on 31 December of the reference year) (without the number of non-judge staff, see question 52) (in full-time equivalent and for permanent posts actually filled).

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	77 [] NA	27 [] NA	50 [] NA

Comments Of the staff complement in the Office of the Director of Public Prosecutions at the end of the reference year, 77 were administrative grades.

C2. Please indicate the sources for answering questions 55, 56 and 60

Sources: Office of the Director of Public Prosecutions

3.4. Management of the court budget

3.4.1. Court budget

061. Who is entrusted with responsibilities related to the budget within the court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Court President	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Court administrative director	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Head of the court clerk office	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If "other", please specify:

3.6. Performance and evaluation

3.6.1. National policies applied in courts and public prosecution services

066. Are quality standards determined for the judicial system (are there quality systems for the judiciary and/or judicial quality policies)?

Yes

No

Comments - If yes, please specify:

067. Do you have specialised court staff that is entrusted with these quality standards?

Yes

No

Comments

068. Is there a national system to evaluate the overall (smooth) functioning of courts on the basis of an evaluation plan agreed beforehand?

Yes

No

Comments

068-1. (New question) If yes, please specify the frequency of this evaluation:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify:

069. Is there a system for monitoring and evaluating the performance of the public prosecution service?

Yes

No

Comments - If yes, please give further details:

3.6.2. Performance and evaluation of courts

070. Do you have, within the courts, a regular monitoring system of court activities concerning:

number of incoming cases

number of decisions delivered

number of postponed cases

length of proceedings (timeframes)

age of cases

other (please specify):

Comments

071. Do you monitor backlogs and cases that are not processed within a reasonable timeframe for:

civil law cases

criminal law cases

administrative law cases

Comments NAP

072. Do you have an evaluation process to monitor waiting time during court procedures?

Yes

No

Comments - If yes, please specify:

073. Do you have a system to evaluate regularly the activity (in terms of performance and output) of each court?

Yes

No

Comments

073-0. (New question) If yes, please specify the frequency:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify:

073-1. Is this evaluation of the court activity used for the later allocation of means to this court?

Yes

No

Comments

074. Are there performance targets defined at the level of the court?

Yes

No

Comments

075. (Modified question) Please specify the main targets applied to the courts:

to increase efficiency / to shorten the length of proceedings

to improve quality

to improve cost efficiency / productivity

Other (please specify):

Comments NAP

076. Who is responsible for setting the targets for the courts?

Executive power (for example the Ministry of Justice)

Legislative power

Judicial power (for example High Judicial Council, Higher Court)

President of the court

Other (please specify):

Comments NAP

077. Concerning court activities, have you defined performance and quality indicators (if no, please skip to question 79)

Yes

No

Comments

078. If yes, please select the main performance and quality indicators that have been defined:

- incoming cases
- length of proceedings (timeframes)
- closed cases
- pending cases and backlogs
- productivity of judges and court staff
- percentage of cases that are processed by a single sitting judge
- enforcement of penal decisions
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- judicial quality and organisational quality of the courts
- costs of the judicial procedures
- number of appeals
- other (please specify):

079. Who is responsible for evaluating the performance of the courts (multiple options possible) :

- High Council of judiciary
- Ministry of Justice
- Inspection authority
- Supreme Court
- External audit body
- Other (please specify):Courts Service Board

Comments

3.6.3. Court activity and administration

080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary?

Yes (please indicate the name and the address of this institution):Courts Service

No

Comments

080-1. Does this institution publish statistics on the functioning of each court:

Yes, on internet

No, only internally (in an intranet website)

No

Comments

081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of cases processed or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended):

081-1. If yes, please specify in which form this report is released:

Internet

Intranet (internal) website

Paper distribution

Comments

081-2. (New question) If yes, please, indicate the periodicity at which the report is released:

Annual

Less frequent

More frequent

Comments

082. (Modified question) Is there a process or structure of dialogue between the public prosecutor service and courts as regards the way cases are presented before courts (for example the organisation, number and planning of hearings, on-call service for urgent cases, selection of simplified procedures of prosecution...)?

Yes

No

Comments - If yes, please specify:

082-1. (Modified question) Is there a process or structure of dialogue between lawyers and courts as regards the way cases are presented before courts in other than criminal matter (e.g. organisation, number and planning of hearings, on-call service for urgent cases)?

Yes

No

Comments - If yes, please specify:

3.6.4. Performance and evaluation of judges

083. Are there quantitative performance targets (for instance a number of cases to be addressed in a month) defined for each judge?

Yes

(X) No

Comments

083-1. Who is responsible for setting the targets for each judge?

- Executive power (for example the Ministry of Justice)
- Legislative power
- Judicial power (for example the High Judicial Council, Supreme Court)
- President of the court
- Other (please specify):

Comments NAP

New node



4.Fair trial

4.1.Principles

4.1.1.Principles of fair trial



084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor represented by a lawyer)?

- []
- NA
- NAP

Comments

085. Is there a procedure to effectively challenge a judge if a party considers that the judge is not impartial?

- Yes, number of successful challenges in a year NA
- No

Comments - Please could you briefly specify:

086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

	Monitoring system
For civil procedures (non-enforcement)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
For civil procedures (timeframe)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

For criminal procedures (timeframe)

Yes

No

NAP

Comments - Please, specify what are the terms and conditions of this monitoring system (information related to violations at the State/courts level; implementation of internal systems to remedy the established violation; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations:

D1. Please indicate the sources for answering questions in this chapter.

Sources: Courts Service

4.2. Timeframe of proceedings

4.2.1. General information

087. Are there specific procedures for urgent matters as regards:

civil cases

criminal cases

administrative cases

There is no specific procedure

Comments - If yes, please specify:

088. Are there simplified procedures for:

civil cases (small disputes)

criminal cases (misdemeanour cases)

administrative cases

There is no simplified procedure

Comments - If yes, please specify:

088-1. (Modified question) For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?

civil cases

criminal cases

administrative cases

Comments - If yes, please specify:

089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings)?

