



Judicial Greffe & Viscount's Department

2010

# Jersey Court Service Annual Report



*Our Purpose:  
Supporting the delivery of justice*



INVESTOR IN PEOPLE

# TABLE OF CONTENTS

|   |    |
|---|----|
| FOREWORD .....                                    | 3  |
| PURPOSE & ORIGIN OF THE DEPARTMENTS .....         | 3  |
| Judicial Greffe.....                              | 3  |
| Viscount's Department.....                        | 3  |
| ORGANISATION OF THE COURT SERVICE .....           | 3  |
| MANAGERIAL STRUCTURE OF THE COURT SERVICE .....   | 3  |
| Judicial Greffe Corporate Board .....             | 3  |
| Judicial Greffe.....                              | 4  |
| Viscount's Department.....                        | 4  |
| SERVICES PROVIDED .....                           | 4  |
| Judicial Greffe (49 services) .....               | 4  |
| Viscount's Department (34 services).....          | 6  |
| OPERATIONAL & ADMINISTRATIVE ACTIVITY, 2010 ..... | 7  |
| Judicial Greffe.....                              | 7  |
| Samedi Section .....                              | 7  |
| Public Registry.....                              | 8  |
| Family Section .....                              | 8  |
| Interlocutory Services .....                      | 9  |
| Probate Section .....                             | 10 |
| Appellate Section.....                            | 10 |
| Intellectual Property Registry.....               | 11 |
| Magistrate's, Youth and Petty Debts Courts .....  | 11 |
| Receiving Evidence in Chambers .....              | 13 |
| Public Elections .....                            | 13 |
| Viscount's Department.....                        | 13 |
| Court Enforcement Functions .....                 | 13 |
| Assize Jury Functions.....                        | 14 |
| Coroner's Functions.....                          | 14 |
| Insolvency Functions .....                        | 15 |
| Other Functions .....                             | 16 |
| Corporate Services .....                          | 17 |
| LAW REFORM.....                                   | 17 |
| STRATEGIC ISSUES.....                             | 18 |
| Investors in People.....                          | 18 |
| Business Plan .....                               | 18 |
| Annual Report .....                               | 18 |
| Jersey Legal Information Board.....               | 18 |
| Integrating the Court Service .....               | 18 |
| CORPORATE MANAGEMENT OBJECTIVES.....              | 18 |
| HUMAN RESOURCES.....                              | 19 |
| Performance Review and Appraisal.....             | 19 |
| Training and Development.....                     | 19 |
| Training Evaluation .....                         | 20 |
| Other Human Resource Issues .....                 | 20 |
| INFORMATION SYSTEMS .....                         | 21 |
| Information Systems Groups .....                  | 21 |
| COMMUNICATIONS & PUBLIC RELATIONS .....           | 22 |

|   |           |
|---|-----------|
| <b>Communications</b> .....                             | <b>22</b> |
| <b>Public Relations</b> .....                           | <b>22</b> |
| <b>HEALTH &amp; SAFETY</b> .....                        | <b>22</b> |
| <b>FINANCE &amp; RESOURCES</b> .....                    | <b>22</b> |
| <b>Stamp Duty</b> .....                                 | <b>22</b> |
| <b>Departmental Expenditure</b> .....                   | <b>22</b> |
| <b>MISCELLANEOUS</b> .....                              | <b>23</b> |
| <b>Judicial Training Programme</b> .....                | <b>23</b> |
| <b>Advocacy Training</b> .....                          | <b>23</b> |
| <b>Corporate Social Responsibility</b> .....            | <b>23</b> |
| <b>Promotions, etc</b> .....                            | <b>23</b> |
| <b>Leavers</b> .....                                    | <b>24</b> |
| <b>New Staff</b> .....                                  | <b>24</b> |
| <b>Data Protection</b> .....                            | <b>24</b> |
| <b>CONCLUSION</b> .....                                 | <b>24</b> |
| <b>APPENDIX A</b> .....                                 | <b>25</b> |
| <b>ORGANISATION CHARTS</b> .....                        | <b>25</b> |
| <b>APPENDIX B</b> .....                                 | <b>26</b> |
| <b>SERVICE PLEDGES, TARGETS &amp; RESULTS</b> .....     | <b>26</b> |
| <b>APPENDIX C</b> .....                                 | <b>31</b> |
| <b>STATISTICAL DIGEST – JUDICIAL GREFFE</b> .....       | <b>31</b> |
| <b>APPENDIX D</b> .....                                 | <b>33</b> |
| <b>STATISTICAL DIGEST – VISCOUNT’S DEPARTMENT</b> ..... | <b>33</b> |
| <b>APPENDIX E</b> .....                                 | <b>36</b> |
| <b>COURT SERVICE BALANCED SCORECARD</b> .....           | <b>36</b> |

## **FOREWORD**

This is the eighth Annual Report for the Judicial Greffe and the Viscount's Department to be produced in combination and is for the year 2010. It records the level of core operational and administrative activity within the Departments and also comments upon Strategic, Management, Human Resources, Information Systems and associated issues. This Report also reviews matters of Performance Management, a tool which is being enhanced across the Departments' activities.

### **PURPOSE & 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. The Department is therefore principally required to execute orders of the Courts. In addition, the Department fulfils the duties of Coroner, administers *Désastre* and similar proceedings (insolvency administration and investigation), serves legal process and enforces fines and judgment debts (court enforcement duties). The Department in its present form was established in 1930 by the "Loi (1930) constituant Le Département du Vicomte". The Department principally functions through two operational sections (the Enforcement and *Désastre* Sections), administrative support being provided by the Corporate Services and Accounts Sections. Within the Enforcement Section a rotating shift system is worked covering the hours 7.00 am to 7.30 pm: this shift system is supplemented by a Duty Officer service which provides cover 24 hours per day, 365 days per year.

In this Report, the Judicial Greffe and Viscount's Department are described collectively as the Court Service.

### **ORGANISATION OF THE COURT SERVICE**

The organisation of the Court Service (comprising 48.04 FTE in the Judicial Greffe and 23.85 FTE in the Viscount's Department), as at 31 December 2010, is as shown in the organisation charts at Appendix A. The increase in a single FTE over 2009 has been due to the transfer of the post of Registrar of Appeals and Tribunals, which was previously housed at Social Security.

### **MANAGERIAL STRUCTURE OF THE COURT SERVICE**

#### **Judicial Greffe Corporate Board**

|                     |  |
|---------------------|--|
| Mr M Wilkins        | Judicial Greffier                      |
| Advocate P Matthews | Deputy Judicial Greffier               |
| Mr J Lambert        | Director of Services                   |
| Mr D Le Heuzé       | Magistrate's Court Greffier            |
| Mrs S Auckland      | Corporate & Judicial Resources Manager |

## **Judicial Greffe**

As at 31 December 2010, the Judicial Greffe's Management Team comprised the following:

|                     |   |
|---------------------|---|
| Mr M Wilkins        | Judicial Greffier                               |
| Advocate P Matthews | Deputy Judicial Greffier                        |
| Advocate V Obbard   | Registrar, Family Division                      |
| Mr J Lambert        | Director of Services                            |
| Mr D Le Heuzé       | Magistrate's Court Greffier                     |
| Mrs S Auckland      | Corporate and Judicial Resources Manager        |
| Mrs C Coleman       | Assistant Judicial Greffier (Appellate Section) |
| Mr C Thérin         | Assistant Judicial Greffier (Royal Court)       |
| Mr A Le Bihan       | Registrar of Deeds                              |
| Miss M Laurent      | Registrar of Probate                            |
| Mrs L Cave          | Registrar of Tribunals and Appeals              |

## **Viscount's Department**

As at 31 December, 2010, the Viscount's Department Corporate Board and Management Team comprised the following:

|                |   |
|----------------|---|
| Mr M Wilkins   | Viscount                                  |
| Mr P de Gruchy | Deputy Viscount                           |
| Mr J Lambert   | Director of Services                      |
| Mr N Truscott  | Principal Enforcement Officer             |
| Mrs L Allo     | Principal Administrator, Désastre Section |
| Mrs C Le Sueur | Finance Manager                           |
| Mrs S Pierce   | Corporate Services Officer                |

## **SERVICES PROVIDED**

### ***The 83 functions fulfilled by the Court Service***

#### **Judicial Greffe (49 services)**

##### **Samedi Section**

- Managing actions pending before the Royal Court
- Taxing of Costs
- Administering the Legal Aid Disbursements Fund
- Processing appeals from the Magistrate's, Youth and Petty Debts Courts
- Registering Doctors and other professional persons
- Registering Deeds Poll
- Registering Foreign Judgments
- Registering Foreign Maintenance Orders
- Conducting *Dégrèvements* (Discumbersments of Immovable Property)
- Managing the Electoral College List
- Acting as Postal and Pre-Poll Voting Officer at Public Elections
- Acting as *Greffier Arbitre* (Official Assessor or Arbitrator)
- Drafting Rules of Court
- Holding and depositing monies paid into Court
- Processing Liquor Licences (issued by the Licensing Assembly)
- Processing Gambling Licences (issued by the Gambling Licensing Authority)
- Preparing Petitions of the Superior Number of the Royal Court to Her Majesty in Council

### **Public Registry**

- Maintaining the Public Registry of Contracts
- Providing certified extracts from the books of the Public Registry
- Registering and lodging of Wills of Immovable (Real) Property
- Registering Immovable (Real) Property and associated Contracts (*Contrats*)
- Registering and cancelling Judicial Hypothecs (*Reconnaissances*)
- Registering Powers of Attorney

### **Probate Section**

- Granting Probate and Letters of Administration
- Overseeing the Curatorship system

### **Family Section**

- Filing petitions and administration of applications for divorce
- Pronouncing decrees of divorce
- Hearing applications for the care of children, maintenance, transfer of property and lump sums in matrimonial cases
- Hearing applications for maintenance and care of children in other family cases
- Preparing applications and administration of adoption hearings

### **Interlocutory Services**

- Hearing Summonses and making orders in interlocutory (civil) matters
- Making Orders for service of legal process out of the jurisdiction and for substituted service

### **Appellate Section**

- Processing cases on appeal to the Court of Appeal
- Recording and indexing appeals to the Privy Council
- Transcribing Judgments
- Recording and transcribing evidence
- Maintaining the Unreported Judgments Series
- Forwarding Judgments to the Editor of the Jersey Law Reports
- Registration and indexing of Orders in Council
- Acting as Secretary to the Prison Board of Visitors

### **Magistrate's, Youth and Petty Debts Courts**

- Providing for the operation of the Magistrate's, Youth and Petty Debts Courts

### **Intellectual Property Registry**

- Maintaining the Trade Marks, Patents and Designs Registries

### **Appeals and Tribunals' Registry**

- Acting as Registrar of Appeals and Tribunals

### **Other Services**

The following additional services were provided by the Department:

- Attending sittings of all Courts and Tribunals as Clerk
- Issuing and enrolling Acts of the Court
- Advising on procedural law
- Promoting law reform in the context of the Department's service areas
- Receiving evidence in Chambers for Jersey and foreign Courts
- Acting as *Autorisé* at public elections

## **Viscount's Department (34 services)**

### **Court Enforcement Functions**

- Collect and enforce fines
- Receipt and payment of Bail moneys
- Arrest and presentation for non-appearance in Court (FTAs)
- Service of legal process
- Collect (and pay) costs and compensation
- Execute and enforce civil Judgments
- Carry out evictions
- Enforce maintenance orders, collecting and paying 'Alimony'
- Enforce Criminal Seizure and Confiscation Orders

### **Assize Jury Functions**

- Prepare the *Tableau Général* (Jury List), and maintain and operate the computerised jury selection system
- Grant exemptions from jury service
- Grant financial assistance to jury members suffering financial hardship as a result of Assize jury service
- Act as jury *surveillant* (custodian)

### **Coroner's Functions**

- Conduct inquests
- Deal with all ancillary matters relating to sudden or unexpected death

### **Insolvency Functions**

- Administer *en Désastre* proceedings

### **Other Services**

- Act as *Autorisé* (Returning Officer) at Public Elections
- Administer oaths
- Administer the Collective Investment Funds Compensation Scheme
- Administer the estates of deceased persons
- Attend sittings of the Courts
- Attend sittings of the States
- Bear the Royal Mace of the Bailiff of Jersey
- Conduct *Vues de Vicomte*
- Convene sittings of the Royal Court and other bodies
- Grant exemptions from payment of Judicial Fees
- Act as Curator for impecunious Interdicts
- Act as *Tuteur* of last resort
- Act as trustee for Criminal Injuries Compensation Awards to Minors
- Promoting law reform in the context of the Department's service areas
- Deal with net proceeds of sale of properties sold by the Housing Committee after defaults on States Loans
- Perform various ceremonial duties
- Receive evidence in Chambers for Jersey Courts
- Act as Usher for children giving evidence via CCTV

# OPERATIONAL & ADMINISTRATIVE ACTIVITY, 2010

(See *Statistical Digest at Appendix C & Appendix D for fuller statistical information*)

## Judicial Greffe

### Samedi Section

The Samedi Section is responsible for providing a full support service to the Royal Court and other Tribunals, including: attending sittings as Clerk, issuing and enrolling Acts of the Court and providing advice on Court procedure. Other responsibilities undertaken include: taxing of costs; considering applications for disbursements in support of legally aided litigants; registering and indexing Orders in Council; and supporting the Gambling and Licensing Assemblies.



