



**Appointments to the Board of The Courts Service**

**Closing Date: 15:00 on 30<sup>th</sup> of March 2018**

**State Boards Division  
Public Appointments Service  
Chapter House, 26 – 30 Abbey Street Upper, Dublin 1**

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stateboards.ie operates under the auspices of the Public Appointments Service and is committed to a policy of equal opportunity.

The Public Appointments Service (PAS), established under statute in 2004, provides an independent shared service in recruitment, assessment and selection to organisations across the Civil and Public Services. On 30 September 2014, the Government decided that the PAS should also be given responsibility for putting in place an open, accessible, rigorous and transparent system to support Ministers in making appointments to State Boards. Our dedicated website, [www.stateboards.ie](http://www.stateboards.ie), is the channel through which the PAS advertises vacancies on State Boards. It is also the means through which accomplished, experienced and qualified people, including people who might not previously have been identified as available for appointment, can then apply to be considered for particular vacancies.

## Membership of State Boards

High standards of corporate governance in all State Agencies, whether in the commercial or non-commercial sphere, are critical to ensuring a positive contribution to the State's overall social and economic development.

Members of State Boards are appointed to act on behalf of the citizen to oversee the running of the affairs of state bodies. State bodies must serve the interests of the taxpayer, pursue value for money in their endeavours (including managing risk appropriately), and act transparently as public entities. Members of State Boards, and the relevant management team, are accountable for the proper management of the organisation.

Board members should act on a fully informed basis, in good faith, with due diligence and care, and in the best interest of the State body, subject to the objectives set by Government. In that regard and in accordance with 13.2 of the Guidelines on Appointments to State Boards, "it is advisable that no member of a State Board should serve more than two full terms of appointment or should hold appointments to more than two State Boards."

The [Code of Practice for the Governance of State Bodies 2016](#) (the Code) provides a framework for the application of best practice in corporate governance by both commercial and non-commercial State bodies.

In order to be an effective contributor on a State Board it is recommended that members should:

- bring independent and objective scrutiny to the oversight of the organisation;
- be prepared to be challenging when necessary while being supportive to the delivery of organisational strategy and objectives;
- be equipped to offer considered advice on the basis of sound judgement and experience;
- be prepared to make a time commitment to their work commensurate with their role.

## Appointment to the Board of the Courts Service

- Location:** Board meetings generally take place at Green Street Courthouse, Dublin 7. However, Board Committees, of which appointees may be members, generally meet at other Courts Service locations in Dublin.
- Number of Vacancies:** 2
- Remuneration:** €11,970 (It should be noted that in line with the 'One Person One Salary' principle, no public servant will be entitled to receive remuneration in the form of board fees, save for situations that are statutorily provided for e.g. Worker Directors).
- Travel and Subsistence, if applicable, is payable at appropriate Civil Service Rates.
- Time Requirements:** On average 5-6 meetings, but not less than 4 meetings per annum. The meetings take approximately 2-3 hours and also involve 2-3 hours preparatory work.
- Members would also be expected to participate on Board Committee(s), which meet 4-7 times per annum for approximately 2 hours involving 1-3 hours preparatory work.

Candidates' attention is also drawn to the provisions of the Code in relation to Audit and Risk Committee membership, which can be found [here](#).

### 1. Background

The Courts Service is an independent State Agency, established pursuant to the Courts Service Act, 1998, which is responsible for the management and administration of the Courts.

The functions of the Courts Service are to:

- Manage the courts;
- Provide support services for the judiciary;
- Provide information on the court system to the public;
- Provide manage and maintain court buildings and;
- Provide facilities for users of the courts.

The Courts Service Board, established under the Act, is chaired by the Chief Justice. The Board has 18 members including the Presidents of each court jurisdiction, members of the judiciary, representatives of the legal profession, the Chief Executive of the Courts Service and a staff representative, a person nominated by the Irish Congress of Trade Unions, an officer of the Minister representing the Department of Justice and Equality and 2 ministerial nominees.

The current members of the Board are:

<b>Name</b>	<b>First Appointed</b>	<b>Reappointed</b>	<b>Expiry Date</b>	<b>Position type</b>	<b>Basis of appointment</b>
Brendan Ryan	18/01/2009			Board Member	Chief Executive Officer of the Courts Service, Secretary to the Board
Her Honour Judge Dóirbhle Flanagan	09/11/2014		08/11/2020	Board Member	Elected by the ordinary judges of the Circuit Court
Her Honour Judge Rosemary Horgan	13/07/2012			Board Member	President of the District Court
James McCourt	09/11/2014	09/11/2017	08/11/2020	Board Member	Nominee of the President of the Law Society
Judge Gerard Haughton	01/11/2011	09/11/2014	08/11/2020	Board Member	Elected by the ordinary judges of the District Court
Mr Paul McGarry		09/11/2017	08/11/2020	Board Member	Nominee of the Chairman of the Bar Council
Mr. Damien Downey	09/11/2017		08/11/2020	Ordinary Member	Elected by the staff of the Courts Service
Ms. Carol Baxter	11/12/2017		08/11/2020	Board Member	Official of the Department of Justice & Equality nominated by the Minister
Ms. Patricia King	09/11/2017		08/11/2020	Board Member	Nomination by Irish Congress of Trade Unions
The Hon. Mr. Justice Frank Clarke	28/07/2017		08/11/2020	Chair	Chief Justice
The Hon. Mr. Justice Michael Peart	09/11/2014		08/11/2020	Board Member	Elected by the ordinary judges of the Court of Appeal
The Hon. Mr. Justice Patrick McCarthy	15/10/2013	09/11/2014	08/11/2020	Board Member	Elected by the ordinary judges of the High Court
The Hon. Mr. Justice Peter Kelly	21/12/2015		08/11/2020	Board Member	President of the High Court
The Hon. Mr. Justice Raymond Groarke	13/07/2012			Board Member	President of the Circuit Court
The Hon. Mr. Justice Sean Ryan	09/11/2014			Board Member	President of the Court of Appeal
Vacancy				Board Member	Elected by the ordinary judges of the Supreme Court
Vacancy				Board Member	Nominated by the Minister to represent consumers of the services provided by the Courts
Vacancy				Board Member	Nominated by the Minister because of relevant knowledge and experience in commerce, finance or administration

## 2. Functions of the Board

Section 13 of the Courts Service Act, 1998 sets out the functions of the Board as follows:

- (1) The functions of the Board shall be—
  - (a) to consider and determine policy in relation to the Courts Service, and
  - (b) to oversee the implementation of that policy by the Chief Executive.
- (2) The Board, in the performance of its functions, shall have regard to—
  - (a) the resources of the Courts Service for the purposes of such performance and the need to secure the most beneficial, effective and efficient use of such resources, and
  - (b) any policy or objective of the Government or a Minister of the Government insofar as it may affect or relate to the functions of the Courts Service.
- (3) The Minister may inform the Board of any policy or objective of the Government or a Minister of the Government referred to in subsection (2)(b).

The Board of the Courts Service can establish committees and can authorise a committee of the Board or the Chief Executive Officer to perform many of its functions or powers.

The Board has established the following committees, which deal with a range of issues:

- Finance Committee,
- Building Committee,
- Family Law Court Development Committee,
- Audit and Risk Committee.

The Committees are comprised of Board members and external committee members.

## 3. Person Specification

The Minister for Justice and Equality intends to make 2 appointments to the Board of the Courts Service.

Candidates' attention is drawn to the provisions of the Code in relation to the role of the Board and Board member as follows:-

- Each State body should be headed by an effective Board, which is collectively responsible for the long-term sustainability of the body.
- Non-executive Board members should bring an independent judgement to bear on issues of strategy, performance, resources, key appointments and standard of conduct.

Details on the role of Board Members can be found in Section 3 of the Code, which can be found [here](#).

**Please note that there is sufficient legal expertise on the Board at present.**

The Minister invites applications from suitably qualified candidates who consider they possess the skills and competencies necessary to fulfil one of the following roles:

**(i) Member to represent consumers of the services provided by the courts**

Section 11(1)(o) of the Courts Service Act, 1998 provides that the Minister shall nominate to the Board a person to represent consumers of the services provided by the courts.

**Required Skills/Experience:**

- Extensive experience at an appropriately senior level in community engagement or organisations working with court users.
- Sectoral knowledge and experience.
- Experience of using the courts from a perspective other than that of legal practitioner, or of assisting any classes of people who use the courts and do not have legal expertise;
- Communications skills and a track record in putting across arguments and points of view in an appropriate and effective manner;

Demonstration of knowledge of the area, including possibly by effective advocacy or published material or articles.

**Desired Skills/Experience:**

- Previous board experience.

**(ii) Member with relevant knowledge and experience in commerce, finance or administration**

Section 11(1)(q) of the Courts Service Act, 1998 provides that the Minister shall nominate to the Board a person with relevant knowledge and experience in commerce, finance or administration.

**Required Skills/Experience:**

- Applicant must demonstrate experience at an appropriately senior level in financial, commercial or administrative/governance environment.
- Relevant experience in Risk Management, Audit or Financial Management.
- Sectoral Knowledge/Experience.

**Desired Skills/Experience:**

- Previous board experience.
- Previous senior management team membership in medium to large private or public service organisation.
- A relevant qualification or membership of a professional body.

The Minister shall have regard to the desirability for gender balance on the Board as the Minister considers appropriate and determines from time to time when making appointments.