Yes

Comments - If yes, please specify:

4.2.2. Case flow management – first instance**091. (Modified question) First instance courts: number of other than criminal law cases.**

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	233058 <input type="checkbox"/> NA <input type="checkbox"/> NAP	177247 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	127395 <input type="checkbox"/> NA <input type="checkbox"/> NAP	75463 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	104848 <input type="checkbox"/> NA <input type="checkbox"/> NAP	100969 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	104848 <input type="checkbox"/> NA <input type="checkbox"/> NAP	100969 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

3. Administrative law cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	815 <input type="checkbox"/> NA <input type="checkbox"/> NAP	815 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The decrease in the number of incoming and resolved "other cases" observed for the period 2014 - 2016 is due to a sharp reduction on taxations of legal costs since 2014.

092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:

. Civil and commercial non-litigious cases comprise proceedings issued in Ireland that are not inter partes (including probate, wards of court, and personal insolvency cases concerning applications by debtors in person); and certain proceedings with a cross-border element.

093. Please indicate the case categories included in the category "other cases":

. Assessment of legal costs.

094. (Modified question) First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	398586 <input type="checkbox"/> NA <input type="checkbox"/> NAP	294718 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	16261 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10040 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	382325 <input type="checkbox"/> NA <input type="checkbox"/> NAP	284678 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences": With regard to the number of resolved severe criminal cases, there is no particular reason explaining the observed discrepancy between 2014 and 2016, except for the fact that in 2014 figures were exceptionally high.

4.2.3. Case flow management – second instance

097. (Modified question) Second instance courts (appeal): Number of “other than criminal law”



cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	2679 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2208 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	2679 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2208 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative law cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments As concerns the number of resolved "Civil and commercial litigious cases", 2016 data reflects a significant increase in disposal of second instance appeals over that in the previous reporting cycle. Accordingly, the total of resolved cases is affected.

098. (Modified question) Second instance courts (appeal): number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2)	[X] NA [] NAP	15231 [] NA [] NAP	17215 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	1099 [] NA [] NAP	1110 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	14132 [] NA [] NAP	16105 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments Data on resolved cases reflect a significant increase in disposal of second instance appeals due to the establishment of the Court of Appeal. Concerning the number of incoming severe criminal cases, 2016 data reflects the receipt by the Court of Appeal of a substantial number of pending appeals following its establishment.

4.2.4. Case flow management – Supreme Court



099. (Modified question) Highest instance courts (Supreme Court): number of “other than criminal law” cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court (Please insert NA for category 2))
Total of other than criminal law cases (1+2+3+4)	334 [] NA [] NAP	164 [] NA [] NAP	311 [] NA [] NAP	187 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	334 [] NA [] NAP	164 [] NA [] NAP	311 [] NA [] NAP	187 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments The reduced number of incoming and resolved cases reflects the consequences of the establishment of the new Court of Appeal which came into operation in October 2014.

099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

(X) Yes, please indicate the number of cases closed by this procedure:127

() No

Comments The Supreme Court , subject to such regulations as may be prescribed by law, has appellate jurisdiction from a decision of the High Court if the Supreme Court is satisfied that there are exceptional circumstances warranting a direct appeal to it, and a precondition for the Supreme Court being so satisfied is the presence of either or both of the following factors:

- i the decision involves a matter of general public importance;
- ii the interests of justice.

A total of 161 applications for leave to appeal were disposed of in 2016, of which 127 concerned proceedings other than criminal proceedings.

100. (Modified question) Highest instance courts (Supreme Court): number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court
Total of criminal law cases (1+2)	44 [] NA [] NAP	49 [] NA [] NAP	53 [] NA [] NAP	40 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	44 [] NA [] NAP	49 [] NA [] NAP	53 [] NA [] NAP	40 [] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments The increase in incoming and resolved caseload reflects arrangements on foot of the establishment of the Court of Appeal and the new appellate jurisdiction of the Supreme Court.

4.2.5. Case flow management – specific cases



101. (Modified question) Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases, intentional homicide cases, cases relating to asylum seekers and cases relating to the right of entry and stay for aliens received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
Litigious divorce cases	[X] NA [] NAP	4179 [] NA [] NAP	3277 [] NA [] NAP	[X] NA [] NAP
Employment dismissal cases	[X] NA [] NAP	121 [] NA [] NAP	105 [] NA [] NAP	[X] NA [] NAP
Insolvency	[X] NA [] NAP	2909 [] NA [] NAP	1989 [] NA [] NAP	[X] NA [] NAP
Robbery case	[X] NA [] NAP	39775 [] NA [] NAP	33762 [] NA [] NAP	[X] NA [] NAP
Intentional homicide	[X] NA [] NAP	27 [] NA [] NAP	26 [] NA [] NAP	[X] NA [] NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Cases relating to the right of entry and stay for aliens	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments With regard to the category "insolvency cases", 2016 data on incoming and resolved cases reflect a significant increase in recourse to personal insolvency procedures by debtors (there were 2730 personal insolvency and bankruptcy proceedings in 2016 compared to 941 in 2014).

101-1. (New question) Could you briefly describe the system in your country dealing with judicial

remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. Asylum

Since the International Protection Act 2015 came into effect on 31 December 2016, a single application procedure for international protection replaces the earlier system, under which several applications could have been made. Under the 2015 Act an applicant makes a single application under which all grounds for protection are considered and a determination of eligibility for refugee status subsidiary protection and permission to remain, respectively, will be made concurrently. Under the 2015 Act, a person who is either—

- (a) a refugee and in relation to whom a refugee declaration is in force, or
 - (b) a person eligible for subsidiary protection and in relation to whom a subsidiary protection declaration is in force,
- qualifies for international protection.