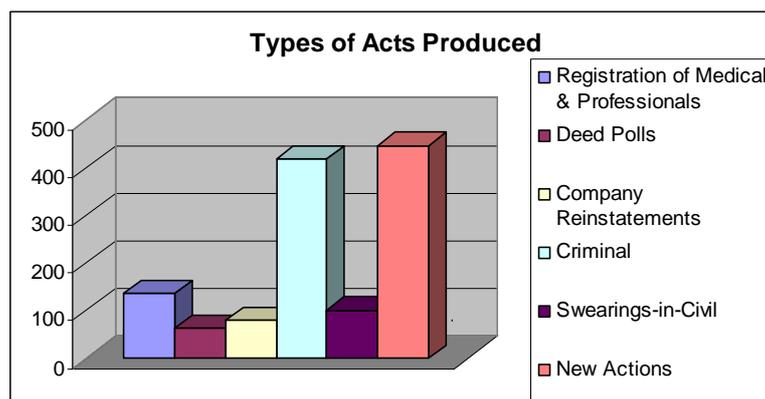
*Samedi Section Proceedings Officers*

### Acts Produced

The section produced 2,184 Acts in 2010 (2,147 in 2009) of which 143 related to the registration of medical and associated professionals, 63 related to deeds poll, 80 to company reinstatements, 102 to swearings-in, 42 to inquests, 126 to managers of liquor licences, 419 to criminal or evidence matters and 1,204 to other civil matters. Of the 1,729 Acts which were issued pursuant to an order of a judge of the Royal Court, 96.7% were within service pledge and of the 455 acts which were dealt with by a Greffier Substitute, 96.6% were within service pledge. There were 448 new actions brought before the Court and 31 Orders in Council were registered. The Licensing Assembly sat 11 times, and heard 112 applications. 72 licences were granted, 6 provisional licences, 14 were withdrawn and 2 were refused.

There were 17 Assize proceedings initiated in 2010 (see further page 14).

Finally, 28 public elections were ordered in respect of Senators, Deputies, Constables, Centeniers and Procureurs du Bien Public.



### **Taxation of Costs**

In 2010, 85 bills of costs were submitted for taxation by the Judicial Greffe (38 civil and 47 criminal). All of these bills were dealt with by the Assistant Judicial Greffier (Royal Court) as Taxing Officer.

### **Legal Aid Vote**

In 2010, there were 163 new applications for the payment of disbursements from the Legal Aid Vote (109 civil and 54 criminal).

## **Public Registry**

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

### **Breakdown of Public Registry – Stamp Duty Received**

|                    | <b>2007 (£)</b>   | <b>2008 (£)</b>   | <b>2009 (£)</b>   | <b>2010 (£)</b>   |
|--------------------|-------------------|-------------------|-------------------|-------------------|
| Contracts & Wills  | 21,877,000        | 16,823,000        | 15,800,000        | 13,538,000        |
| Judicial Hypothecs | 5,059,000         | 4,463,000         | 2,487,000         | 2,346,000         |
| <b>Total</b>       | <b>26,936,000</b> | <b>21,286,000</b> | <b>18,287,000</b> | <b>15,884,000</b> |

### **Value of property transactions registered**

The value of property transactions registered in the Public Registry during 2010 amounted to some £649 million, compared with £735 million in 2009 and £782 million in 2008. However, these figures do not include the value of properties which were transferred by Deeds of Gift or bequeathed in Wills of Immovable Estate, for which stamp duty was also received.

### **Number of documents registered and searches made in the Public Registry**

In 2010, there were 4,314 (compared with 4,736 in 2009) documents registered in relation to Contracts, Wills and Judicial Hypothecs. Using the Public Registry computerised database (*Public Registry Online*), 157,944 searches were conducted (159,269 in 2009), and 1,687,360 images were downloaded (compared with 1,503,587 in 2009).

### **Public Registry Online**

The Public Registry computerised database, *Public Registry Online*, which became available for general use in 2007, continued to provide full access to Public Registry documents over the Internet at all times. Total downtime for the system during the year amounted to less than 4 hours, or an availability rate 99.95% (99.86% in 2009).

## **Family Section**

The Family Section is responsible for providing a comprehensive service to the Royal Court for Family proceedings. These include causes for the termination of marriage (including nullity), judicial separation cases, ancillary matters, and applications relating to children. In addition there are children cases where the parties are not married.

| <b>Breakdown of types of petition filed in 2010</b> |     |
|---|-----|
| 1 year Separation (by consent)                      | 102 |
| 2 year Separation                                   | 70  |
| Judicial Separation/Nullity                         | 4   |
| Adultery  | 22  |
| Desertion   | 0   |
| Cruelty   | 0   |
| Unreasonable behaviour                              | 48  |

The Family Division also deal with applications relating to the legitimacy of children, adoption proceedings, care orders and child abduction.

| <b>Free standing children applications filed in 2010</b> |    |
|--|----|
| CH cases   | 71 |

Reciprocal Enforcement cases are also dealt with by the Family Section, involving liaising with foreign Courts and applications for the recognition and enforcement of Children Orders made in the UK.

The Children (Jersey) Law 2002 and accompanying Rules came into force on 1 August 2005, as did Amendment 11 of the Matrimonial Causes (Jersey) Law 1949. The Matrimonial Causes Rules were rewritten and came into force on 1 August 2005. The Child Custody (Jurisdiction) (Jersey) Law 2005 came into force on 1 January 2006, together with accompanying Rules.

| <b>Summonses heard and orders made in 2010</b> |     |
|--|-----|
| Preliminary directions hearing                 | 537 |
| Case review hearing                            | 237 |
| Summonses heard (half day or more)             | 95  |
| Family/CH Acts issued                          | 270 |
| Adoptions (2 Orders per child)                 | 17  |
| Nisi Acts issued                               | 347 |
| Matrimonial Acts issued                        | 735 |
| Reciprocal Orders                              | 4   |
| Parental Responsibility Agreements             | 49  |

**239** decrees absolute of divorce were granted in 2010, compared with **217** in 2009. **246** petitions were filed in 2010, compared with **245** in 2009.

### Family Section – 2011 Action Plan

Addition databases implemented:

- Maintain & enhance use of parental responsibility agreement database
- Maintain & enhance use of enforcement of maintenance database

Case Management of Matrimonial and Children Cases  
Revision of Children and Adoption Forms

### Legislation:

Civil Partnership (Jersey) Law 201-

### Children Law Seminar:

The Family Section organised a successful in June on the Interplay between Criminal and Family Proceedings the speaker being Commissioner Pamela Scriven, Q.C..

## Interlocutory Services

In 2010, 113 dates were fixed for summonses; 55 came before the Master, and 58 were vacated, adjourned or settled (there were 131 date fixes in 2009). In 2010, 53 summonses of half a day or less were heard (44 in 2009). No written judgments were delivered but written reasons were given for 8 decisions (compared with no judgments delivered and 8 written reasons for decisions in 2009). The number of Acts (including consent orders) produced in 2010 was 232, with 26 relating to service out of the jurisdiction or substituted service (there were 266 Acts for 2009, including consent orders, 18 related to service out of the jurisdiction or substituted service).

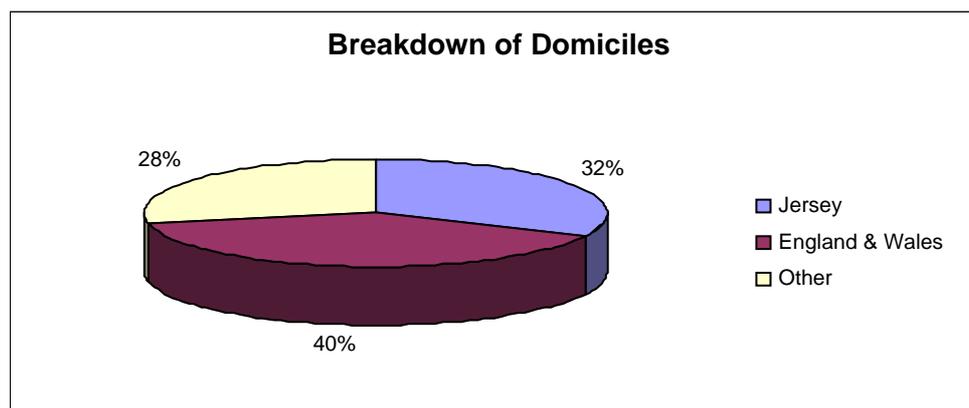
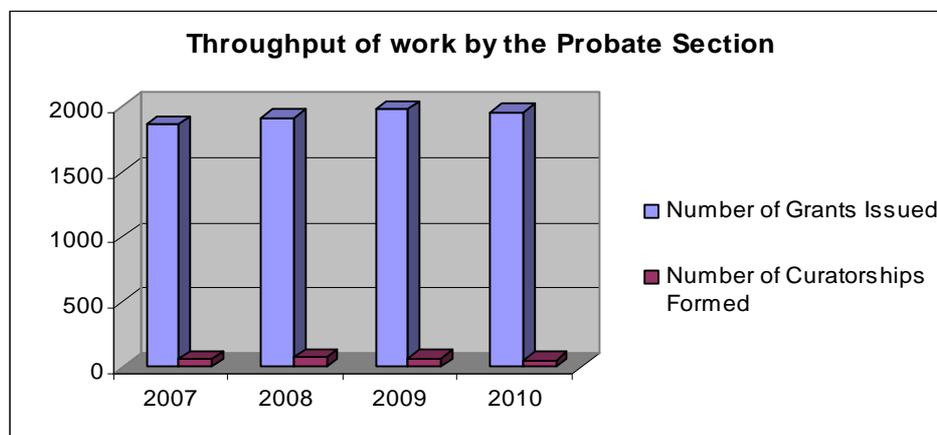
| <b>Types of Summons heard in 2010</b>      |           |
|--|-----------|
| Striking out applications                  | 4         |
| Amendment of Pleadings                     | 2         |
| Directions (including stays for mediation) | 21        |
| Further & Better Particulars               | 2         |
| Summary Judgment                           | 9         |
| Assessment of Damages                      | 1         |
| Security for Costs                         | 6         |
| Extension of time                          | 2         |
| Adjournment or Change Date                 | 2         |
| Additional parties                         | 3         |
| Preliminary Issue/Split Trial              | 0         |
| Discontinuance                             | 0         |
| Vue de Vicomte                             | 1         |
| Unless Orders                              | 2         |
| <b>Total</b>                               | <b>55</b> |

The number of case reports which were produced in 2010 was 14 (8 in 2009).

In relation to Planning Appeals the Master decided in 8 cases whether appeals would be dealt with under the ordinary or modified procedure and adjudicated on 2 appeals 'on the papers'. 7 Appeals were withdrawn. The breakdown of types of summonses in relation to which hearings took place (measured in half days or part thereof) is shown in the table.

