



Royal Court of Jersey
Judicial Greffe & Viscount's
Department

2022 Jersey Court Service Annual Report

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Purpose and Origin of the Departments

Judicial Greffe

The Judicial Greffe is a Department of the Judiciary responsible for the provision of secretarial, administrative and interlocutory support to the Island's Courts and Tribunals. Associated services are provided to the legal profession and the general public. The Department in its present form was established in 1931 by the "Loi (1931) constituant Le Département du Greffe Judiciaire".

Viscount's Department

The Viscount's Department is the executive arm of the Island's Courts and of the States Assembly. The Department's principal role is to execute orders of the Courts. In addition, the Department fulfils the duties of Coroner, administers Désastre (bankruptcy) and other insolvency proceedings, serves legal process and enforces fines and judgment debts. The Department in its present form was established in 1930 by the 'Loi (1930) constituant Le Département du Vicomte".

In this report the Judicial Greffe and the Viscount's Department are referred to collectively as the Court Service.

2022 Operational and Administrative Activity

Introduction

2022 saw a number of senior appointments across the Court Service. In June, Advocate Matthew Swan took up the post of Viscount of the Royal Court. In August, Stephanie Peat was appointed Court Service Chief Operating Officer and Advocate Kate Ferbrache was appointed Magistrate's Court Greffier. In November 2022 Advocate David Cadin was appointed Master of the Royal Court of Jersey succeeding Advocate Matthew Thompson who became a Commissioner of the Royal Court. Advocate Cadin was sworn into his position in February 2023.

Judicial Greffe

Samedi Team

The Samedi Team is responsible for providing a full support service to the Royal Court including attending sittings as a Clerk to the Court, issuing and enrolling the Acts of Court in relation to proceedings and providing advice on Court procedure. The Team is also responsible for the registration of professionals, deed polls, company reinstatements, court of protection orders, guardianships, reciprocal enforcement of judgments, the taxation of costs, considering applications for disbursements in support of legally aided litigants, registering and indexing orders in court, fidéicomis applications and supporting the Liquor Licensing Assembly.

2022 Highlights

2022 saw the further implementation of the electronic filing of documents across the Court Service with CaseCenter being used to upload documents for most hearings.

Acts of Court produced:	1711
Criminal cases before the Royal Court:	88
Liquor Licences Granted:	45
Number of Jury Trials:	18 lasting a total of 70 days
Licensing Assemblies:	4
Extraordinary Licensing Assemblies:	5

Public Registry

The Public Registry is responsible for the management and protection of all land contracts and associated documents enrolled for the purpose of evidencing title to, or charges against, land in Jersey.

2022 Highlights

In 2022 a new Assistant Registrar of Deeds was appointed to support the smooth running of the registry. New Stamp Duty Legislation was introduced in the budget in December 2022 which necessitated changes to be made to the PRIDE system.

Family Court

The Family Court is responsible for providing a comprehensive service to the Royal Court for Family Proceedings. These include causes for the termination of marriage (including nullity), dissolution of civil partnership, judicial separation cases, ancillary matters and applications relating to children. The Family Court also deals with applications relating to the legitimacy of children, adoption proceedings, care orders and child abduction. Reciprocal Enforcement of maintenance cases are also dealt with, involving liaison with foreign Courts. In addition, the Family Team deals with applications for the recognition and enforcement of Children Orders made in the UK.

The Family Division moved into bespoke premises on the 3rd Floor of International House in March 2022. In September 2022 the Family Court launched a pilot scheme for an alternative dispute resolution service the '[Family Foundation](#)'. This service, offered free of charge, was designed to benefit families in the Island and to help them avoid court proceedings by giving them some tools to agree a way forward for their family. The scheme was highly successful, and the Court Service will shortly report on the outcomes of the scheme and the recommended next steps.

2022 Highlights

Number of divorce judicial separation petitions filed:	169
Decrees Absolute granted:	149
Free standing private children applications filed:	61
Matrimonial acts issued:	261
Preliminary directions hearings:	74
Case Review hearings:	193
Number of applications to the Family Foundation:	28
Number of applications which proceeded to joint sessions:	18
Number which reached agreement:	15

Interlocutory Services

The Master of the Royal Court deals with all disputed claims that are not criminal prosecutions and do not involve family or children matters. He is Jersey's civil procedural Judge, and his function is to ensure that parties to a civil dispute take all necessary steps to ensure their cases are ready for trial before the Royal Court. He also deals with claims or defences that have no merit and is the mediator for disputed civil claims in the Petty Depts Court.