The application for international protection is dealt with at first instance by the International Protection Office (IPO), which will make a recommendation in relation to the case. If the recommendation is negative and the applicant is entitled to appeal, any such appeal will be dealt with by the International Protection Appeals Tribunal (IPAT). Based on the recommendation of the IPO or IPAT, the Minister for Justice and Equality will decide whether to give a refugee declaration; a subsidiary protection declaration; or refuse the application. Determinations by the IPO, IPAT or the Minister are subject to review by the High Court on limited grounds in judicial review proceedings (e.g. error of law).

Entry into and staying in the State by Aliens

Where a non-national, not otherwise entitled to enter the State, is arrested and/or detained for non-compliance with or infringement of relevant provisions of the legislation relating to entry by non-nationals into the State empowering the person's arrest and/or detention, that person may challenge their arrest or detention before the High Court, in particular by an application for habeas corpus under the procedure prescribed by Article 40.4 of the Constitution, but in limited circumstances by way of judicial review proceedings.

102. Average length of proceedings, in days (from the date the application for judicial review is lodged). The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Litigious divorce case	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	327 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Employment dismissal case	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	166 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Insolvency	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Robbery case	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	243 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP

Intentional homicide		865				
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments The figures for average length of litigious divorce proceedings are from the Circuit Court, the main divorce jurisdictional instance. The figures for average length of robbery proceedings are from the District Court, which is the jurisdictional instance in which the large majority of such cases are tried. The figure provided for average length of intentional homicide proceedings is that provided for the average length of proceedings in the Central Criminal Court, in which all murder cases are tried and the jurisdiction of which is exclusively confined to murder and rape and serious sexual assault offences.

103. Where appropriate, please indicate the specific procedure as regards divorce cases (litigious and non-litigious):

. The applicant lodges an application for a divorce decree , specifying the grounds on which the decree is sought and the facts supporting the application and relevant to the issues of maintenance, custody, access etc. (as appropriate).
 If the respondent opposes the application he/she must enter a defence/answer within a specified time from service on him/her of the application.
 Article 41.3.2° of the Irish Constitution provides that a court may grant a dissolution of marriage where, but only where, it is satisfied that

- i. at the date of the institution of the proceedings, the spouses have lived apart from one another for a period of, or periods amounting to, at least four years during the previous five years,
- ii. there is no reasonable prospect of a reconciliation between the spouses,
- iii. such provision as the Court considers proper having regard to the circumstances exists or will be made for the spouses, any children of either or both of them and any other person prescribed by law, and
- iv. any further conditions prescribed by law are complied with.

Hence, even where the parties consent to a divorce decree, the court is required to enquire as to whether proper provision exists or will be made for a spouse or dependant.

**104. How is the length of proceedings calculated for the five case categories of question 102?
 Please give a description of the calculation method.**

. From the time that papers are lodged in the court, there may be significant delays which have nothing to do with the courts, before the legal teams, prosecutors, etc. actually seek a date for hearing of the case. It is not possible to calculate the length of proceedings using the definition set out above.

4.2.6. Case flow management – public prosecution

105. Role and powers of the public prosecutor in the criminal procedure (multiple options possible):

- to conduct or supervise police investigation
- to conduct investigations
- when necessary, to request investigation measures from the judge

to charge

to present the case in court

to propose a sentence to the judge

to appeal

to supervise the enforcement procedure

to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)

to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision

other significant powers (please specify):

Comments

106. (Modified question) Does the public prosecutor also have a role in:

civil cases

administrative cases

insolvency cases

Comments - If yes, please specify: NAP

107. Cases processed by the public prosecutor - Total number of first instance criminal cases:

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	13180 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4567 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	6657 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

107-1. (Modified question) If the guilty plea procedures exist, how many cases were brought to court by the prosecutor through this procedure?

	Number of guilty plea procedures
Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Before the court case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
During the court case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

108. Total cases which were discontinued by the public prosecutor:

	Number of cases
Total cases which were discontinued by the public prosecutor (1+2+3)	4567 [] NA [] NAP
1. Discontinued by the public prosecutor because the offender could not be identified	[X] NA [] NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	[X] NA [] NAP
3. Discontinued by the public prosecutor for reasons of opportunity	[X] NA [] NAP

Comments

109. Do the figures include traffic offence cases?

- Yes
- No

Comments

D2. Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 107-1 and 108.

Sources: Courts Service
Office of the Director of Public Prosecutions Q105 - 109

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1. Recruitment and promotion of judges

110. (Modified question) How are judges recruited?

- mainly through a competitive exam (open competition)
- mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- a combination of both (competitive exam and working experience)
- other (please specify):

Comments

110-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting judges?

() Yes

(X) No

Comments - If yes, please specify:

111. Authority(ies) responsible for recruitment. Are judges initially/at the beginning of their career recruited and nominated by:

[] an authority made up of judges only

[] an authority made up of non-judges only

[X] an authority made up of judges and non-judges

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles:

112. Is the same authority (Q111) competent for the promotion of judges?

() Yes

(X) No

Comments

112-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting judges?

() Yes

(X) No

Comments - If yes, please specify:

113. What is the procedure for judges to be promoted? (multiple answers possible)

[] Competitive test / Exam

[] Other procedure (interview or other)

[X] No special procedure

Comments - Please specify how the promotion of judges is organised (especially if there is no competition or examination):

113-1. Please indicate the criteria used for the promotion of a judge? (multiple answers possible)

[] Years of experience

[] Professional skills (and/or qualitative performance)

[] Performance (quantitative)

[] Assessment results

[] Subjective criteria (e.g. integrity, reputation)

[] Other

[] No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"):

114. (Modified question) Is there a system of qualitative individual assessment of the judges' work?

() Yes

(X) No

Comments

114. If yes, please specify the frequency of this assessment:

() Annual

() Less frequent

() More frequent

5.1.2. Status, recruitment and promotion of prosecutors

115. What is the status of prosecution services?

[X] statutory independent

[] under the authority of the Minister of justice or another central authority

[] other (please specify):

Comments - When appropriate, please specify the objective guarantees of this independence (transfer, appointment...).