## Probate Section

The Probate Section is responsible for examining, validating and granting the right to lawyers, trust corporations and members of the public to recover or receive any part of a Jersey estate. During 2010, applications for Grants of Probate and Letters of Administration involved persons who died domiciled both in Jersey and in 69 other jurisdictions worldwide. 1,961 Grants were made in the year (1,986 in 2009), representing a total estates value of £364,802,594. The Section is also responsible for overseeing the administration of Curatorships, 53 new Curatorships being formed in 2010.



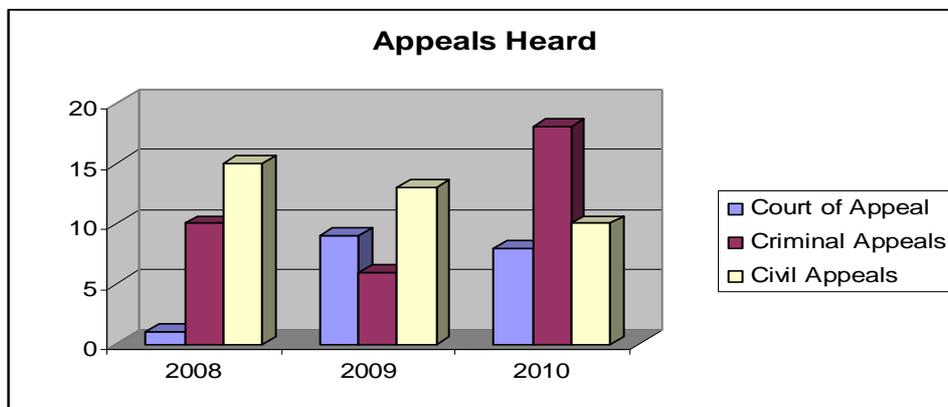
*Jersey (635), England & Wales (778) and Other (548)*

## Appellate Section

The Appellate Section is responsible for all administrative arrangements for the Court of Appeal and the Court of Appeal Judges, including arranging the annual schedule for the Court and the rota of judges, filing of all appeals, and the preparation of all the paperwork for each sitting. The Assistant Judicial Greffier for the Court of Appeal acts as clerk to the judges, attends all the sittings as Greffier, drafts the Acts of Court, and provides procedural advice to members of the legal profession and litigants in person. In addition to the scheduled sittings, the Appellate Section is also responsible for any appeals to the Superior Number against sentences passed by the Inferior Number, and will arrange special sittings of the full Court when necessary. In 2010, the full Court sat a total of 8 times, and heard 10 civil appeals and 18 criminal appeals; a single judge sat on 12 occasions.

During 2010 two new judges were appointed, Sir Hugh Bennett a retired High Court judge with experience of Family matters and Christopher Nugee Q.C., a trust specialist from Wilberforce Chambers. Both will be sworn in and sit for the first time in 2011.

In addition to the administration of the Court of Appeal, the Appellate Section is also responsible for the publishing of all unreported judgments on the Jersey Legal Information Board website and the verbatim transcribing of Court proceedings.



### ***Prison Board of Visitors***

The Appellate Section provides a secretarial service to the Prison Board of Visitors. The Judicial Assistant to the Court of Appeal acts as Secretary. There were 12 ordinary meetings of the Board at the Prison in 2010 and 4 meetings with the Home Affairs Minister.

### ***Intellectual Property Registry***

The Judicial Greffe is responsible 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. During 2010, 49 new trade marks were registered and 460 certificates were produced for updating registered marks. 32 patents were registered or updated and there were no update applications for designs.

### ***Magistrate's, Youth and Petty Debts Courts***

Advocate Falle continued his appointment as the Acting Magistrate, with Mrs Bridget Shaw completing her second year as Assistant Magistrate. Relief Magistrate Advocate Peter Harris continued to work full time within the Magistrate's Court as cover.

The Greffe saw the departure of Mel Hefford, the Proceedings and Administration Officer with responsibility for the criminal court and appeals. Mr Hefford has obtained a position as a first pilot with a local company and we all wish him every success.

The Daisy Court Management system which has continued to be developed with St Helier Charges' Office being able to view court loading to assist scheduling of their cases. It is intended that the ability to populate the diary with new cases will be allowed, with the Greffe retaining ultimate responsibility for the court load. The Viscount's Department also gained viewing access along with the Law Officers' Department and Criminal Justice Unit. To assist Centeniers, this access was extended to the Duty Custody Sergeant of the States of Jersey Police force. This year will also see the Judicial Greffe being linked to the system which means that 90% of the main agencies within the Criminal Justice System will have various links to Daisy, always subject to necessary security levels.

The trend of increasing cases within the Magistrate's Court stopped this year with a significant decrease of 17% over 2009 in the overall number of non parking cases presented.

On the civil side the court has seen a decrease in actions tabled of 13.75% with a corresponding decrease of 8.7% in the value of cases tabled. The number of trials increased to 14 over 2009 which has meant a greater usage of Relief Magistrates presiding over civil trials.

## Magistrate's Court

The Magistrate's Court saw a total of 1,564 non parking cases being dealt with, which represents a decrease of approximately 21.48% over 2009 with a corresponding decrease of 18.12% in the number of individuals being presented before the Magistrates. As can be seen from Table 1, this represents a significant decrease in the number of cases being presented compared to the last 3 years. There has been a significant decrease in the number of cases committed to the Royal Court of just over 16% with a corresponding decrease of 15.4% in the numbers of individuals being committed. This is a welcome return to the numbers seen 5 years ago.

| <b>Magistrate's Court</b>        | <b>2007</b>  | <b>2008</b>  | <b>2009</b>  | <b>2010</b>  |
|----------------------------------|--------------|--------------|--------------|--------------|
| Non parking cases completed      | 1,714        | 1,767        | 1,992        | 1,564        |
| Cases committed to Royal Court   | 212          | 185          | 208          | 174          |
| Parking cases completed          | 714          | 486          | 493          | 497          |
| <b>Total completed cases</b>     | <b>2,640</b> | <b>2,438</b> | <b>2,693</b> | <b>2,235</b> |
| Non parking persons              | 1,446        | 1,466        | 1,600        | 1,310        |
| Persons committed to Royal Court | 141          | 160          | 175          | 148          |
| Parking persons                  | 383          | 303          | 245          | 266          |
| <b>Total persons</b>             | <b>1,970</b> | <b>1,929</b> | <b>2,020</b> | <b>1,724</b> |
| Non parking arrest               | 320          | 289          | 264          | 231          |
| Parking arrest                   | 1,065        | 943          | 955          | 504          |
| <b>Total arrests</b>             | <b>1,385</b> | <b>1,181</b> | <b>1,219</b> | <b>735</b>   |
| <b>Total remands</b>             | <b>2,754</b> | <b>2,755</b> | <b>2,509</b> | <b>2,117</b> |
| <b>Total volume of case work</b> | <b>6,779</b> | <b>6,374</b> | <b>6,421</b> | <b>5,087</b> |

Whilst the year saw a decrease of nearly 40% in the total number of Arrest Orders issued, the number of non parking arrest orders being issued decreased by 12.5%. Parking Arrest Orders are mainly determined by the number of summonses sent out by the Parish of St Helier.

The overall workload within the Magistrate's Court decreased significantly over 2009 with 5,047 cases, committals and Arrest Orders being handled this year compared with 6,421 in 2007, a decrease of 20.77% in the workload of the court.

## Youth Court

The change in practice of the Youth Court in trying to deal with cases on first appearance, with a dedicated Duty Advocate for the Youth Court as agreed with the Acting Bâtonnier has produced some welcome returns in the number of cases being remanded.

| <b>Youth Court</b>     | <b>2007</b> | <b>2008</b> | <b>2009</b> | <b>2010</b> |
|------------------------|-------------|-------------|-------------|-------------|
| Total cases            | 321         | 327         | 344         | 253         |
| Total Youths           | 215         | 218         | 219         | 171         |
| Royal Court committals | 12          | 13          | 28          | 9           |
| Arrests                | 25          | 20          | 10          | 3           |
| Remands                | 484         | 372         | 291         | 183         |

This approach of bringing the end sanction closer to the offence appears to have contributed to a significant drop in breaches of bail and further offending.

Overall, the workload within the Youth Court has decreased dramatically with 253 cases being heard in 2010 compared to 344 in 2009. This represents a decrease of 26.45% compared to 2009 and the lowest number of cases heard in the last 3 years. As to be expected there was also a 21.9% decrease in defendants, see Youth Court Table.

This is a very welcome development for Jersey. The number of committals to the Royal Court also saw a decrease over 2009 and returned to the levels previously experienced within the Youth Court.

## Petty Debts Court

The Petty Debts Court is subdivided into 3 divisions:

- Civil Claims Division
- Tenancy Division
- Family Division.

This year saw a decrease of 13.75% in the number of actions tabled over 2009. This is also reflected in a decrease in the value of actions tabled of £971,750, a percentage decrease of 8.7%.

| <b>Petty Debts Court</b> |             |             |             |             |
|--------------------------|-------------|-------------|-------------|-------------|
| <b>Civil Claims</b>      | <b>2007</b> | <b>2008</b> | <b>2009</b> | <b>2010</b> |
| Actions                  | 8,258       | 7,802       | 8,406       | 7,250       |
| Adjournments             | 2,584       | 2,207       | 2,816       | 2,681       |
| New actions              | 5,674       | 5,595       | 5,590       | 4,544       |
| Judgments                | 4,101       | 4,111       | 4,048       | 3,295       |
| <b>Contested cases</b>   | <b>2007</b> | <b>2008</b> | <b>2009</b> | <b>2010</b> |
| Direct to mediation      | 119         | 151         | 151         | 135         |
| Direct to pleadings      | 2           | 4           | 9           | 5           |
| <b>Mediation</b>         | <b>2007</b> | <b>2008</b> | <b>2009</b> | <b>2010</b> |
| Settled                  | 88          | 68          | 92          | 79          |
| Pending                  | 16          | 51          | 34          | 24          |
| Withdrawn/transferred    | 7           | 12          | 9           | 14          |
| Judgment/struck out      | 8           | 20          | 16          | 18          |
| <b>Trials</b>            | 7           | 5           | 14          | 14          |
| <b>Tenancy</b>           | 14          | 30          | 22          | 23          |
| <b>Family</b>            | 4           | 0           | 3           | 3           |
| <b>Total Value (£)</b>   | 8,578,799   | 8,547,689   | 11,080,285  | 10,108,535  |
| <b>Stamp Duty (£)</b>    | 103,731     | 100,394     | 108,665     | 92,960      |

There was a corresponding decrease of 14.45% in the value of stamp duties being paid into the court with £92,960 being received compared to £108,665 in 2009. There were increases in the number of trials from 8 to 14 with greater use of Relief Magistrates to counter this increase.

## Performance Management

Performance monitoring and management continued in the Magistrate's Court Greffe. To see the success of the section in meeting its Service Pledges to users please see Appendix B.

## Taxation of Costs

In 2010 the Magistrate's Court Greffe received 47 Bills of Costs (2 civil and 45 criminal) compared with 53 in 2009 (3 civil and 50 criminal).

## Court Usage

The Magistrate's Court building is in constant daily use with a mixture of Adult Remand Courts, Youth Courts, criminal trials, civil trials and Petty Debts Courts all being catered for. The Magistrate's Court Greffe also provides a weekly mediation session for claims that fall within the Petty Debts Court jurisdiction and ad-hoc sessions for other mediation requirements. In addition, the Royal Court and the Appeal Court used the premises during 2010 on a number of occasions, dealing with both criminal and civil matters.

## Receiving Evidence in Chambers

The volume of work in 2010 (12.5 hours) was higher than in 2009 (4 hours). All of the hearings took place before the Deputy Judicial Greffier.

## Public Elections

There were only two contested public elections in 2010: an election for 2 Centeniers in the Parish of St Saviour and an election for Senator.

## Viscount's Department

### Court Enforcement Functions

#### Collect and Enforce Fines

The rate of enforcement in this area continues to be high. The success rates of 99% by number, and 98% by value of fines for which time to pay was granted, reflect the close monitoring that is carried out, greatly enhanced by the computer processing system devised for this field of work. During the year, a total of 1,335 fines were imposed by the courts and a total of £611,101 was collected.

### **Receipt of Bail Moneys**

There were 101 active bails as at 31 December 2010, the sum held totalling £108,199.