In November 2022 Advocate David Cadin was appointed Master of the Royal Court. He succeeded Advocate Matthew Thompson.

2022 Highlights

Summonses Heard	77
Acts Produced	295
Judgments	29
Case Reports	1
Cases heard at Mediations	53
Number of Mediations Settled	46

Probate and Protection Registry

The Probate and Protection Registry is responsible for examining, validating and granting to lawyers, trust corporations and members of the public the right to recover or receive any part of a Jersey estate. The Protection Registry is responsible for dealing with Delegations, Tutelles and the registration of Lasting Powers of Attorney.

2022 Highlights

Number of grants issued:	1,550
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Total estates value:	£756,275,706
Stamp Duty received:	£3,149,950
Delegate cases at start of year:	319
Delegate cases at end of year:	328
LPAs (property/financial) registered:	520
LPAs (health/welfare) registered:	619

Appellate Team

The Appellate Team is responsible for the administrative arrangements for the Court of Appeal and the Court of Appeal Judges. This includes arranging the annual sitting rota, listing of all appeals received and preparation of documentation for each sitting. The Appellate Team acts as Clerk to the judges, attend all sittings, draft Acts of Court and provide procedural advice where required. The Court of Appeal has six scheduled sittings each year, however the Appellate Team arranges any additional special sittings that are necessary.

2022 Highlights

Appeals lodged with Court of Appeal:	18
Superior Number appeals:	3
Court of Appeal sittings (days):	28

Intellectual Property Registry

The Judicial Greffe has responsibility for maintaining the Registers of Trade Marks, Patents and Designs. The Registry houses the three registers and provides advice and associated services to industry specialists and members of the public.

2022 Highlights

Number of Trade Mark registrations:	60
Number of Patents (registrations and updates):	22
Number of Trade Mark updates:	271

Tribunal Service

The Tribunal Service is responsible for the administration of the Jersey Employment and Discrimination Tribunal, the Social Security Income Support Tribunal, the Social Security Medical Tribunal, the Long Term Incapacity Tribunal, the Mental Health Appeals Tribunal, the Health and Safety Tribunal, Planning Appeals and the Charity Tribunal. The Jersey Employment and Discrimination Tribunal publishes an annual report available at www.tribunal.je.

2022 Highlights

Claims to Employment and Discrimination Tribunal	209
Planning Appeals	51
Mental Health and Capacity Appeals	56
Social Security appeals	13
Health and Safety appeals	0
Charity appeals	0

Magistrate's, Youth and Petty Debts Court

The Magistrate's, Youth and Petty Debts Court service a constant daily throughput of Adult Remand Courts, Youth Courts, criminal trials, civil trials and Petty Debts Court hearings. The Magistrates Court Greffe also provides a weekly mediation service for claims that fall within the Petty Debts Court jurisdiction and ad-hoc sessions for other mediation requirements.

2022 Highlights

Number of cases dealt with by Magistrate's Court:	1,690
Number of cases dealt with by Youth Court:	81
New actions before Petty Debts Court:	2,334
Value of claims in Petty Debts Court:	£6,565,670

Viscount's Department

Enforcement

The Enforcement Team is responsible for day-to-day enforcement of orders and directions issued by all Courts. These are wide ranging, including debt judgments, maintenance orders and evictions. It is responsible for enforcing saisies. The Team also manages juror selection and juror custodian duties for Assize (Jury) Trials in the Royal Court.

2022 Highlights

Number of fines imposed:	687
Fine value collected:	£947,481
Compensation imposed:	76
Value collected:	£61,599
Number of judgments enforced:	732
Value collected:	£601,958
Assets seized under Proceeds of Crime and Civil Asset Recovery:	£5,417,280,941
Confiscated amounts realised:	£122,745 & US \$1,233,890

Insolvency

The Insolvency Team administers the désastre regime pursuant to the Bankruptcy (Désastre) (Jersey) Law 1990 and maintains the désastre search services used by law firms. It also acts as a regulator in respect of delegates and attorneys appointed pursuant to a lasting power of attorney.

Regulatory

Under legislation associated with the Capacity and Self-Determination (Jersey) Law 2016 the Viscount has powers to investigate complaints or concerns raised by interested parties against individuals who have been appointed as delegates or as attorneys under Lasting Powers of Attorney.