115-1. Does the law or another regulation prevent specific instructions to prosecute or not, addressed to a prosecutor in a court.

(X) Yes

() No

Comments - If yes, please specify:

116. How are public prosecutors recruited?

[] mainly through a competitive exam (open competition)

[X] mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

[] a combination of both (competitive exam and working experience)

[] other (please specify):

Comments

117. Authority(ies) responsible for recruitment. Are public prosecutors initially/at the beginning of their career recruited by:

[] an authority composed of public prosecutors only

[] an authority composed of non-public prosecutors only

[X] an authority composed of public prosecutors and non-public prosecutors

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles:

117-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting prosecutors?

() Yes

No

Comments - If yes, please specify:

118. Is the same authority (Q.117) formally responsible for the promotion of public prosecutors?

Yes

No, please specify which authority is competent for promoting public prosecutors

Comments

119. What is the procedure for prosecutors to be promoted? (multiple answers possible)

Competitive test / exam

Other procedure (interview or other)

No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam):

119-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting prosecutors?

Yes

No

Comments - If yes, please specify:

119-2. Please indicate the criteria used for the promotion of a prosecutor:

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"):

Other areas in which the candidate may be required to show competence include; specialist legal knowledge, expertise and self-development; judgement and decision making; management and delivery of results; and building relationships and communication

120. Is there a system of qualitative individual assessment of the public prosecutors' work?

Yes

No

Comments

5.1.3.Mandate and retirement of judges and prosecutors

121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:70

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Retirement at age 70 refers to Judges of the Circuit Court and the Superior Courts. Under the Courts of Justice (District Court) Act, 1949, Judges of the District Court may be retained in pensionable service on a year-to-year basis beyond the age of 65 up to age 70. It is open to Judges over age 65 to apply for further extensions or to opt for retirement.

121-1. Can a judge be transferred (to another court) without his/her consent:

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments

122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

NAP

Comments

123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:65

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

124. Is there a probation period for public prosecutors? If yes, how long is this period?

Yes, duration of the probation period (in years):1 year

No

Comments

125. If the mandate for judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)? Is it renewable?

Yes, what is the length of the mandate (in years)?

No

Comments NAP

126. If the mandate for public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)? Is it renewable?

Yes, what is the length of the mandate (in years)?

No, what is the length of the mandate (in years)?NAP

5.2. Training

5.2.1. Training of judges

127. Types of different trainings offered to judges

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in the court)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions of the court (e.g. court president)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
In-service training for the use of computer facilities in courts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

128. Frequency of the in-service training of judges:

	Frequency of the judges training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions of the court (e.g. court president)	<input type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input checked="" type="checkbox"/> No training proposed
In-service training for the use of computer facilities in courts	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges:

5.2.2. Training of prosecutors

129. Types of different trainings offered to public prosecutors

	Compulsory	Optional	No training proposed
Initial training	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for management functions in the courts (e.g. Head of prosecution office, manager)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for the use of computer facilities in office	(X) Yes () No	() Yes (X) No	() Yes (X) No

Comments

130. Frequency of the in-service training of public prosecutors :

	Frequency of the in-service training
General in-service training	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	[] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training for management functions in office (e.g. Head of prosecution office, manager)	[] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training for the use of computer facilities in office	[] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors:

131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
One institution for judges	[]	[]	[X]
One institution for prosecutors	[]	[]	[]

One single institution for both judges and prosecutors	[]	[]	[]
--	-----	-----	-----

Comments The institution for judges referred to is the Committee for Judicial Studies. There are no public training institutions for prosecutors in this jurisdiction.

131-0. (Modified question) If yes, what is the budget of such institution(s)?

	Budget of the institution for the reference year, in €
One institution for judges	310000 [] NA [] NAP
One institution for prosecutors	[] NA [X] NAP
One single institution for both judges and prosecutors	[] NA [X] NAP

Comments The Committee for Judicial Studies is the body responsible for judicial training. However its budget is provided through the Courts Vote and some administrative support is provided by Courts Service staff. Therefore, the same budget line is reflected in both Q6 and Q131-0 (€310,000 for 2016).

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how these judges and/or prosecutors are trained?

. As indicated in the response to Question 110, a candidate for appointment as a judge must by law have completed a minimum number of years as a professionally qualified legal practitioner (barrister or solicitor).
Training conducted in-house for prosecutors.

5.3. Practice of the profession

5.3.1. Salaries and benefits of judges and prosecutors

132. Salaries of judges and public prosecutors on 31 December of the reference year:

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	114711 [] NA [] NAP	[X] NA [] NAP	114711 [] NA [] NAP	[X] NA [] NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	182895 [] NA [] NAP	[X] NA [] NAP	182895 [] NA [] NAP	[X] NA [] NAP

Public prosecutor at the beginning of his/her career	30520 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	30520 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments The judicial salary reflects that of a judge of the District Court and a judge of the Supreme Court as at 31 December 2016.

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Special pension	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Housing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other financial benefit	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

134. If “other financial benefit”, please specify:

NAP

135. Can judges combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Research and publication	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Arbitrator	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Consultant	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Cultural function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Political function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify.

137. Can public prosecutors combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Research and publication	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Arbitrator	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Consultant	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cultural function	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Political function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify.

139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the delivery of judgments (e.g. number of judgments delivered over a given period of time) or cases examination?