### **Arrest and Presentation for Non-appearance in Court (FTAs)**

Arrest orders for 1,902 people who failed to appear in Court were issued in 2010.

### **Service of Legal Process**

In 2010, 2,287 items of legal process were served.

### **Collect (and Pay) Costs and Compensation**

The Courts awarded costs following prosecution in 161 cases during 2010, involving the sum of £86,870.

There were 138 orders for compensation imposed by the courts during the year involving the sum of £53,169.

### **Execute and Enforce Civil Judgments**

The Department received 2,380 judgments for enforcement during 2010, collecting £3,050,198 on behalf of creditors.

### **Carry out Evictions**

In 2010, 7 eviction orders were dealt with. As in previous years, this difficult and sensitive area of work was completed without incident or publicity.

### **Enforce Criminal Seizure and Confiscation Orders**

There were 10 drug trafficking Confiscation Orders in 2010, involving £12,477. Proceeds of crime *saisies judiciaires* (freezing orders) involved £51,155,197 in six cases, of which one case amounted of \$52,589,603 being seized. This case is currently before the Courts.

### **Enforce Maintenance Orders, collecting and paying 'Alimony'**

23 maintenance orders were under enforcement at the year end. Of these, 17 involved reciprocal enforcements for other jurisdictions.

## **Assize Jury Functions**

The computerised jury selection system was called upon 17 times in 2010, although only 13 trials were completed, taking up 46.5 days. This entailed the warning of 984 jurors and 116 witnesses, one such trial being of a very exceptional nature.

## **Coroner's Functions**

The Inquests and Post-Mortem Examinations (Jersey) Law 1995 continued to work effectively. Good liaison continued with the UK and other Coroners. The Department continued to be responsible for certain organ transplant cases, authorising reburials, inter-jurisdictional transfer of bodies and certain cremation documentation.

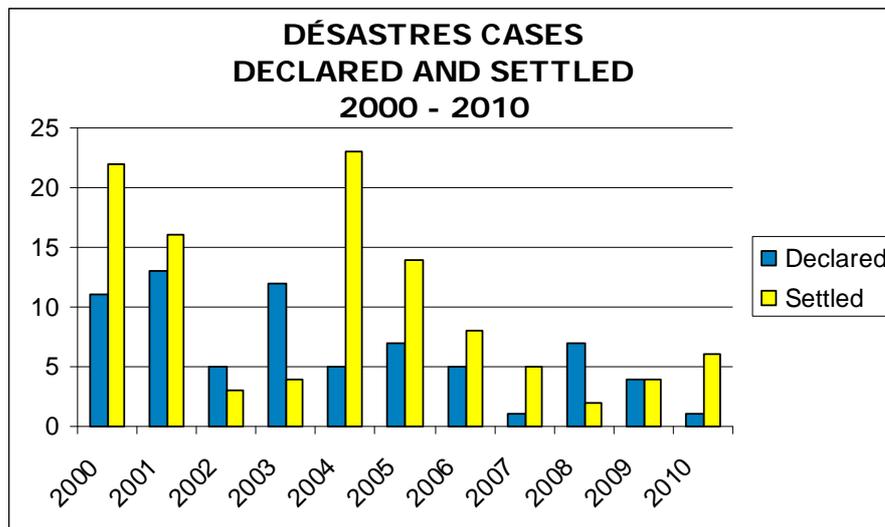
### **Deputy Viscount's Input**

These duties continued to be almost entirely borne by the Deputy Viscount, who acts as *de facto* Coroner, assisted by Relief Coroners Jurat Mrs Barbara Myles OBE and Dr Margaret Bayes. 19% of all deaths were reported to the Deputy Viscount. There were 44 inquests in the year; the Deputy Viscount conducted 34, Jurat Myles conducted 1, Dr Bayes conducted 6 and the Viscount 3. The categories of verdicts reached are shown in the statistical digest at Appendix D. In terms of time spent, most of the work relates to cases that do not reach inquest. A stand-by arrangement is in place with the Police and the General Hospital for the Coroner to be available outside of working hours to give directions in difficult cases, including organ transplant cases.

## Insolvency Functions

### Cases Declared and Settled

There was 1 *désastre* declared in 2010, and 6 cases were brought to closure during the year. A caseload of 6 *désastre* cases remained outstanding at the end of the year, of which 3 were declared prior to 2004 (each of which incorporates ongoing legal complexities). Save in exceptional circumstances, the Section targets completion of *désastre* cases within 2 years of declaration. As reported, incoming cases are surprisingly low given the advent of the global recession in late 2008. However, response to economic circumstances can be delayed (the so-called ripple effect) – there is no room for complacency given that the mean declaration rate between 1990 and 2010 remains in the region of 20.



Additionally, at the end of 2010, 7 personal cases were under review awaiting discharge applications.

### Assets Realised

£18,691 (against liabilities of £534,581) were realised for creditors in the year. An average of 3 pence in the pound was recovered for the benefit of unsecured creditors in settled cases.

### Discharges

During 2010, 4 discharges from personal bankruptcy were granted.

### Désastre Checks

A total of 7,431 *désastre* checks (confirming whether declarations *en désastre* have in fact been made) were carried out during the year, compared with 6,532 in 2009. A charge continues to be levied for this service (income generated in 2010: £42,385 compared to £40,795 in 2009), other than where users access such information via the Department's website.

### General Enquiries

During 2010, a total of 95 enquiries (compared to 101 in 2009) were received as to the management of cash-flow, liquidity and related issues. A total of 27 hours was recorded in dealing with these enquiries (compared to 50.25 hours in 2009).

### Delegation of Case-Work

As in previous years, delegation of *désastre* case work to forensic accountants was maintained on a selective basis, and legal advice was obtained from local and external lawyers where necessary.

### International and Cross-Border Dimensions

The Royal Court rendered assistance to foreign courts in insolvency matters on a number of occasions during the year, principally pursuant to the enabling provision provided by Article 49 of the *Désastre* Law or by way of Comity: in such circumstances the *Désastre* Section reviews the appropriateness of applications on behalf of the Court.

Of particular note is the matter of Woolworths plc which became the subject of Administration in England in November 2008.

Following a hearing before the Royal Court on 11 January 2010, priority creditors of Woolworths' Jersey store, as adjudicated on by the Viscount, were paid in full in February 2010. On 27 September 2010, the Royal Court was addressed on the terms of a settlement proposal reached by the Viscount, the Minister for Treasury and Resources, as the largest Jersey unsecured creditor (including as assignee of employees' claims), and Woolworth's Joint Administrators. The Court was satisfied that the settlement proposal was in the best interests of all affected parties and a dividend payment of 76.64p in the pound was paid to the Jersey unsecured creditors in October 2010. These payments, facilitated by the realisation of Woolworths' immovable property in Jersey, brought all related matters and proceedings in Jersey to a close.

In furtherance of the promotion and protection of the Island's external image as an international finance centre, committed to the provision of a first class insolvency service, fully conversant with cross-border issues and practice, during the year the Section's staff:

- Contributed to the work of the International Association of Insolvency Regulators (IAIR)
- Contributed to the work of INSOL Europe (formerly the European Insolvency Practitioners Association)

The text book "Jersey Insolvency and Asset Tracking" and its Spring Supplement 2009, co-authored by Advocate Anthony Dessain and the Viscount, continued to be used by practitioners and the Royal Court as a reference source during the year.

### ***Disclaimers***

One disclaimer was issued under the provisions of Article 15 of the Désastre Law in respect of onerous movable property as the lease could not be assigned or surrendered.

### **Related Functions**

The Viscount was appointed, in March, principally to administer the affairs of a minor until the individual had reached the age of majority in December 2010. This was an exceptionally complex matter relating to family property interests which required the engagement of a variety of professional service-providers. The Section's function here, duly accomplished, was to bring objectivity and stability to a situation embodying conflicting interests.

### ***Other Functions***

#### ***Administer the Collective Investment Funds Compensation Scheme***

The Scheme not having been invoked up to the end of 2010, the Department has not yet been called upon to fulfill any functions under the relevant legislation, but remains at readiness to do so.

#### ***Attend Sitzings of the Court***

Officers from the Department, principally the two Court Officers, serviced 354 of the Magistrate's Court sittings, 132 Royal Court and Court of Appeal sittings, and 55 of the Youth Court sittings during 2010.

#### ***Attend Sitzings of the States***

The Viscount attended 9 sittings of the States during 2010, the Deputy Viscount attended 14 sittings, and the Principal Enforcement Officer attended 27.

#### ***Bear the Royal Mace of the Bailiff of Jersey***

During 2010, in addition to the sittings of the States, the Bailiff's Mace was borne on various occasions, principally by the Deputy Viscount.

#### ***Convene Sitzings of the Royal Court and other Bodies***

Convening Notices were issued on 1520 occasions in 2010.

### **Act as Curator for Impecunious Interdicts**

There were 32 cases under administration at the year end, a net decrease of 5 over the year. Steps continue to be taken, in liaison with the Law Officers' Department, to restrict the number of cases under administration and to provide for the long-term allocation of such cases. A working group, of which the Principal Administrator, Désastre Section, is a member, was set up to assess the prospect of creating an official Curatorship service. This matter remains under review.

### **Grant Exemptions from the Payment of Judicial Fees**

174 exemptions from the payment of judicial fees were granted in 2010.

### **Act as Trustee for Criminal Injuries Compensation Awards to Minors**

There were no new cases in 2010.

### **Conduct Vues de Vicomte (Boundary Demarcations)**

There were no *Vues de Vicomte* in 2010.

## **Corporate Services**

The Corporate Services Section provides an administrative service for the entire Viscount's Department.

The Section is particularly responsible for:

supporting the Viscount, Deputy Viscount and Relief Coroners in their own duties; organising assize juries; overseeing human resources; and providing other specialist secretarial, administrative and IT services.

In November 2010 a new Corporate Services Officer, Mrs Sheila Pierce, was appointed to succeed Mrs Louise Cave, who left after many years of valuable service to take up the post of Registrar of Appeals and Tribunals, a function transferred to the Judicial Greffe and previously housed at Social Security . The Section continues to be an exemplar in terms of smart working and operational flexibility.



*Janine de la Haye, Melanie Everitt and Sheila Pierce – Corporate Services*

## **LAW REFORM**

During the year, the Court Service identified and/or commented upon changes required in primary and subordinate legislation affecting the operation of the Courts or the Core Services provided by the Court Service. In addition, the following Practice Directions were issued.

|         |   |
|---------|---|
| RC10/01 | Handing down of Judgments                         |
| RC10/02 | Pleas and Directions Hearings in Criminal Matters |
| RC10/03 | Appeals under the High Hedges (Jersey) Law 2008   |
| RC10/04 | Taxation of Costs Factor 'A' Rates                |

## **STRATEGIC ISSUES**

### ***Investors in People***

Accreditation against the Investors in People standard was reviewed in July 2007 and the Court Service Departments were successfully re-assessed in 2010 and achieved the Bronze Award, due to be awarded in early 2011.

### ***Business Plan***

The Judicial Greffe and Viscount's Department have both issued annual Business Plans for a number of years. Within those plans all activities interface with the strategic objectives of the States, and success in achieving Business Plan objectives is monitored and acted upon across the Court Service. For the seventh time in 2010, the Judicial Greffe and Viscount's Department issued a joint, Court Service Business Plan.

### ***Annual Report***

The Annual Report for 2003 was the first combined report for the Court Service; this report for 2010 is therefore the eighth of such reports covering both the Judicial Greffe and Viscount's Department.

### ***Jersey Legal Information Board***

During the year, the Court Service continued to support the work undertaken by the Jersey Legal Information Board (JLIB).

### ***Integrating the Court Service***

During the year, the Court Service developed various initiatives in conjunction with other related Departments, designed to provide for improved integration of generic services. A formal officer level Integration Group, comprising the Court Service, Bailiff's Chambers and Law Officers' Department, meets periodically.