To date, the incidence of complaints has been low. Five new delegate complaints were received in 2022. One was upheld and four were ongoing at the end of year. A previously investigated complaint was resubmitted but no further action was indicated so it was dismissed. Three complaints regarding Lasting Powers of Attorney were received in 2022. Two were dismissed and one was ongoing at the year end.

2022 Highlights for Insolvency, Delegate Work and Regulatory

Désastres declared	3
Désastres completed	4

Discharges of personal bankrupts granted	2
Désastre checks conducted	18,556
Cross border applications granted	2
Cross border applications pending	1
Delegate client appointments	12
Delegate clients under administration at year end	43
Deceased clients awaiting probate	10
Approved Liquidators in Jersey	4
Approved Liquidators overseas	12
Total assets under administration	£3,146,414

Court Services Team

The Court Services Team conducts certain administrative functions on behalf of the Court, including organising juries for assize trials and delivery of court notices. It also provides administrative support for the Coroner team and the Department as a whole.

2022 Highlights

Coroner

Reported deaths: 210 - a 26% increase on 2021

Approvals for doctors to issue a certificate of fact and cause of death 166

Inquests held and completed 51

Import/export of body permits 38

% of all deaths in Jersey which involved the Viscount as coroner: 41%

Assize and other court services

Assize trial process started 18

Assize trials completed 17

Jury summonses 1170

Assize trial days 102 – double the amount for 2021

Certificates of exemption from court fees 82

Accounts Team

The Accounts Team provides the cash desk for the Viscount's Department, including receipt of fines, judgements, bail receipts and payments and delegate cash payments. It also undertakes all transactions relating to Viscount's Department third party assets (delegate funds, maintenance, insolvency, compensation, criminal injuries compensation, proceeds of crime and drug trafficking offences). The team manages the budgets and financial transactions for the Court Service as a whole and provides financial and accounting information to the Treasury on a regular basis.

Strategic and Governance Matters

Law Reform

In 2022 the Department engaged with amendments to legislation that affected the operation of the Courts or the services provided by the Judicial Greffe and the Viscount's Department. In particular, work on the following items of legislation was completed:

- Amendments to the Companies (Jersey) Law 1991 which introduced a new insolvency remedy for creditors of Jersey companies.
- Amendments to the Criminal Procedure (Jersey) Law 2018

Corporate Social Responsibility

During 2022 the Court Service continued to maintain its Corporate Social Responsibility policy. Members of the Court Service contributed to several charities throughout the year via various fund-raising efforts including a Secret Santa appeal initiative organised by the Family Court. Recipients included Brighter Futures and Victim Support.

Complaints and Compliments

The Court Service has a complaints policy which can be found here: [How to make a complaint to the Jersey Court Service \(gov.je\)](#). It maintains a register of complaints and compliments. In 2022 eight compliments and nine complaints were logged.

Data Protection, Information Security and Freedom of Information

In 2022 the Court Service handled three Subject Access Requests two of which were requests for access to court files and were therefore handled following court procedures governing those files. The Court Service has engaged with the Government's Cyber Security initiatives and all employees of the Court Service undertake mandatory Information Security Training. Encryption is used to manage the secure transfer of digital files outside of Government systems. In 2022 the Court Service reported 25 security issues.

In 2022 the Court Service handled or assisted with nineteen Freedom of Information requests.

Health and Safety

The health and safety and wellbeing of all Court Service Staff is a priority. The Court Service follows the Government of Jersey's Corporate Health and Safety Policy to establish specific arrangements to:

- Prevent work related injury or illness;
- Provide a safe working environment;
- Safeguard the mental health of employees at work; and
- Encourage and support employees to take care of their own, health, safety and wellbeing as well as that of their colleagues at work.

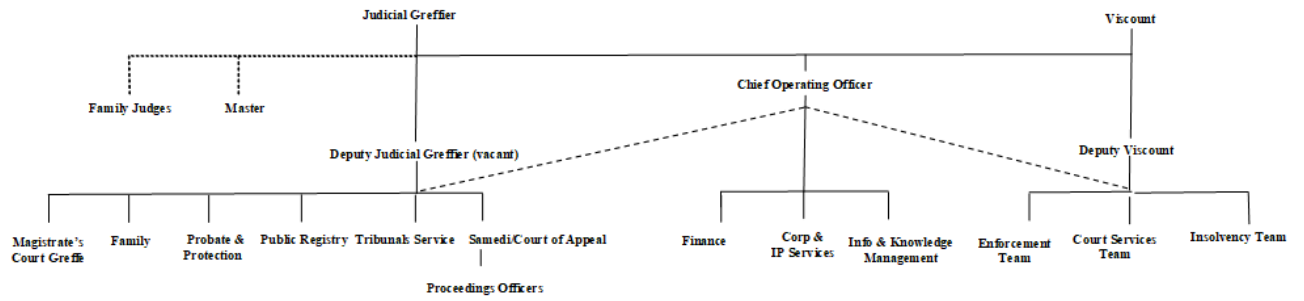
The Court Service actively monitors Health, Safety and Well-being performance and has controls in place to ensure mitigation of key risks identified at departmental level.