Yes

No

Comments - If yes, please specify the conditions and possibly the amounts:

5.4. Disciplinary procedures

5.4.1. Authorities responsible for disciplinary procedures and sanctions

140. Who is authorised to initiate disciplinary proceedings against judges (multiple options possible)?

Court users

Relevant Court or hierarchical superior

High Court / Supreme Court

- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments

141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple options possible):

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (and Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments

142. Which authority has disciplinary power over judges? (multiple options possible)

- Court
- Higher Court / Supreme Court
- Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):

Comments

143. Which authority has disciplinary power over public prosecutors? (multiple options possible):

- Supreme Court
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (and Judicial Council)

Disciplinary court or body

Ombudsman

Professional body

Executive power (please specify):

Other (please specify):

Comments

5.4.2. Number of disciplinary procedures and sanctions

144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Judges	Prosecutors
Total number (1+2+3+4)	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

	Judges	Prosecutors
Total number (total 1 to 9)	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

4. Fine	0 [] NA [] NAP	0 [] NA [] NAP
5. Temporary reduction of salary	0 [] NA [] NAP	0 [] NA [] NAP
6. Position downgrade	0 [] NA [] NAP	0 [] NA [] NAP
7. Transfer to another geographical (court) location	0 [] NA [] NAP	0 [] NA [] NAP
8. Resignation	0 [] NA [] NAP	0 [] NA [] NAP
9. Other	0 [] NA [] NAP	0 [] NA [] NAP

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons.

E3. Please indicate the sources for answering questions 144 and 145:

Sources: Department of Justice and Equality
Office of the Director of Public Prosecutions

6.Lawyers

6.1.Profession of lawyer

6.1.1.Status of the profession of lawyers

146. Total number of lawyers practising in your country:

[12237]
[] NA
[] NAP

Comments This figure represents the current membership of the Bar Council of Ireland and the Law Society of Ireland.

147. Does this figure include “legal advisors” who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes ()
No (X)

Comments

148. Number of legal advisors who cannot represent their clients in court:

[]

[X] NA

[] NAP

Comments

149. (Modified question) Do lawyers have a monopoly on legal representation in (multiple options are possible):

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Dismissal cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Criminal cases - Defendant	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Criminal cases - Victim	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Administrative cases	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP
There is no monopoly	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP

Comments - Please, indicate any useful clarifications regarding the content of lawyers' monopoly: Revenue Officials, Trade Union Officials and family members may appear in certain types of proceedings in limited circumstances, in the District Court. While solicitors are engaged in all cases a barrister will appear as an advocate for the client when instructed to do so by the client's solicitors. Solicitors have had full rights of audience in all courts since the early 1970s.

149-0. (New question) If there is no monopoly, please specify the organisations or persons that may represent a client before a court:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP
Family member	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Self-representation	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Trade union	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Other	() Yes	() Yes	() Yes
	(X) No	(X) No	(X) No
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments - If "other", please specify. In addition, please specify for the categories mentioned, the types of cases concerned by this/these representation(s): Revenue Officials, Trade Union Officials and family members may appear in certain types of proceedings in limited circumstances, in the District Court. While solicitors are engaged in all cases a barrister will appear as an advocate for the client when instructed to do so by the client's solicitors. Solicitors have had full rights of audience in all courts since the early 1970s.

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?

- Notarial activity
- Arbitration / mediation
- Proxy / representation
- Property manager
- Real estate agent
- Other law activities (please specify):

Comments

149-2. What are the statuses for exercising the legal profession in court?

- Self-employed lawyer
- Staff lawyer
- In-house lawyer

Comments

150. Is the lawyer profession organised through:

- a national bar association
- a regional bar association
- a local bar association

Comments

151. Is there a specific initial training and/or exam to enter the profession of lawyer?

- Yes
- No

Comments - If not, please indicate if there are other specific requirements as regards diplomas or university degrees:

152. Is there a mandatory general system for lawyers requiring in-service professional training?

- Yes
- No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

() Yes

(X) No

Comments - If yes, please specify:

F1. Please indicate the sources for answering questions 146 and 148:

Sources: Law Society of Ireland
Bar Council of Ireland

6.1.2. Practicing the profession

154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

(X) Yes

() No

Comments

155. Are lawyers' fees freely negotiated?

(X) Yes

() No

Comments

156. Do laws or bar association standards provide any rules on lawyers' fees (including those freely negotiated)?

[X] Yes laws provide rules

[] Yes standards of the bar association provide rules

[] No neither laws nor bar association standards provide rules

Comments

6.1.3. Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

(X) Yes

() No

Comments - If yes, what are the quality criteria used?

158. If yes, who is responsible for formulating these quality standards:

[X] the bar association

[] the Parliament

[X] other (please specify): The Law Society sets standards of practice and procedures for solicitors

Comments

159. Is it possible to file a complaint about:

- the performance of lawyers
- the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

- the judge
- the Ministry of Justice
- a professional authority
- other (please specify):

Comments

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

3. Withdrawal from cases	[X] NA [] NAP
4. Fine	[X] NA [] NAP
5. Other	[X] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons.

7. Alternative dispute resolutions

7.1. Mediation

7.1.1. Details on mediation procedures and other ADR

163. Does the judicial system provide for judicial mediation procedures? If this is not the case you will go directly to question 168.

Yes

No

Comments

163-1. In some fields, does the judicial system provide for mandatory mediation procedures?

Before going to court

Ordered by a judge in the course of a judicial proceeding

Comments - If there are mandatory mediation procedures, please specify which fields are concerned: There are no mandatory mediation procedures.

164. Please specify, by type of cases, the organisation of judicial mediation:

	Court annexed mediation	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Family law cases (ex. divorce)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Employment dismissals	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

165. Is there a possibility to receive legal aid for judicial mediation procedures?

Yes

No

Comments - If yes, please specify: Family Law proceedings

166. Number of accredited or registered mediators who practice judicial mediation:

[]

NA

NAP

Comments

167. Number of judicial mediation procedures.

	Number of judicial mediation procedures
Total number of mediation cases (total 1 + 2 + 3 + 4 + 5)	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil and commercial cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Family cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Employment dismissal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - Please indicate the source:

168. Does the legal system provide for the following alternative dispute resolutions (ADR):

mediation other than judicial mediation

arbitration

conciliation

other ADR (please specify):

Comments

G1. Please indicate the source for answering question 166:

Source: Courts Service

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1.Functioning

169. Do you have enforcement agents in your judicial system?

Yes

No

Comments

170. Number of enforcement agents

30]

NA

NAP

Comments 16 County Registrars

14 City/County Sheriffs

171. Are enforcement agents (multiple options are possible):

judges

bailiffs practising as private professionals under the authority (control) of public authorities

bailiffs working in a public institution

other

Comments - Please specify their status and powers:

171-1. Do enforcement agents have the monopoly in exercising their profession?