## **CORPORATE MANAGEMENT OBJECTIVES**

The principal values adopted in pursuit of the Court Service's objectives are to:

- Ensure that traditional standards of integrity and honesty are preserved.
- Maximise efficiency at minimum cost having regard to, and interfacing effectively with, the States' strategic objectives and the need to provide for an integrated Court Service.
- Ensure that the Court Service and its staff function in a businesslike and professional manner.
- Complete all work quickly and efficiently.
- Foster co-operative and flexible attitudes amongst staff.
- Encourage staff to think corporately and with awareness of what functions the Court Service exists to provide.
- Provide for the training and development of members of staff, having regard to the personal needs of every individual and the needs of the Court Service and the States as a whole.
- Selectively exploit technology.
- Promote high morale amongst staff; ensuring that their conditions of employment, remuneration, and working environment are as good as can be achieved within parameters set centrally.
- Provide for the ready and supportive interaction of the Court Service with other States' departments.
- Promote public relations and have pride in the Public Service.
- Provide for the continuation of structured Corporate Management, Management, Section and staff meetings.
- Maintain the Departments' Business Continuity and Risk Management Policies.

In addition, during 2010, the Court Service continued to develop and enhance a series of managerial initiatives and documents. These included the following:

- Pursuant to the Public Finances (Jersey) Law 2005, completed implementations of recommendations made by Jurat PG Blampied OBE on financial and corporate governance compliance.
- Development and enhancement of Procedures Manuals.
- Maintenance of an Archives Policy.
- Development of the use of document imaging technology.
- Development of Working Groups with other related departments.
- Enhancement of cost centres and the improvement of financial information and reporting.
- Improvement of asset management, allowing for equipment replacement on a rolling basis.
- Development of internal service standards across the Court Service.
- Attendance at Court User Group meetings.
- Enhancement of Business Continuity and Risk Management Policies.

## **HUMAN RESOURCES**

### ***Performance Review and Appraisal***

The Court Service continues to have a strong and effective performance review and appraisal system in place which is fully compliant with States Policy. To ensure consistency, the system is monitored closely and regularly discussed at the biannual Managers' Workshop. The system facilitates the measurement of individual performance, and discussion of career development, whilst also ensuring competency for all aspects of each job.

During 2010, 98% of staff underwent a formal performance review and appraisal, including a full appraisal in May and a 6 monthly review in November.

### ***Training and Development***

During 2010, staff attended 115 training days, averaging 1.6 per member of staff. These courses were largely sponsored by the States and were as follows:

- Developing an Eye for Accuracy
- Effective Leadership through your own resources
- First Aid at Work, Refreshers and Defibrillator training
- European Computer Driving Licence (ECDL) and other IT courses
- Getting the best out of your team
- Improve your Written Skills
- Planning for Retirement
- Developing your Personal Impact & Building Productive Relationships
- Familiarisation with Employment Law
- Trust Administration
- Principle of Wills & Succession Law & Probate
- Proficiency in French
- The Effective Supervisor
- Dignity at Work
- Draft Discrimination Law
- Confrontation Training

### ***Lunch Time Training Sessions***

- Inspirational Leadership
- Insight into Own and Others Behaviours
- Creating an Effective Culture
- Talent Management
- Equality & Diversity

### **Team Development Day**

For the second year, the Court Services forwent its annual team building day because of the distressed financial climate. Various in-house workshops were held instead, including the bi-annual Managers' Workshops.

### **Training Evaluation**

The Court Service continues to have a specific training evaluation process. All managers receive complete reports on all courses attended and these are discussed at the monthly Team Meetings. All training (including, for example, attendance at conferences) is evaluated to ensure that objectives are met, and that events attended meet the Departments' and individuals' needs.

In general, it has become possible to cross reference training benefits with service level improvements, as measured by performance data, principally Service Pledges (see Appendix B).

All new employees receive a Court Service Induction Programme, which is reviewed annually. In addition to ensuring that new staff have to hand sufficient information to enable them fully to understand the workings of the Court Service, the Programme includes the possibility of creating individual Personal Development Plans.

### **Managers' Training**

Managers are now given the opportunity to attend the Modern Manager Programme, which takes up to 18 months to complete.

Managers are also encouraged to attend the various individual courses provided by the States, which relate specifically to management training. This engages all managers in managing their own learning and development in a structured and systematic way. The feedback from these courses indicates that they enhance existing good practice and help to hone current skills.

### **Academic Achievements**

Miss Katie Ridley successfully gained her Bachelor of Law LLB (Hons)(Open).

### **European Computer Driving Licence ("ECDL")**

All staff who have gained the ECDL qualification have increased their competence in the use of the relevant software packages, which therefore increases organisational effectiveness and efficiency. To date, there has been a 100% pass rate for this course. All new staff are offered this training if required.

### **French**

For the sixth year, staff who have identified the requirement to have a second language to be able to carry out their role have attended French lessons with *Alliance Français*.

## **Other Human Resource Issues**

### **Conferences**

Members of staff attended conferences throughout the year. Maintaining and expanding involvement in the work of appropriate international bodies has proved to be invaluable for the individual and for the development of the Court Services wider and external profile. Conferences attended were:

- Judicial Studies Board – Continuation Course for Magistrates
- Chartered Management Institute - Guernsey
- Chartered Institute of Personnel Development
- Insanity as a Defence
- Criminal Justice and IT
- Jersey and Guernsey Law Review
- Privacy & Transparency
- Extradition Proceedings
- Contract Law of the Channel Islands at the Crossroads
- 3<sup>rd</sup> Victims & Witness Conference

- Coroners Conference
- Family Public Continuation Seminar
- Criminal Law Review
- Insolvent Trusts
- Emergency Procedures Conference
- Coroners Residential
- Interaction of Trusts & Insolvency
- INSOL Europe Conference
- The Practical & Human Implications of Managing Mass Fatalities

### ***Sick Leave, Flexi-time and Overtime Monitoring***

Sick leave, flexi-time and overtime continued to be monitored and analysed in the Court Service throughout 2010. Sick leave reports are produced monthly for both Departments, broken down by section and analysed by application of the Bradford Factor formula. The Court Service data for 2010 produced a combined absence figure of 2.5% (average percentage of working time lost per full-time employee), compared with 2.1% in 2009. The average number of days of absence per staff member was 6.5.

### ***Jersey Employers' Network on Disability (JEND)***

During 2010, the Court Service continued to be recognised as an equal opportunities employer and maintained its membership of JEND. The Judicial Greffe is continuing to employ somebody under the Workwise scheme to assist with a scanning project.

### ***Chief Officer***

As previously reported, the Viscount was seconded to the post of Judicial Greffier in 1997. This secondment continued during 2010.

## ***INFORMATION SYSTEMS***

In relation to Information Systems, in 2010 the Court Service:

- Continued to use digital audio recording in all of the courts.
- Enhanced Intranet and Internet websites including use of electronic forms.
- Maintained development of the use of document imaging facilities.
- Developed the availability of the Electronic Court.
- Continued to develop opportunities to share electronic information with sister departments.
- Promoted further use of portable computer equipment.
- Extended the use of video-conferencing facilities.
- Continued to monitor the development of voice recognition technology.
- Supported the early implementation of EDMS (Electronic Document Management System) and continued the electronic archiving of Samedi records.
- Further developed the electronic database of regularly used e-mail addresses.
- Developed and enhanced the Probate database.

### ***Information Systems Groups***

During 2010, the Court Service was represented on the following Information Systems groups:

- States of Jersey Internet Content Managers Group.
- Jersey Legal Information Board.

# **COMMUNICATIONS & PUBLIC RELATIONS**

## **Communications**

During 2010, the Court Service continued to improve communications in-house by exploiting electronic mail (both internally and externally); developing staff, section and management meetings; maintaining the series of in-house presentations; and developing the use of video-conferencing.

### **Team Meetings**

Departmental team meetings continued to be open to all staff in both Departments during 2010. Bi-annual joint meetings are also held to help with integration. In addition, minutes of all meetings, including the Corporate Board minutes, are circulated electronically and made available to all staff.

## **Public Relations**

A number of initiatives were developed during 2010 to foster an increasingly professional, positive, working relationship with users and members of the public. These initiatives included the maintenance of lunchtime opening and promotion of the Court Service Client Charter (including the Court Service code of corporate governance).

# **HEALTH & SAFETY**

The Court Service's Health and Safety Policies, which were issued in 1998, were updated and signed off by the Chief Officer in 2010.

# **FINANCE & RESOURCES**

## **Stamp Duty**

As indicated elsewhere, the Court Service is responsible for levying a variety of fees, which are generally collectable in the form of Stamp Duty. The majority of this income arises from fees levied for the purchase of property, the creation of mortgages and leases, and registering wills of immovable property; as such, these duties are effectively a form of taxation, and the income is attributed directly to the States' Treasury (not to the Departments). This income is principally derived from activities in the Public Registry and Probate Section.

Fees levied in 2010 totalled £18,196,700 of which £15,884,000 was attributable to Public Registry activity and £2,312,700 stamp duty was attributable to Probate levies. Total fees levied for the year compare with figures of £23.1 million in 2009 and £23.5 million in 2008.

Income from sale of Stamps by the Treasury amounted to £18,575,598 in 2010. The difference between this amount and the figure reported above for fees levied (£378,898) is accounted for by the fact that there is a time delay between purchase of Stamps from the Treasury cashiers, and the point at which they are accounted for by the Court Service (on delivery of the chargeable document).

## **Departmental Expenditure**

Departmental expenditure for 2010 (as financed through the annual budget of the States and exclusive of Court and Case costs) was as below.

## **Judicial Greffe**

|                          | 2009<br>(£) | 2010<br>(£) | +/-% |
|--------------------------|-------------|-------------|------|
| Manpower costs           | 2,351,091   | 2,332,853   |      |
| Supplies & services      | 36,175      | 10,736      |      |
| Administrative costs     | 176,667     | 209,117     |      |
| Premises & Maintenance   | 413,335     | 388,269     |      |
| Grants and Subsidies     | 100,000     | -           |      |
| Depreciation             | 10,404      | 19,404      |      |
| Total                    | 3,087,672   | 2,960,379   | -4.1 |
| Less attributable income | 888,146     | 841,281     | -5.3 |
| Net expenditure          | 2,199,526   | 2,119,098   | -3.7 |

## **Viscount's Department**

|                          | 2009<br>(£) | 2010<br>(£) | +/-%  |
|--------------------------|-------------|-------------|-------|
| Manpower costs           | 1,129,514   | 1,212,460   |       |
| Supplies & services      | 260,209     | 83,644      |       |
| Administrative costs     | 41,452      | 41,309      |       |
| Premises & Maintenance   | 242,985     | 256,400     |       |
| Grants and Subsidies     | 100,000     | 100,000     |       |
| Depreciation             | 18,660      | 19,481      |       |
| Total                    | 1,792,820   | 1,713,294   | -4.4  |
| Less attributable income | 684,444     | 782,744     | 14.4  |
| Net expenditure          | 1,108,376   | 930,550     | -16.0 |

## **MISCELLANEOUS**

### **Judicial Training Programme**

During 2010, the Judicial Training Programme continued to develop under the aegis of the Court Service's Corporate and Judicial Resources Manager (CJRM). Two training days were held under the chairmanship of the Deputy Bailiff for the Jurats and a conference was held for the Youth Court Panel to cover several relevant topics. E-mail facilities for the Jurats of the Royal Court were maintained. The CJRM also engages with the Judicial Studies Board in England regarding relevant seminars and conferences.

### **Advocacy Training**

During 2010, a very successful event was held at which several senior silks from Gray's Inn assisted. It is hoped that this training will continue in the future as the benefits have been clearly seen in the Courts.

### **Corporate Social Responsibility**

The Court Service has contributed to a number of charities throughout 2010 by various fund raising efforts, including dress-down days, sponsored marathon running and walks, and collections. Organisations which have benefited include Breakthrough Breast Cancer, Jersey Hospice, Variety, Headway, Anthony Nolan and Cancer Relief.

### **Promotions, etc**

Mrs L Cave moved from Corporate Services Officer in the Viscount's Department to Registrar of Tribunals and Appeals.

Mr N Clively was promoted from Office Manager to Proceedings & Administration Officer in the Magistrate's Court Greffe.