Non-Ministerial Departments' Audit Committee

In 2022 the States of Jersey appointed an Independent Audit Committee to oversee the governance arrangements and use of resources of non-ministerial departments. This followed a recommendation by the Comptroller and Auditor General.

The Chair of the Audit Committee is Marta Phillips OBE. The Audit Committee provides independent counsel, support and constructive challenge to the Accountable Officers of the Non-Ministerial Departments including the Judicial Greffier and the Viscount. It is designed to provide assurance of the highest standards of corporate governance.

Appendix A – Court Service Functional Organisation



Appendix B – Judicial Greffe Statistical Digest

Samedi Section	2021	2022	%change 2021 to 2022
Actions Before the Royal Court			
New Actions	241	247	2%
Placed on the Pending List	60	58	-3%
Acts of Court issued	1669	1711	3%
Number of Court Sittings	722	732	1%
Orders in Council registered	23	37	61%
Jury trials completed	15	18	20%
Dégrèvement Hearings	0	0	0%
Applications for Remise de Biens	0	0	0%
Consent Orders	234	200	-15%
Actions before the Greffier Substitute			
Registration of professionals	38	38	0%
Registration of Deeds poll	110	88	-20%
Registration of Court Protection Orders	57	67	18%
Company reinstatements	27	18	-33%
Inquests	50	52	4%
Guardianships	2	1	-50%
Magistrate's Court Appeals			
Lodged	9	10	11%
Heard	5	8	60%
Liquor Licences			
Licences Granted	61	45	-26%
Ex parte applications (vary/extend licence)	4	8	100%
Managers Registered	64	90	41%
Taxation of Costs			
Civil bills of costs	15	15	0%
Criminal bills of costs	33	34	3%
Legal Aid Disbursements			
Occasions granted (invoices paid)	463	436	-6%
Legally aided litigants ¹	216	220	2%
Expenditure	£487,908	£435,667	-11%

¹ This includes the Civil Legal Aid disbursements and Criminal Legal Aid disbursements. It excludes Ex-Gratia legal fees, Amicus legal fees, payments under the new Legal Aid Scheme and Public Law disbursements. Some of these were included in the 2021 report.

Probate Section	2021	2022	%change 2021 to 2022
Number of Grants Issued	1,638	1,550	-5%
Total estates value	£478,853,661	£756,275,706	58%
Number of delegates formed	319	328	3%
LPA's registered	951	1139	20%
Stamp Duty Received	£3,068,200	£3,149,950	3%

Public Registry	2021	2022	% change 2021 to 2022
Documents Registered/Cancelled			
Contracts	2516	2,140	-15%
Procurations	2932	1,733	-41%
Obligations	2282	2,342	3%
Cancellations	1981	1,892	-4%
Stamp Duty Received	£54,564,000	£46,178,000	-15%
Contracts and Wills	£50,344,000	£40,822,000	-19%
Judicial Hypothecs	£4,220,000	£5,355,000	27%
Documents registered in the Public Registry	4,798	4,482	-7%
Value of property transactions registered*	£1,547,000,000	£1,309,282,000	-15%
<i>*excluding value of properties transferred by Deeds of Gift or bequeathed in Wills of Immovable Estate</i>			

Interlocutory Services	2021	2022	%change 2021 to 2022
Summonses issued	82	72	12%
Applications heard	69	77	-12%
Judgments	20	29	-45%
Acts issued (including Consent Order)	449	295	34%
Cases heard at mediation	52	53	-2%
Case reports produced	0	1	
Mediations Settled		46	

Family Court	2021	2022	%change 2021 to 2022
Freestanding private children applications filed	58	61	5%
Preliminary directions hearing	62	74	2%
Case review hearing	229	193	-3%
Summonses heard (half day or more)	56	52	3%
Family/Childrens Acts issued	289	222	-23%
Adoptions (2 Orders per child)	6	5	0%