Yes

No

Comments - Please indicate any useful clarifications regarding the content of the enforcement agents' monopoly or on the opposite regarding the competition they have to deal with:

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP

Seizure from a third party of the debtor claims regarding a sum of money	<input type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Eviction measures	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments

171-3. Apart of the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- Service of judicial and extrajudicial documents
- Debt recovery
- Voluntary sale of moveable or immovable property at public auction
- Seizure of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments

172. Is there a specific initial training or exam to become an enforcement agent?

Yes

No

Comments

172-1. Is there a system of mandatory general continuous training for enforcement agents?

Yes

No

Comments

173. Is the profession of enforcement agents organised by (the answer NAP means that the profession is not organised):

a national body

a regional body

a local body

NAP

Comments

174. Are enforcement fees easily established and transparent for the court users?

Yes

No

Comments

175. Are enforcement fees freely negotiated?

Yes

No

Comments

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

Yes

No

Comments

H0. Please indicate the sources for answering question 170

Source: Courts Service

8.1.2. Efficiency of enforcement services

177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

Yes

No

Comments

178. Which authority is responsible for supervising and monitoring enforcement agents?

a professional body

the judge

the Ministry of Justice

the public prosecutor

other (please specify):

Comments

179. Have quality standards been determined for enforcement agents?

Yes

No

Comments - If yes, what are the quality criteria used?

180. If yes, who is responsible for establishing these quality standards?

a professional body

the judge

the Ministry of Justice

other (please specify):

Comments

181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

Yes

No

Comments - If yes, please specify:

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

Yes

No

Comments - If yes, please specify:

183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

no execution at all

non execution of court decisions against public authorities

lack of information

- excessive length
- unlawful practices
- insufficient supervision
- excessive cost
- other (please specify):

Comments

184. Has your country prepared or established concrete measures to change the situation concerning the enforcement of court decisions – in particular as regards decisions against public authorities?

- Yes
- No

Comments - If yes, please specify:

185. Is there a system measuring the length of enforcement procedures:

	Existence of the system
for civil cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
for administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

186. As regards a decision on debt collection, please estimate the average timeframe to notify the decision to the parties who live in the city where the court sits (one option only):

- between 1 and 5 days
- between 6 and 10 days
- between 11 and 30 days
- more (please specify):0

Comments NA - as per previous responses to CEPEJ questionnaires for reference year (2012 and 2014) the information is not available in order to estimate a timeframe as outlined in this question.

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

1. For breach of professional ethics	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. For professional inadequacy	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. For criminal offence	<input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	<input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons:

H1. Please indicate the sources for answering questions 186, 187 and 188:

Source: Department of Justice and Equality

8.2. Execution of decisions in criminal matters

8.2.1. Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple options possible)

Judge

Public prosecutor

Prison and Probation Services

Other authority (please specify): An Garda Síochána (Police Force)

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions).

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

Yes

No

Comments

191. If yes, what is the recovery rate?

80-100%

50-79%

less than 50%

Comments - Please indicate the source for answering this question: The fines recovery rate for 2016 was 68%. This represents a reduction on previous years when the average collection rate was 85%. The reason for the change is largely due to the following:

- The introduction of the Fines (Payment & Recovery) Act 2014, in January 2016, resulted in fundamental changes to the administration of court imposed fines. The Act facilitates for the first time the payment of fines by instalment over a 12 month period, and provides for new enforcement options, including attachment of earnings and community service. Taking account of the time allowed to elect for the instalment arrangement, the full instalment cycle is 14 months, assuming that all payments are made within that period
- Delay in the coming into effect of all provisions of the Act, particularly the enforcement process.
- Given the significantly different arrangements for the collection and enforcement of fines under this legislation, a like-for-like comparison with previous years is not possible. It will be approximately two years before we can make a comprehensive assessment of the compliance rate under the new legislation.

9. Notaries

9.1. Profession of notary

9.1.1. Number and status of notaries

192. Number and type of notaries in your country. If you do not have notaries skip to question 197.

	Number of notaries
TOTAL	286 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Private professionals (without control from public authorities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Private professionals under the authority (control) of public authorities	286 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Public agents	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other", please specify the status:

192-1. What are the access conditions to the profession of notary:

- diploma
- payment of a fee (e.g. purchasing office)
- co-opting of peers
- other

Comments Notaries in Ireland are appointed by the Chief Justice in open court upon a petition but the notary who is a barrister or solicitor must have at least five years practising experience in the general practice of the law to take the Notarial Professional Course and sit the Faculty Examination.

192-2. (Modified question) What is the duration of appointment of a notary?

- Limited duration, please indicate it in years:
- Unlimited duration

Comments lifetime commission

194. Do notaries have duties (multiple options possible):

- within the framework of civil procedure
- in the field of legal advice
- to certify the authenticity of legal deeds and certificates
- in the field of mediation
- other (please specify):

Comments The functions of a Notary Public include; - the drawing up of legal, commercial and mercantile documents; - the authentication of such documents both public and private;
- the verification of identities of appearers (persons appearing before the notary) and the genuineness of their signatures whether by way of execution or attestation;
- the protesting of bills of exchange and of ships;
- the taking of sworn depositions;
- the taking of evidence on commission; and
- the administration of oaths and the receiving of statutory declarations.
- duties within the framework of civil procedure, in the field of legal advice, to certify the authenticity of legal deeds and 'other' - as in drafting legal documents

194-1. Do notaries have the monopoly when exercising their profession:

- in civil procedure
- in the field of legal advice
- to authenticate deeds/certificates
- in the field of mediation

other

Comments - Please indicate any useful clarifications regarding the content of the notaries' monopoly or on the opposite regarding the competition they have to deal with:

194-2. As well as these activities, what are the other ones that can be carried out by notaries?