## **Leavers**

Mr M Hefford – Proceedings & Administration Officer, Magistrate's Court

## **New Staff**

Miss A Brunton – Proceedings Officer, Judicial Greffe

Miss L Le Vézuel – Office Manager, Magistrate's Court

Mrs S Pierce – Corporate Services Officer, Viscount's Department

The annual employee turnover rate for the Departments of the Court Service was 1.46%.

## **Data Protection**

The Judicial Greffe and Viscount's Department are fully compliant with all data protection legislation and principles. The Deputy Judicial Greffier is the in-house adviser on data protection for the Court Service.

## **CONCLUSION**

The Annual Report for 2010 is the Court Service's eighth combined report. This was another busy year with heavy operational activity in every Section. The Departments' shared business objectives, culture, and values drive a continuing pursuit of service excellence across the organisation, and contribute to maintaining the Investors in People standard. Benchmarking the organisation against this standard, as well as the performance standards of similar organisations in other jurisdictions, continues to play an important part in our programme of self-assessment and self-evaluation.

The organisation's performance management system is critical to its success, and its results are summarised in the appendices to this report. The balanced score card has also been included at Appendix E; this has become a key tool for monitoring strategic and functional focus, and for driving performance management.

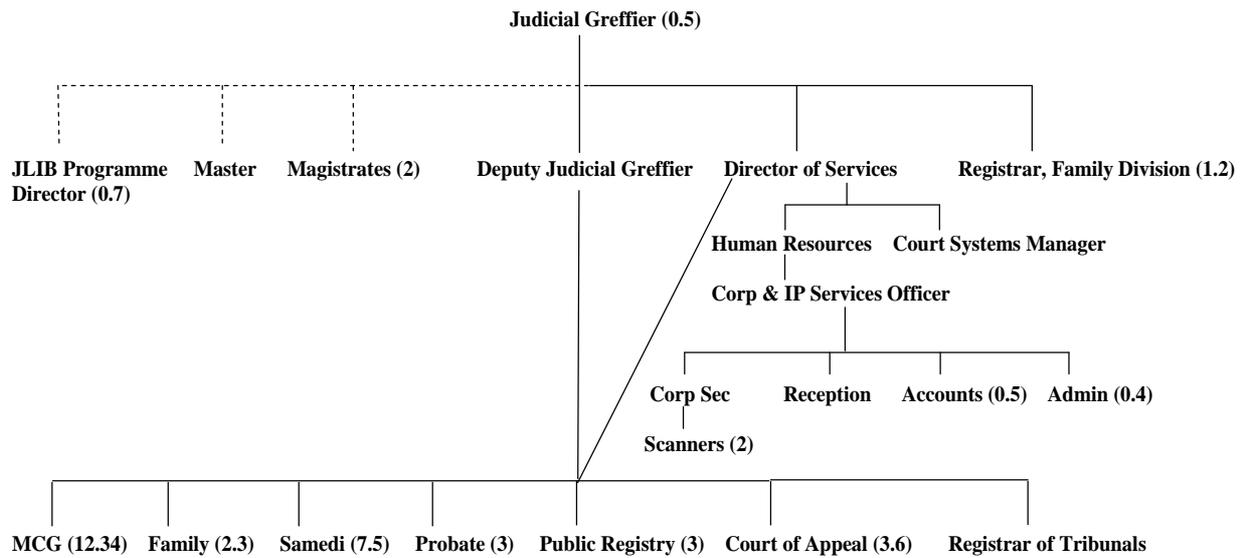
I would like to congratulate all staff on the dedication and enormous amount of work that they have put in to meet our targets – an achievement of which we can be justly proud.

On behalf of the Management Teams,

James Lambert, Director of Services  
April, 2011

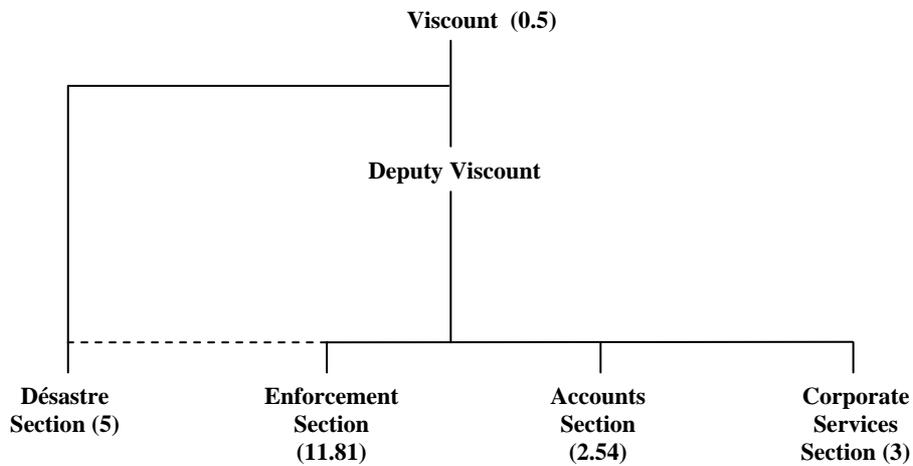
**ORGANISATION CHARTS**

**Judicial Greffe – Functional Organisation**



**TOTAL 48.04 ESTABLISHED POSTS**

**Viscount's Department – Functional Organisation**



**TOTAL 23.85 ESTABLISHED POSTS**

## APPENDIX B

### SERVICE PLEDGES, TARGETS & RESULTS

#### Acts of the Court

Acts of the Court will be issued following the making of any Order by a Court, as follows:

| <i>Function</i>                               | <i>Service Pledge</i>           | <i>Target</i> | <i>Result</i> |
|---|---------------------------------|---------------|---------------|
| • Samedi & General:                           |                                 |               |               |
| Act ordering Public Election                  | Next working day                | 95%           | 97%           |
| Convening Acts                                | Next working day                | 95%           | 97%           |
| Company Acts                                  | 5 working days                  | 95%           | 97%           |
| Standard-form Acts                            | 5 working days                  | 95%           | 97%           |
| • Issue of Liquor & Gambling Licences:        | Within 10 working days of grant | 95%           | 100%          |
| • Court of Appeal:                            | Next working day                | 95%           | 100%          |
| • Family Matters:                             |                                 |               |               |
| Date fix directions                           | 5 working days                  | 95%           | 100%          |
| Other Acts                                    | 5 working days                  | 95%           | 100%          |
| Decrees nisi                                  | 10 working days                 | 98%           | 100%          |
| Decrees absolute                              | 5 working days                  | 98%           | 100%          |
| • Interlocutory Matters:                      | 3 working days                  | 95%           | 97%           |
| • Magistrate's Court:                         |                                 |               |               |
| Arrest Orders                                 | 2 working days                  | 98%           | 100%          |
| Acts of Committal                             | 2 working days                  | 98%           | 100%          |
| Acts of Court completed                       | 1 working day                   | 98%           | 100%          |
| • Orders in Council:                          | Next working day                | 98%           | 100%          |
| • Petty Debts Court:                          | 3 working days                  | 98%           | 100%          |
| • Probate:                                    |                                 |               |               |
| Acts of Probate Division                      | 5 working days                  | 95%           | 99%           |
| Curatorship (Acts of Appointment)             | 5 working days                  | 95%           | 100%          |
| Curatorship (Acts of Jurats' Appointment)     | 5 working days                  | 95%           | 100%          |
| Grants of Probate & Letters of Administration | 5 working days                  | 98%           | 100%          |
| • Public Registry:                            |                                 |               |               |
| Judicial Hypothecs                            | 5 working days                  | 95%           | 100%          |
| Wills of Immovables                           | 12 working days                 | 98%           | 100%          |
| Public Service & Water Notices                | 12 working days                 | 98%           | 100%          |
| Powers of Attorney                            | 12 working days                 | 98%           | 100%          |
| • Intellectual Property Registry:             |                                 |               |               |
| Intellectual Property Certificates            | 3 working days                  | 93%           | 100%          |

#### Court Enforcement

| <i>Function</i>  | <i>Service Pledge</i>  | <i>Target</i> | <i>Result</i> |
|--|--|---------------|---------------|
| • Enforcement of Royal Court & Petty Debts Court Judgments for Debt: | Enforcement procedure instigated within 2 working days of Act being lodged & registered  | 90%           | 100%          |
| • Service of Process:  | Priority action ensuring that service is effected within the relevant statutory time period allowable (as below) prior to the first available court date | 90%           | 100%          |
| Order of Justice   | Personal service allowing 4 clear working days to court date   | 90%           | 100%          |

## Court Enforcement (continued)

|   |   |     |      |
|---|---|-----|------|
| Order of Justice (Héritage Division)                          | Personal service allowing 15 clear days to court date                                 | 90% | 100% |
| Family Division (petition for divorce or judicial separation) | Personal service prior to closing date of setting down of current list                | 90% | 100% |
| Separation & Maintenance (summons for local order)            | Personal service allowing 4 clear working days to court date                          | 90% | 100% |
| Expulsion summons to Petty Debts Court                        | Personal service allowing 4 clear working days to court date                          | 90% | 100% |
| Witnesses to a Royal Court action                             | Service allowing 2 clear working days to court date                                   | 90% | 100% |
| Witnesses to a Petty Debts Court action                       | Service allowing 2 clear working days to court date                                   | 90% | 100% |
| All other Service of Process                                  | Within relevant statutory time period applicable to the specific process (document/s) | 90% | 100% |
| • Enforcement of Fines:                                       | Payment completed in full or imprisonment imposed in lieu                             | 95% | 99%  |

## Assize Jury

| <i>Function</i>                            | <i>Service Pledge</i>   | <i>Target</i> | <i>Result</i> |
|--|---|---------------|---------------|
| • Service of summons to respective jurors: | Respond to queries regarding the duties of a juror within 24 hours<br>Respond to requests for exemption from jury service within 24 hours | 95%           | 100%          |
| • Jury <i>surveillant</i> duties:          | Provide support & guidance to jury members for the duration of the trial  | 100%          | 100%          |

## Insolvency

| <i>Function</i>  | <i>Service Pledge</i>   | <i>Target</i> | <i>Result</i> |
|--|---|---------------|---------------|
| • Secure premises:   | Within 1 working day  | 100%          | 100%          |
| • Arrange for inventory of valuables & disposal of perishables:  | Within 2 working days   | 95%           | 100%          |
| • Notice of Désastre declaration in Jersey Gazette:  | Publication in Gazette Section within 3 working days of the declaration   | 98%           | 100%          |
| • Questionnaires to directors or personal bankrupts:   | Sent within 3 working days of declaration & chased up after 7 days to arrange an appointment to discuss                                   | 95%           | 100%          |
| • Circulars to banks & identified UK creditors:  | Notice of declaration sent within 7 days of declaration, follow up letter sent to banks after 21 days                                     | 95%           | 100%          |
| • Construct debtors' spreadsheet & proceed to recover funds owing:   | Within 21 days of declaration – if no response, follow up letter after 14 days – disputed accounts to be copied to directors for comments | 90%           | 100%          |
| • Filing of claims:  | Logged & acknowledged within 3 working days, production of substantive response within 10 working days                                    | 90%           | 100%          |
| • Désastre search enquiries (e-mail to viscount@gov.je, or free access to website at www.viscount.gov.je): | By telephone: Immediate response<br>By post: Response within 3 working days<br>By e-mail: Response within 1 working day                   | 98%           | 100%          |
| • Completion of first level Désastre (social & non-complex cases)  | Within 18 months of declaration   | 90%           | 100%          |

## Curatorship

| <i>Function</i>   | <i>Service Pledge</i>  | <i>Target</i> | <i>Result</i> |
|---|--|---------------|---------------|
| • Notification of appointment of Curator to identified parties: | Within 2 weeks of receipt of Act of Court  | 90%           | 100%          |
| • Compilation of inventory of both real & personal property:    | Within 90 days of the date of appointment  | 100%          | 100%          |
| • Production of annual accounts:                                | Within 30 days of the expiration of the period of 12 months from the date of appointment & upon each successive period of 12 months thereafter | 100%          | 100%          |
| • Final accounts:   | Within 30 days of cessation of the curatorship   | 100%          | 100%          |
| • Payment of accounts:  | Pass to Accounts Section for payment prior to month end  | 100%          | 100%          |
| • Periodic contact with carers of interdicts:                   | Minimum quarterly or more frequently if the needs of the interdict require it  | 90%           | 100%          |
| • Enquiries:  | By telephone: Immediate response<br>By post: Response within 3 working days<br>By e-mail: Response within 1 working day                        | 90%           | 100%          |