Nisi Acts issued	167	166	0%
Matrimonial Acts issued	331	261	-21%
Reciprocal Orders	1	2	50%
Parental Responsibility Agreements	26	24	-8%
Decrees Absolute issued	165	149	-10%
Petitions filed	186	169	-9%
Hearings vacated/settled	135	71	0%
Early Neutral Evaluations	N/A	6	-20%
Financial Dispute Resolutions		19	18%

Appelate Section	2021	2022	%change 2021 to 2022
Appeals lodged with the Court of Appeal	17	18	-100%
Superior Number Appeals	2	3	-100%
Court of Appeal Sittings (days)	13	28	-100%
Number of Unreported Judgments (published)	325	304	-6%
Number of File and party Judgments (unpublished)	138	106	-23%
Transcripts of evidence -transcripts produced	71	65	-8%

Intellectual Property Registry	2021	2022	%change 2021 to 2022
Trade Mark Registrations	70	60	-14%
Patents (Registrations & Updates)	49	22	-55%
Designs (Registrations & Updates)	0	1	
Trade Mark Updates	342	271	-21%

Tribunal Service	2021	2022	%change 2021 to 2022
JEDT Applications: Employment	131	127	-3%
JEDT Applications: Discrimination	13	82	531%
Case Management Meetings	96	99	3%
Interim Hearings	19	7	-63%
Full Hearings	35	36	3%
Pending at year end	20	65	225%
Income Support Medical Appeal Hearings	0	0	
Social Security Medical Appeal Hearings	3	4	33%
Social Security Appeal Hearings	0	9	
Mental Health Appeal Applications	40	48	20%
Mental Health Appeal Hearings	14	24	71%
Capacity Reviews	14	8	-43%
Capacity Hearings	10	6	-40%
Health & Safety Applications	0	0	
Planning appeals	34	51	50%

Total Number of Cases received	232	566	144%
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Magistrate's Court	2021	2022	%change 2021 to 2022
Non parking cases completed	609	1,271	109%
Cases committed to Royal Court	90	74	-18%
Parking cases completed	258	345	34%
Total completed cases	957	1690	77%
Non parking persons ²	600	630	5%
Persons committed to Royal Court	90	74	-18%
Parking Persons	225	1,435	538%
Total persons	915	2,139	134%
Non parking arrest Orders issued	47	32	-32%
Parking arrest Orders issued	388	1,081	179%
Total arrest Orders issues	435	1,113	156%
Youth Court			
Total cases heard	72	81	13%
Total number of defendants	66	58	-12%
Cases committed to the Royal Court	3	0	-100%
Arrest Orders issued	0	0	
Petty Debts Court			
Number of Actions listed	2,037	2,334	15%
Number of new Actions	1,373	1,583	15%
Judgments	831	1,069	29%
Value of claims heard (actions listed)	£5,768,171	£6,565,670	14%
Number of mediations held	79	75	-5%
Number of matters settled at mediation	52	43	-17%
Number of trials	8	3	-63%
Number of Eviction Orders granted	25	21	-0.16

² i.e. appearances not related to parking cases.

Appendix C – Viscount’s Department Statistical Digest

Fines Imposed and amounts collected			
Number imposed	616	687	12%
Value imposed	£3,622,037	£675,085.00	-81%
Amount collected	£1,561,474	£947,381	-39%
Receipt of Bail Moneys			
Persons bailed	188	379	102%
Money received	£17,110	£31,085.00	82%
Arrest Orders			
Number of Arrest Orders	6,015	5,904	-2%
Service of Process			
Service of Judicial documents	462	558	21%
Value of fees collected	£46,501	£63,330.00	36%
Costs			
Number imposed	29	16	-45%
Value imposed	£106,200	£16,880.00	-84%
Compensation Orders			
Number imposed	80	76	-5%
Value imposed	£85,960	£61,599	-28%
Judgments received and processed			
Number lodged	595	732	23%
Total amount collected	£389,418	£601,958	55%
Evictions			
Number of evictions carried out	17	4	
Maintenance Orders under enforcement			
Number of Maintenance Orders under enforcement	69	41	-41%
Proceeds of Crime - <i>Saisies Judiciaires</i>			
New cases (including Drug Trafficking)			
Local	4	7	75%
External	1	2	100%
Approximate value of assets arrested	£913,263	£5,417,280,941	593079%
Confiscations (concluded cases): Proceeds of Crime			
Number	4	4	0%
Value (net) GDP	£127,103	£122,745.00	-3%
Value (net) USD		\$1,233,890	
Cases discharged	1	1	
Cases carried forward into following year			
Local	9	12	33%
External	10	11	10%