- Real estate transaction
- Settlement of estates
- Legality control of gambling activities
- Authentication of documents
- Translations
- Signatures
- Other

Comments

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

- Yes
- No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries?

- a professional body
- the judge
- the Ministry of Justice
- the public prosecutor
- the Ministry of Interior
- other (please specify):

Comments The Chief Justice of Ireland is responsible for appointing Notaries. The Faculty of Notaries Public in Ireland controls the education and practice of Notaries. The supervision and monitoring of notaries is carried out by the Faculty of Notaries Public - professional body but one vested with certain responsibilities by the Chief Justice by Statutory Instruments/Practice Directions, the Chief Justice, the Anti-Money Laundering Unit of the Department of Justice.

196-1. Is there a system of general continuous training mandatory for all notaries?

- Yes
- No

Comments

11. Please indicate the sources for answering question 192:

Sources: The Faculty of Notaries Public in Ireland

10. Court interpreters

10.1. Details on profession of court interpreter

10.1.1. Status of court interpreters

197. Is the title of court interpreters protected?

Yes

No

Comments

198. Is the function of court interpreters regulated by legal norms?

Yes

No

Comments

199. Number of accredited or registered court interpreters:

[]

NA

NAP

Comments

200. Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

Yes

No

Comments - If yes, please specify:

201. Are the courts responsible for selecting court interpreters?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects court interpreters

Comments

J1. Please indicate the sources for answering question 199

Sources: Courts Service

11. Judicial experts

11.1. Profession of judicial expert

11.1.1. Status of judicial experts

202. In your system, what type of experts can be requested to participate in judicial procedures (multiple choice possible):

"expert witnesses", who are requested by the parties to bring their expertise to support their argumentation,

"technical experts" who put their scientific and technical knowledge on issues of fact at the court's disposal,

"legal experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).

Other (please specify):

Comments

202-1. Are there lists or databases of technical experts registered?

Yes

No

Comments - Please, indicate any useful comment regarding these lists of experts if they do exist (e.g. : who decide of the registration on the list ? Is the registration limited in time ? does the expert take the oath ? how is his/her skill evaluated ? by whom ?)

203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection:

203-1. Does the expert have an obligation of training?

	Obligation of training
Initial training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Continuous training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

203-2. If yes, does this training concern:

the proceeding

the profession of expert

other

Comments

204. Is the function of judicial experts regulated by legal norms?

Yes

No

Comments Rules of the Superior Courts (Conduct of Trials)2016 codify the duties of experts in discharging their functions and obligations (SI No. 254 of 2016)

204-1. On the occasion of a mission entrusted to him/her, does the expert have to report any potential conflicts of interest?

Yes

No

Comments Rules of the Superior Courts (Conduct of Trials)2016 codify the duties of experts in discharging their functions and obligations (SI No. 254 of 2016)

205. Number of accredited or registered judicial / technical experts:

[]

NA

NAP

Comments

205-1. Who sets the expert remuneration?

- The expert remuneration is agreed between the expert and the party retaining him/her, subject to the fee if recoverable against another party being determined by the court official responsible for fixing legal costs (i.e. Taxing Master).

206. Are there binding provisions regarding the exercise of the function of judicial expert within judicial proceedings?

Yes

No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge: Rules of the Superior Courts (Conduct of Trials)2016 codify the duties of experts in discharging their functions and obligations (SI No. 254 of 2016).

207. Are the courts responsible for selecting judicial experts?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects judicial experts

Comments

207-1. Does the judge control the progress of investigations?

Yes

No

Comments Rules of the Superior Courts (Conduct of Trials)2016

K1. Please indicate the sources for answering question 205

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1.Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? Please inform whether these reforms are under preparation or have only been envisaged at this stage. Have innovative projects been implemented? If possible, please observe the following categories:

1. (Comprehensive) reform plans NAP

2. Budget NAP

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings) NAP

3.1. Access to justice and legal aid Work on the preparation of a new Criminal Justice (Legal Aid) Bill is at an advanced stage in the Department of Justice and Equality. The purpose of the new legislation is to update and strengthen the system of granting criminal legal aid including transferring responsibility for the administration of the Scheme from the Department of Justice and Equality to the Legal Aid Board. Consideration is being given to including in the Bill provisions to, inter alia, better regulate the taking of statements of means, increase the sanction for false declarations, allow the Legal Aid Board to verify the means of applicants and to prosecute cases of abuse. Provisions enabling the Legal Aid Board to recover the costs of criminal legal aid or to make application to a court to revoke a criminal legal aid certificate are also under consideration. Person's rights to the presumption of innocence, to a fair trial and to be given legal aid, where appropriate are taken into account.

4. High Judicial Council A Bill providing for the establishment of a Judicial Council was published on 1 June 2017. The Bill is a

legislative priority for the Government.

The primary function of the Judicial Council, which will consist of all members of the judiciary, will be to promote and maintain excellence in the exercise by judges of their judicial functions and high standards of conduct among judges. The Bill also provides for the establishment of a Board of the Council which will be responsible for carrying out the functions of the Council on a day-to-day basis. The Council will be assisted in its work by a Judicial Studies Committee which will have a role in facilitating the continuing education and training of judges and by a Sentencing Information Committee which will be involved in the collation and dissemination of sentencing information.

A key element of the Bill relates to the establishment of a Judicial Conduct Committee which will consider complaints in relation to judicial misconduct, prepare draft guidelines concerning judicial conduct and ethics for adoption by the Council and provide advice and recommendations to an individual judge or to judges generally on judicial conduct and ethics. The membership of the Committee will include persons who are not judges.