## Coroner

| <i>Function</i>  | <i>Service Pledge</i>   | <i>Target</i> | <i>Result</i> |
|--|---|---------------|---------------|
| • Review Police reports of sudden death, giving instructions for any necessary further enquiries:                          | Working days: Same day<br>Other days: Within 12 hours   | 100%<br>100%  | 100%<br>100%  |
| • Be available to give guidance to Police:   | Every day: Same day   | 100%          | 100%          |
| • Order post-mortem examination or make other arrangements for clearance of the case after receipt of final Police report: | Every day: Post-mortem cases - in time for next post-mortem examination session at the General Hospital<br>Other cases - attempt contact with relevant doctor(s) on same day<br>(NB Post-mortem examinations are normally only carried out on working days) | 100%          | 100%          |
| • Determine next step after post-mortem examination:   | Cases requiring basic post-mortem examination only - be available to speak to Consultant Pathologist after completion of examination:<br>Working days: Same day<br>Other days: Immediately  | 100%          | 100%          |
|  | Cases requiring forensic, histological, toxicological or other additional examination - consider results of such examination:<br>Working days: Same day<br>Other days: Immediately  | 100%          | 100%          |
| • Clear non-inquest cases after oral report from Consultant Pathologist, releasing the body:                               | Every day: Notify mortuary & funeral directors within half a day  | 100%          | 100%          |
| • Be available to discuss borderline or difficult cases with Medical Officer of Health, GPs & hospital doctors:            | Every day: Within half a day  | 100%          | 100%          |
| • Issue body importation & exportation permits:  | Working days: To meet reasonable needs of funeral directors<br>Every day: Emergency cases only - to meet reasonable time limits on same day   | 100%          | 100%          |

### Coroner (continued)

|   |                         |   |      |      |
|---|-------------------------|---|------|------|
| • Consider requests for organ donation:           | Every day:              | Within 2 hours  | 100% | 100% |
| • Release bodies in inquest cases:                | Every day:              | Release within half a day of meeting of all legal requirements  | 100% | 100% |
|   | Working days:           | Actively review & pursue every case every day when a body has not been released   |      |      |
|   | Unlawful killing cases: | Meet local (Bailiff's Chambers) & national (MoJ) target for release of body within 1 month  |      |      |
| • Set dates for inquest openings:                 | Working days:           | Same day as need is identified & required preconditions met, set date to ensure no delay in cremation or application for grant of probate         | 100% | 100% |
| • Set dates for full/concluding inquest hearings: | Working days:           | Subject to families' wishes & legal requirements, within 3 weeks of receipt of all reports set date for earliest date all witnesses are available | 90%  | 100% |
| • Issue post-inquest documentation:               | Working days:           | Within 2 days (sooner if cremation authorisation is urgently required)  | 100% | 100% |
| • Sign Registers of Death:                        | Working days:           | Within 2 days of request by Registrar   | 100% | 100% |

### Service Requests

| <i>Function</i>  | <i>Service Pledge</i>   | <i>Target</i> | <i>Result</i> |
|--|---|---------------|---------------|
| • Processing applications for Legal Aid disbursements & payments by Judicial Greffe: | Within 5 working days of application (for forwarding to Treasury) | 95%           | 100%          |
| • Issuing certificates of exemption from payment of judicial fees:                   | Actioned within 1 working day                                     | 95%           | 100%          |

### Appointments

| <i>Function</i>  | <i>Service Pledge</i>            | <i>Target</i> | <i>Result</i> |
|--|----------------------------------|---------------|---------------|
| • Interlocutory Services:  |                                  |               |               |
| Appointment to fix date for a hearing before Greffier Substitute | Within 3 working days of request | 98%           | 100%          |
| • Public Registry:   |                                  |               |               |
| General  | Open access                      | 100%          | 100%          |
| Cancellation of Acts   | Within 4 working days of request | 98%           | 100%          |

### Administrative Services

| <i>Function</i>  | <i>Service Pledge</i>  | <i>Target</i> | <i>Result</i> |
|--|--|---------------|---------------|
| • Cheque payments for suppliers, lawyers & compensation beneficiaries:   | Cheques available for collection or posted within 48 hours of scheduled payment date | 90%           | 99%           |
| • Payment to lawyers & litigants in person following enforcement of Royal Court & Petty Debts Court judgments: | Payment will be made within 15 days of clearance of funds                            | 90%           | 100%          |

Administrative Services (continued)

|   |  |      |      |
|---|--|------|------|
| • Holding of bail moneys of £1,000 or more on interest-bearing deposit account: | Sums of £1,000 or more to be held on interest-bearing deposit accounts   | 100% | 100% |
|   | Instructions issued to bank to place bail of £1,000 or more on deposit within 5 working days of receipt of bail                          | 98%  | 100% |
|   | Bail sums deposited on interest-bearing accounts will be paid out within 5 working days after maturity, following request from bailor    | 98%  | 100% |
| • Processing of suppliers' accounts for Désastre & Curatorship matters:         | Accounts will be settled by the end of the first week of the month following receipt of the invoice                                      | 90%  | 100% |
| • Processing of suppliers' accounts:  | Within 10 working days of receipt (for forwarding to Treasury)   | 98%  | 100% |
| • Opening hours:  | Departments will be staffed between 8.45am & 5.15pm (Mon-Thurs), 8.45am & 4.45pm (Fri); reception open lunchtime for delivery/collection | 100% | 100% |

# STATISTICAL DIGEST

## APPENDIX C

|                                       | 2008        | 2009        | 2010        | Percentage Change 2009 to 2010 |
|---------------------------------------|-------------|-------------|-------------|--------------------------------|
| <b>Judicial Greffe</b>                |             |             |             |                                |
| <b>Samedi Section</b>                 |             |             |             |                                |
| <b>Actions before the Royal Court</b> |             |             |             |                                |
| New Actions                           | 436         | 509         | 448         | -12%                           |
| Placed on the Pending List            | 120         | 73          | 75          | 3%                             |
| Acts of Court issued                  | 2,027       | 2,147       | 2,184       | 2%                             |
| Number of Court Sittings              | 876         | 1,121       | 1,039       | -7%                            |
| Orders in Council registered          | 41          | 31          | 31          | 0%                             |
| <b>Magistrate's Court Appeals</b>     |             |             |             |                                |
| Lodged                                | 6           | 5           | 8           | 60%                            |
| Heard                                 | 5           | 4           | 8           | 100%                           |
| Taxation of Costs                     | 56          | 67          | 85          | 27%                            |
| <b>Legal Aid Disbursements</b>        |             |             |             |                                |
| Occasions granted (invoices paid)     | 481         | 491         | 736         | 50%                            |
| Legally aided litigants               | 156         | 175         | 163         | -7%                            |
| Public Expenditure                    | £1,868,393  | £1,971,719  | £1,820,921  | -8%                            |
| <b>Liquor Licences</b>                |             |             |             |                                |
| Licenses Granted                      | 71          | 76          | 72          | -5%                            |
| Managers Registered                   | 119         | 92          | 126         | 37%                            |
| <b>Public Registry</b>                |             |             |             |                                |
| <b>Documents Registered/Cancelled</b> |             |             |             |                                |
| Contracts                             | 2,371       | 2,191       | 1,943       | -11%                           |
| Procurations                          | 1,704       | 1,554       | 1,516       | -2%                            |
| Obligations                           | 2,915       | 2,543       | 2,371       | -7%                            |
| Cancellations                         | 2,328       | 2,174       | 2,403       | 11%                            |
| Stamp Duty received                   | £21,285,640 | £18,287,126 | £15,983,914 | -13%                           |
| <b>Probate Section</b>                |             |             |             |                                |
| Number of Grants issued               | 1,920       | 1,986       | 1,961       | -1%                            |
| Number of Curatorships formed         | 73          | 66          | 53          | -20%                           |
| Stamp Duty received                   | £2,175,100  | £4,858,050  | £2,312,700  | -52%                           |
| <b>Family Section</b>                 |             |             |             |                                |
| Decrees Absolute filed                | 281         | 217         |             | -100%                          |
| Petitions filed                       | 256         | 245         |             | -100%                          |

## APPENDIX C

|   | 2008  | 2009  | 2010  | Percentage Change 2009 to 2010 |
|---|-------|-------|-------|--------------------------------|
| <b>Judicial Greffe</b>                            |       |       |       |                                |
| <b>Interlocutory Services</b>                     |       |       |       |                                |
| Summonses fixed                                   | 141   | 131   | 113   | -14%                           |
| Summonses heard (half days)                       | 43    | 44    | 53    | 20%                            |
| Acts issued                                       | 305   | 266   | 232   | -13%                           |
| Case reports produced                             | 21    | 8     | 14    | 75%                            |
| <b>Appellate Section</b>                          |       |       |       |                                |
| Appeals lodged with Court of Appeal               | 25    | 37    | 31    | -16%                           |
| Superior Number Appeals                           | 1     | 2     | 0     | -100%                          |
| Court of Appeal sittings (days)                   | 9     | 9     | 8     | -11%                           |
| Number of Unreported Judgments                    | 230   | 278   | 270   | -3%                            |
| Pages transcribed in Unreported Judgments         | 4,095 | 5,170 | 7,992 | 55%                            |
| Transcripts of evidence - transcripts produced    | 88    | 88    | 84    | -5%                            |
| <b>Trade Marks, Patents and Design Registries</b> |       |       |       |                                |
| <b>Intellectual Property Registrations</b>        |       |       |       |                                |
| Trade Marks Registrations                         | 90    | 74    | 49    | -34%                           |
| Patents (Registrations & Updates)                 | 44    | 23    | 32    | 39%                            |
| Designs (Registrations & Updates)                 | 1     | 1     | 0     | -100%                          |
| Trade Marks Updates                               | 1,079 | 898   | 460   | -49%                           |
| <b>Magistrate's, Youth and Petty Debts Courts</b> |       |       |       |                                |
| <b>Magistrate's Court</b>                         |       |       |       |                                |
| Cases   | 2,438 | 2,693 | 2,235 | -17%                           |
| Persons   | 1,929 | 2,020 | 1,724 | -15%                           |
| Remands   | 2,755 | 2,509 | 2,117 | -16%                           |
| Arrests   | 1,181 | 1,219 | 735   | -40%                           |
| <b>Youth Court</b>                                |       |       |       |                                |
| Cases   | 327   | 344   | 253   | -26%                           |
| Youths  | 218   | 219   | 171   | -22%                           |
| Remands   | 327   | 291   | 183   | -37%                           |
| Arrests   | 20    | 10    | 3     | -70%                           |
| <b>Petty Debts Court</b>                          |       |       |       |                                |
| Actions listed                                    | 7,802 | 8,406 | 7,250 | -14%                           |
| Judgments   | 4,111 | 4,048 | 3,295 | -19%                           |
| Adjournments                                      | 2,207 | 2,816 | 2,681 | -5%                            |
| New Actions                                       | 5,595 | 5,590 | 4,544 | -19%                           |

# STATISTICAL DIGEST

## APPENDIX D

Percentage  
Change  
2008 to  
2009

### Viscount's Department

#### Fines imposed and amounts collected

|                          | 2008     | 2009     | 2010     |     |
|--------------------------|----------|----------|----------|-----|
| Number imposed           | 1,182    | 1,341    | 1,335    | 0%  |
| Amount collected         | £345,315 | £417,586 | £611,101 | 46% |
| Success rate - by number | 99%      | 99%      | 99%      | 0%  |
| Success rate - by value  | 97%      | 86%      | 98%      | 14% |

#### Receipt of bail moneys

|                |          |          |          |      |
|----------------|----------|----------|----------|------|
| Persons bailed | 191      | 109      | 101      | -7%  |
| Money received | £198,180 | £209,173 | £108,199 | -48% |

#### Arrest Orders

|  |     |       |       |     |
|--|-----|-------|-------|-----|
|  | 980 | 1,327 | 1,902 | 43% |
|--|-----|-------|-------|-----|