#### 4. Term of Appointment

Appointments to the Board will be for an initial period until 8 November 2020 with an option for the Minister to extend the term of engagement for a second term of 3 years, subject to:

- At any time the Minister may remove a person who is a member of the Board, who was nominated by the Minister, on the basis of reasons to be stated by the Minister.
- A member of the Board may resign his or her membership of the Board by letter addressed to the chairperson of the Board and the resignation shall take effect on receipt of the letter by the chairperson.
- Members of the Board shall, subject to the provisions of this Schedule, hold office upon such terms and conditions as the Minister may, with the consent of the Minister for Public Expenditure and Reform, from time to time determine.
- The roles and responsibilities of Board Members are described in the Revised Code of Practice for the Governance of State Bodies 2016, which is available on the website of the Department of Finance [Code of Practice for the Governance of State Bodies](#).
- A board member shall cease to be a member of the board if he or she is nominated as a member of Seanad Éireann, is elected as a member of either House of the Oireachtas or as a representative in the European Parliament, elected to the European Parliament, or becomes a member of a local authority.

#### 5. Submitting your Application

Before submitting your application, please review the self-assessment questionnaire, which can be found [here](#). This questionnaire is designed to help you in considering whether to submit an expression of interest - you are not required to submit the questionnaire as part of the application process.

Having considered the general suitability criteria for membership of a State Board, you should consider carefully how your background and experience fits with the specific appointment criteria set out in the Person Specification section in this booklet. Please give careful consideration to the possibility of any potential conflict of interest that may arise if appointed to this board.

Your submission should be made via the following link [www.stateboards.ie](http://www.stateboards.ie) together with your **Curriculum Vitae** and a **cover letter** (see Appendix 1 of this booklet for help with the online process).

## IMPORTANT NOTE

Please take care when submitting your application. As the Assessment Panel will generally make its recommendation(s) based on consideration of the documentation, which you submit, it is most important that you do the following:

1. *Ensure your Cover Letter (and supporting CV) clearly specifies how your particular background and experience meets the requirements of the Board position(s) specified in this booklet, and*
2. *That you fully answer any supplementary questions, which are presented to you as part of our online application process.*

This will help ensure that the Assessment Panel is as informed as possible as to the basis for your candidature and why you believe you are a person who could potentially be appointed to this State Board.

If you have any questions regarding the application process please email [info@stateboards.ie](mailto:info@stateboards.ie).

### 6. Assessment Process

An Assessment Panel (the "Panel") will be convened by PAS to consider and assess the applications received by PAS. The Panel will:

- review and discuss the expressions of interest received against the specific appointment criteria for the role, as advertised in this Information Booklet;
- assess potential candidates further once they meet the specified appointment criteria by undertaking any or all of the following steps:
  - Consideration of the written applications; and/or
  - Meeting<sup>1</sup>/conference call; and/or
  - Referee checks; and/or
  - Any other selection or verification method deemed appropriate (this may include PAS requiring statutory declarations from shortlisted applicants as to the bona fides of the qualifications and experience contained in their applications).
- arrive at a shortlist of suitable candidates to be sent forward for consideration by the Minister.

Please note that the Public Appointments Service will not be responsible for any expenses incurred by candidates as part of our selection process.

### 7. Confidentiality

Subject to the provisions of the Freedom of Information Acts, 2014, applications will be treated in strict confidence. All enquires, applications and all aspects of the proceedings are treated as strictly confidential and are not disclosed to anyone, outside those directly involved in that aspect of the process.

Certain items of information, not specific to any individual, are extracted from computer records for general statistical purposes.

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<sup>1</sup> The Public Appointments Service will not be responsible for refunding any expenses incurred by candidates.



## **8. Data Protection Acts 1988 & 2003**

Should your name be forwarded to a Minister for consideration, please note that your cover letter and curriculum vitae will be forwarded to the State Board Liaison Officer in the relevant department and may be retained for up to one year.

For further information on Data Protection please follow the [link](#)

## APPENDIX 1

### Submitting your application:

In order to submit your application, you should take the following steps:

1. Go to [www.stateboards.ie](http://www.stateboards.ie).
2. On the bar at the top of the page click on "Available Appointments".
3. This brings you to a page with all our advertised vacancies. Select whichever position you would like to apply for (you are welcome to apply for more than one position if you wish).
4. On the relevant page please click on the "apply for position" button at the bottom of the page
5. This will bring you to a page on [www.publicjobs.ie](http://www.publicjobs.ie) and, if you already have a publicjobs.ie account, will prompt you for your username and password. If you do not have an account you will be asked to create one.
6. Once you input your details you will be brought to a page where there is a prompt in the middle of the page which says "apply here". Click on the link to the online application form beside it.
7. A form will appear on your screen, some of the text boxes will be populated with information from your publicjobs.ie profile (Name, address etc.). You will need to complete the rest of the fields and enter your name and the date at the bottom of the form. Click on "continue".
8. You will then be brought to a screen where you should upload your CV and Cover Letter. These are required documents and your application cannot be processed without them. Once you have selected these and uploaded them, please click on the "submit" button at the bottom of the page.
9. You will receive an e-mail confirmation (to the address listed in your publicjobs.ie profile) to confirm that your application has been submitted.

You must confirm that you do not have any conflicts of interest or legal impediment, which would be likely to interfere with your ability to play a full part on the Board. You must also confirm that you can make yourself available to attend meetings and to carry out the duties of a Board member.