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. Judicial Appointments Commission Bill: On 30 May 2017, the Government approved the publication of the Judicial Appointments Commission Bill 2017 and it completed Dáil Eireann (Parliament) second stage in July. The Bill has passed Committee Stage and is due to return to Dail Eireann for report and final stage at the earliest opportunity. The Bill is intended to give effect to commitments in the Programme for Partnership and its main features are to replace the existing Judicial Appointments Advisory Board with a new Judicial Appointments Commission (JAC), with a lay Chairperson and a lay majority selected by the Public Appointments Commission, and appointed by the Minister on an approval resolution by the Houses of the Oireachtas. The Bill will reduce the number of suitable candidates proposed by the Commission for each judicial vacancy to three candidates from the stipulated minimum of 7 now under the existing system. The Bill comprehends all judicial appointments including promotions of serving judges - these are currently outside the remit of the JAAB . A new Senior Judicial Appointments Advisory Committee comprising the Lay Chairperson, the Chief Justice and the Attorney General will make recommendations to the Minister for appointment to the top three judicial positions of Chief Justice, President of the Court of Appeal and President of the High Court. Merit is provided for as the criterion for selection and , subject to that, the Bill provides for the objectives that the judiciary should be equally comprised of men and women and that it should reflect the diversity within the population as a whole. Legal Services Regulation Act: The Legal Services Regulation Act 2015 was signed by the President in December 2015. The setting-up of the Legal Services Regulatory Authority, whose establishment day was set by Order for 1 October 2016, has been underway since July 2016. At that time, Parts 1 and 2 of the Legal Services Regulation Act 2015 were commenced to get the new Authority underway. In December 2016 sections 118 to 120 of the 2015 Act were commenced to enable the conduct of public consultations and reports by the new Regulatory Authority within the statutory periods concerned. Funding support of €1 million was provided to the new Authority by the Department of Justice and Equality in December 2016. On 31 March 2017, the Regulatory Authority presented respective reports under sections 118 and 119 to the then Minister for Justice and Equality. On 6 April 2017 the Authority commenced its public consultations process under section 120 of the Act about certain restrictions on the work of barristers. More recently, the Authority submitted its first Annual Report. Alongside these developments, the working focus right now is on the managed roll-out of the Authority's remaining functions with the matching development of its organisational capacities and office and staffing resources. This includes, under Part 10 of the 2015 Act, the introduction of a more transparent legal costs regime and the parallel transition, within the courts system, of the Office of the Taxing-Master to that of the Legal Costs Adjudicators; the establishment of a Roll of Practising Barristers under Part 9; the introduction of new regulations for the advertising of legal services under section 218 and the separate introduction, by the Minister for Justice and Equality of Pre-Action Protocols in medical negligence cases under Part 15 for which the relevant consultations by the Department have commenced. Following these steps, the key structural reforms of Part 6 of the Act relating to public complaints, professional conduct and the appointment of the Legal Practitioners Disciplinary Tribunal, will be commenced.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities The Circuit Court Rules (Family Law) 2017 (S.I. No. 207 of 2017) , which came into effect on the 7th May 2017, comprehensively revise and restructure the procedural rules for family proceedings in the Circuit Court and, inter alia, facilitate the fast-tracking for trial of family proceedings where the parties certify that all pre-trial steps preparatory to the trial of a case have been taken.

7. Enforcement of court decisions NAP

8. Mediation and other ADR The Mediation Act 2017 contains proposals for a comprehensive statutory framework to promote the resolution of disputes through mediation as an alternative to court proceedings. The underlying objective is to promote mediation as a viable, effective and efficient alternative to court proceedings, thereby reducing legal costs, speeding up the resolution of disputes and reducing the stress and acrimony which often accompanies court proceedings. In this context, “mediation” means a facilitative voluntary process in which the parties to a dispute, with the assistance of a mediator, attempt to reach a mutually acceptable agreement to resolve the dispute. The Mediation Act 2017 was signed into law by the President on 2 October 2017 and came into full effect by way of Commencement Order on 1 January 2018.

The Mediation Act 2017: • facilitates the settlement of civil disputes by mediation; • specifies the principles applicable to mediation; • specifies arrangements for mediation as an alternative to the institution of civil proceedings or to the continuation of civil proceedings that have been instituted; • provides for codes of conduct to which mediators may subscribe; • provides for the recognition of a body as the Mediation Council of Ireland for the purposes of this Act and to require that Council to make reports to the Minister for Justice and Equality as regards mediation in the State; • provided, by means of a scheme, an opportunity for parties to family law proceedings or proceedings under section 67A(3) or 117 of the Succession Act 1965 to attend mediation information sessions;

9. Fight against crime NAP

9.1. Prison system The Penal Policy Review Group (PPRG) was established in 2012, to conduct a wide ranging strategic review of penal policy taking into account relevant work already carried out in this jurisdiction and elsewhere, the rights of those convicted of crimes, the perspective of those who are victims of crime and the interests of society in general. The Group reported to the Minister for Justice & Equality in July 2014 and the report was published in September 2014. The report contains 43 recommendations, some of which can be implemented in the short to medium term, while others require a more long-term approach. An Implementation and Oversight Group was established in early 2015, to oversee implementation of the PPRG’s recommendations. This group report to the Minister, on a six monthly basis, on the implementation status of the recommendations of the PPRG. Progress has been made, for example, in the pursuit of alternatives to custody, improving the standards of prison accommodation and services, eliminating slopping out, increased use of inter-agency and inter-departmental working and the use of incentivised & earned, structured temporary release programmes such as the Community Return Programme and the Community Support Scheme. Implementation of the PPRG recommendations provide a solid platform from which to proceed with future reform and progress can be seen in the reports of the

Implementation and Oversight Group, which along with PPRG report are available on the Department of Justice & Equality website.
http://www.justice.ie/en/JELR/Pages/Penal_Policy_Review

9.2 Child friendly justice NAP

9.3. Violence against partners NAP

10. New information and communication technologies NAP

11. Other NAP