#### Service of Process

|  |       |       |       |      |
|--|-------|-------|-------|------|
|  | 2,258 | 3,308 | 2,287 | -31% |
|--|-------|-------|-------|------|

#### Costs

|                          |        |         |         |     |
|--------------------------|--------|---------|---------|-----|
| Number imposed           | 55     | 154     | 161     | 5%  |
| Value imposed            | £7,953 | £85,574 | £86,870 | 2%  |
| Success rate - by number | 93%    | 100%    | 99%     | -1% |
| Success rate - by value  | 100%   | 100%    | 100%    | 0%  |

#### Compensation Orders

|   |          |         |         |      |
|---|----------|---------|---------|------|
| Number imposed                          | 258      | 123     | 138     | 12%  |
| Value imposed                           | £108,725 | £76,693 | £53,169 | -31% |
| Rolling 3-year success rate - by number | 92%      | 97%     | 100%    | 3%   |
| Rolling 3-year success rate - by value  | 97%      | 100%    | 99%     | -1%  |

#### Judgments received and processed

|                  |          |            |            |      |
|------------------|----------|------------|------------|------|
| Number received  | 2,948    | 2,644      | 2,380      | -10% |
| Number processed | 2,944    | 2,645      | 2,413      | -9%  |
| Amount collected | £578,173 | £1,706,815 | £3,050,198 | 79%  |

#### Evictions carried out

|  |    |   |   |     |
|--|----|---|---|-----|
|  | 11 | 5 | 7 | 40% |
|--|----|---|---|-----|

#### Maintenance Orders under enforcement

|  |    |    |    |    |
|--|----|----|----|----|
|  | 20 | 22 | 23 | 5% |
|--|----|----|----|----|

#### Drug Trafficking - *Saisies judiciaires* and confiscations

|             |    |    |    |      |
|-------------|----|----|----|------|
| New cases:- |    |    |    |      |
| Local       | 39 | 19 | 11 | -42% |
| External    | 1  | 0  | 0  |      |
| Total       | 40 | 19 | 11 | -42% |

|                                      |          |         |         |      |
|--------------------------------------|----------|---------|---------|------|
| Approximate value of assets arrested | £164,336 | £19,421 | £17,478 | -10% |
|--------------------------------------|----------|---------|---------|------|

#### Confiscations (concluded cases):-

|             |          |         |         |      |
|-------------|----------|---------|---------|------|
| Number      | 34       | 22      | 10      | -55% |
| Value (net) | £105,412 | £35,049 | £12,477 | -64% |

|                  |   |   |   |  |
|------------------|---|---|---|--|
| Cases discharged | 2 | 0 | 1 |  |
|------------------|---|---|---|--|

|   |            |            |            |      |
|---|------------|------------|------------|------|
| Cases carried forward into following year:- |            |            |            |      |
| Local                                       | 7          | 6          | 5          | -17% |
| External                                    | 4          | 2          | 3          | 50%  |
| Total                                       | 11         | 8          | 8          | 0%   |
| Approximate asset value                     | £2,490,305 | £2,375,396 | £2,392,076 | 1%   |

### Proceeds of Crime - Saisies judiciaires

|   |              |             |             |       |
|---|--------------|-------------|-------------|-------|
| New cases:-                                 |              |             |             |       |
| Local                                       | 0            | 0           | 2           |       |
| External                                    | 2            | 3           | 4           | 33%   |
| Total                                       | 2            | 3           | 6           | 100%  |
| Approximate value of assets arrested        | £3,697,899   | £1,769,849  | £51,155,197 | 2790% |
|   |              |             | (Note 1)    |       |
| Confiscations (concluded cases):-           |              |             |             |       |
| Number                                      | 0            | 1           | 2           | 100%  |
| Value (net)                                 | £0           | £9,353,684  | -£180,181   | -102% |
|   |              |             | (Note 2)    |       |
| Cases discharged                            | 0            | 1           | 0           | -100% |
| Cases carried forward into following year:- |              |             |             |       |
| Local                                       | 2            | 1           | 1           | 0%    |
| External                                    | 14           | 16          | 20          | 25%   |
| Total                                       | 16           | 17          | 21          | 24%   |
| Approximate asset value                     | £103,698,362 | £25,059,593 | £76,789,611 | 206%  |

Note 1 These GBP figures include USD 52,589,603 from one case

(Note 1)

Note 2 This figure is net of £1,418,797 being the amount by which a confiscation imposed in 2009 was reduced in 2010

### Assizes

|                                   |     |       |      |      |
|-----------------------------------|-----|-------|------|------|
| Trial process started             | 16  | 20    | 17   | -15% |
| Trials completed                  | 9   | 12    | 13   | 8%   |
| Days                              | 35  | 61    | 46.5 | -24% |
| Juror exemptions                  | 263 | 1,013 | 414  | -59% |
| Jury summonses                    | 661 | 1,839 | 984  | -46% |
| Witnesses                         | 189 | 276   | 116  | -58% |
| Jurors given financial assistance | 0   | 10    | 1    | -90% |

### Coroner

|                              |     |     |     |      |
|------------------------------|-----|-----|-----|------|
| Deaths reported:-            |     |     |     |      |
| Inquest cases                | 49  | 57  | 37  | -35% |
| Cleared after autopsy        | 58  | 66  | 63  | -5%  |
| Cleared by doctor's cert etc | 62  | 37  | 54  | 46%  |
|                              | 169 | 160 | 154 | -4%  |

|   |     |     |     |      |
|---|-----|-----|-----|------|
| Deaths reported as % of all deaths              | 23% | 21% | 19% | -10% |
| Approvals for doctor to issue cert (unreported) | 82  | 90  | 72  | -20% |
| Permits for import/export of bodies             | 48  | 50  | 45  | -10% |

|                               |    |    |    |      |
|-------------------------------|----|----|----|------|
| Inquests concluded:-          |    |    |    |      |
| Suicide                       | 18 | 19 | 13 | -32% |
| Accident                      | 14 | 17 | 20 | 18%  |
| Open                          | 2  | 8  | 3  | -63% |
| Natural causes                | 16 | 6  | 6  | 0%   |
| Industrial disease            | 1  | 0  | 1  |      |
| Unlawful killing              | 0  | 0  | 1  |      |
| Total number of inquests held | 51 | 50 | 44 | -12% |

|                                     |    |    |    |      |
|-------------------------------------|----|----|----|------|
| Inquest cases c/f to following year | 16 | 23 | 16 | -30% |
|-------------------------------------|----|----|----|------|

### Désastres

|  |          |          |          |      |
|--|----------|----------|----------|------|
| Declared                               | 7        | 4        | 1        | -75% |
| Settled                                | 2        | 4        | 6        | 50%  |
| Total liabilities                      | £274,393 | £314,461 | £534,581 | 70%  |
| Assets realised                        | £77,699  | £52,768  | £18,691  | -65% |
| Average dividend paid (pence in the £) | 28p/£    | 17p/£    | 3p/£     | -39% |
| Discharges of personal bankrupts:-     |          |          |          |      |
| <b>Granted</b>                         | 1        | 4        | 4        | 0%   |
| <b>Deferred</b>                        | 0        | 0        | 0        |      |
| Disclaimers of onerous property        | 0        | 0        |          |      |
| Sales of realty:-                      |          |          |          |      |
| <b>Number</b>                          | 0        | 0        | 0        |      |
| <b>Value</b>                           | £0       | £0       | £0       |      |
| Letters produced by the Section        | 1,459    | 1,403    | 1,248    | -11% |
| Checks made:-                          |          |          |          |      |
| <b>Number</b>                          | 6,849    | 6,532    | 7,431    | 14%  |
| <b>Charges invoiced</b>                | £40,685  | £40,795  | £42,385  | 4%   |

### Court sittings attended

|                                 |            |            |            |            |
|---------------------------------|------------|------------|------------|------------|
| Royal Court and Court of Appeal | 111        | 145        | 132        | -9%        |
| Magistrate's Court              | 352        | 365        | 354        | -3%        |
| Youth Court                     | 55         | 68         | 55         | -19%       |
| <b>Total</b>                    | <b>518</b> | <b>578</b> | <b>541</b> | <b>-6%</b> |

### States' sittings attended

|                               |           |           |           |             |
|-------------------------------|-----------|-----------|-----------|-------------|
| Viscount                      | 7         | 8         | 9         | 13%         |
| Deputy Viscount               | 31        | 32        | 14        | -56%        |
| Principal Enforcement Officer | 12        | 20        | 27        | 35%         |
| <b>Total</b>                  | <b>50</b> | <b>60</b> | <b>50</b> | <b>-17%</b> |

### Convening notices issued

|  |    |    |    |      |
|--|----|----|----|------|
|  | 14 | 20 | 15 | -25% |
|--|----|----|----|------|

### Exemptions from the payment of judicial fees

|  |     |     |     |    |
|--|-----|-----|-----|----|
|  | 176 | 160 | 174 | 9% |
|--|-----|-----|-----|----|

### Curatorships

|                                  |    |    |    |      |
|----------------------------------|----|----|----|------|
| Appointments                     | 1  | 1  | 1  | 0%   |
| Under administration at year end | 41 | 37 | 32 | -10% |

### Corporate Services Section workload

|               |              |               |              |             |
|---------------|--------------|---------------|--------------|-------------|
| Summonses     | 741          | 665           | 762          | 15%         |
| Sundry        | 2,746        | 4,722         | 1,525        | -68%        |
| Letters       | 2,957        | 3,651         | 649          | -82%        |
|               |              |               | (Note 1)     |             |
| Notices       | 1,086        | 4,539         | 2,468        | -46%        |
| <b>Totals</b> | <b>7,530</b> | <b>13,577</b> | <b>5,404</b> | <b>-60%</b> |

Note 1 - this now does not include e mails

# APPENDIX E

## COURT SERVICE BALANCED SCORECARD FOR PERIOD 1 JAN 10 TO 31 DEC 10

Previous reporting period figures shown in brackets

| CUSTOMER  | STRATEGY  |
|---|---|
|  Number of complaints received: 2 (0)  |  Investor in People standard maintained  |
|  Number of compliments received: 11 (16)   |  Maintenance of interface with the executive arm of government                                       |
|  Number of page views (per quarter) on JLIB website: 379,867 (397,447)             |  Maintenance of strategic and business plans, and annual report                                      |
|  100% user group, other meetings, & public consultations, held as scheduled (100%) |  76% progress against Law Reform action plan (80%)   |
|  99% suppliers' accounts paid within service pledge (100%)                         |  Progress against JLIB projects  |
|  99% Legal Aid disbursements paid within service pledge (100%)                     |  Procedures manuals in place   |
| PERFORMANCE   |   |
|  97% Acts of Court issued within service pledge (98%)                              |  100% Royal and Petty Debts Court judgments for debt processed within service pledge (100%)          |
|  100% Decrees issued within service pledge (100%)                                  |  99% fines paid in full or imprisonment imposed in lieu within service pledge (99%)                  |
|  100% Judicial Hypothecs and Contracts registered within service pledge (100%)    |  100% inventories of valuables/disposal of perishables completed within service pledge (100%)       |
|  100% arrest orders issued within service pledge (100%)                          |  100% Désastre circulars sent to banks and identified UK creditors within service pledge (100%)    |
|  100% Petty Debts Court Acts issued within service pledge (100%)                 |  100% police reports of sudden death reviewed within service pledge (100%)                         |
|  100% Grants of Probate issued within service pledge (100%)                      |  100% registers of death signed within service pledge (100%)                                       |
| STAFF   | MONEY   |
|  1% employee turnover rate (3%)  |  £305,623 (£40,282), 9% (1%) underspent on profile   |
|  Average days sickness lost per member of staff: 6.5 (5.2)                       |  £305,623 (£40,282), 9% (1%) underspent on projected year end position                             |
|  97% of employees who received an appraisal (98%)                                |  £239,039 (-£3,446,227), 5% (-167%) underspent on projected year end position (Court & Case costs) |
|  0.64 (0.90) FTEs of overtime costing £18,149 (£14,238)                          |  -£2,801,260 (-£7,854,824), -13% (-25%) Stamp Duty under achieved on projected year end position   |
|  Average training days per member of staff: 1.7 (1.9)                            |  100% (100%) of Internal Audits assessed at 3 or above   |