Civil Asset Recovery			
New Cases			
Local	0	0	
External	0	1	
Approximate value of assets arrested	£0	£244,863	
Confiscations (concluded cases): Civil Asset Recovery			
Number	0	0	
Value (net)	£0	£0.00	
Value (net)	£0	£0.00	
Cases discharged	0		
Cases carried forward into following year			
Local	0	0	
External	1	2	100%
Civil Proceedings Forfeiture of Assets			
New Cases			
Local	1	2	100%
External	0	0	
Approximate value of assets arrested	£94,552	£2,380,629	2418%

Insolvency	2021	2022	%change 2021 to 2022
Désastre			
Declared	0	3	
Completed	0	4	
Discharges of personal bankrupts			
Granted	2	2	0%
Extended	0	0	
Sales of immovable property			
Number of properties	1	0	-100%
Value	£2,00,000		
Debt Remission Orders			
Number of applications received	0	0	
Orders granted	0	0	
Désastre checks			
Checks conducted	18,172	18,556	2%
Charges invoiced	£359,607	£280,042	-22%
Remise de Biens applications			
Applications received	0	0	
Applications granted	0	0	
Cross border applications			
Applications granted	4	2	-50%
Applications pending	0	1	

Request for assistance out of Jersey Court			
Applications granted	1	2	100%
Delegate clients			
Appointments	16	12	-25%
Cases closed (reasons from 2022)	9		-100%
New Delegate Appointed		1	
Deceased		8	
Under administration at year end	40	43	8%
Deceased clients awaiting Probate		10	
Vues de Vicomte			
In progress	0	0	
Completed	1	0	-100%
Approved Liquidators			
Jersey	N/A	4	
Overseas	N/A	12	
Charges invoiced	N/A	£12,800	
Assets under administration			
Insolvency	£3,470,627	£180,273	-95%
Delegate: current	£1,331,136	£2,859,667	115%
Delegate: deceased	£130,221	£106,473	-18%
Total Delegate	£1,461,357	£2,966,141	103%
Total	£4,931,984	£3,146,414	-36%

Assizes	2021	2022	%change 2021 to 2022
Trial process started	22	25	14%
Trials not completed*	7	8	14%
Trials completed	14	17	21%
Days	53	102	92%
Jury Exemptions	453	645	42%
Jury Summonses	1,130	1,170	4%
Jurors given financial assistance	0	1	

*For these purposes a trial process is started when a list of potential jurors has been drawn (tirage). There are a variety of reasons why a trial might not complete, for example, the defendant changes plea, the prosecution is abandoned, or the trial was rearranged to a separate date and a fresh list of potential jurors was drawn, etc.

Coroner	2021	2022	%change 2021 to 2022
Reported Deaths			
Inquest cases	48	96	100%
Cleared after autopsy	50	86	72%
Cleared by doctor's cert etc.	68	30	-56%
	166	210	

Deaths reported as % of all registered deaths ³	20%	24%	20%
Unreported Deaths			
Approvals for doctor to issue cert of fact and cause	176	166	-6%
Permits Issued			
Import/export of bodies	24	38	58%
Exhumation	2	0	-100%
Inquests Concluded ⁴			
Accident/Misadventure	16	12	-25%
Drugs/alcohol	3	4	33%
Industrial disease	0	1	
Lawful/Unlawful killing	0	1	
Natural Causes	12	20	67%
Open	3	2	-33%
Road Traffic Collision	0	2	
Stillbirth	0	0	
Suicide	14	7	-50%
Narrative	2	2	0%
Total Number of Inquests Completed	50	51	2%
Inquest cases carried forward to following year	33	59	79%

³ Based on a total of 874 deaths registered in Jersey in 2022 (although there were 913 actual deaths in Jersey in 2022)
Source: Annual Statement of the Office of the Superintendent Registrar 2022, "Births, Deaths, Stillbirths, Marriages and Civil Partnerships registered"

⁴ The finding of an inquest in Jersey is given in a narrative form. However, for statistical purposes for the Annual Report, these findings are re-classified into the short-form conclusions used in England and Wales. The table above has been modified for this Annual Report to include all of the short-form conclusions in England and Wales, which were revised by the coming into force of The Coroners (Inquest) Rules 2013.