



Judicial Greffe & Viscount's Department

**2011
Jersey Court Service
Annual Report**



***Our Purpose:
Supporting the delivery of justice***



INVESTOR IN PEOPLE

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FOREWORD

This is the ninth Annual Report for the Judicial Greffe and the Viscount's Department to be produced in combination and is for the year 2011. 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 43.9 FTE in the Judicial Greffe and 24.3 FTE in the Viscount's Department), as at 31 December 2011, is as shown in the organisation charts at Appendix A. The reduction in FTE in the Judicial Greffe compared to 2010 is as a direct result of voluntary redundancies made as part of the Comprehensive Spending Review.

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 C Le Sueur	Finance Manager

Judicial Greffe

As at 31 December 2011, 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
Mrs J O'Sullivan	Registrar, Family Division
Mr J Lambert	Director of Services
Mr D Le Heuzé	Magistrate's Court Greffier
Mrs C Coleman	Assistant Judicial Greffier
Miss K Ridley	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 2011, 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 84 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

- Attending sittings of 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 (35 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
- Hold profits from unauthorised deposits under the Banking Business (Jersey) Law 1999 (effect of unregistered deposit taking)

OPERATIONAL & ADMINISTRATIVE ACTIVITY, 2011

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

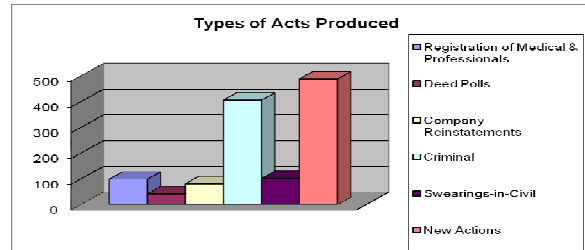
Judicial Greffe

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.

Acts Produced

The section produced 1,990 Acts in 2011 (2,184 in 2010) of which 99 related to the registration of medical and associated professionals, 42 related to deeds poll, 81 to company reinstatements, 102 to swearings-in, 37 to inquests, 75 to managers of liquor licences, 406 to criminal or evidence matters and 523 to other civil matters.



Of the 1,601 Acts which were issued pursuant to an order of a judge of the Royal Court, 98.8% were within service pledge and of the 389 Acts which were dealt with by a Greffier Substitute, 96.9% were within service pledge. There were 488 new actions brought before the Court and 39 Orders in Council were registered.

The Licensing Assembly sat 9 times, and heard 67 applications. 58 licences were granted, 7 were withdrawn, 1 was adjourned and 1 was revoked.

There were 10 Assize trials initiated in 2011.

Finally, 32 public elections were ordered in respect of Senators, Deputies, Constables, Centeniers and Procureurs du Bien Public.

Taxation of Costs

In 2011, 64 bills of costs were submitted for taxation by the Judicial Greffe (39 civil and 25 criminal). All of these bills were dealt with by the Assistant Judicial Greffier (Royal Court) as Taxing Officer.

Legal Aid Vote

In 2011, there were 138 new applications for the payment of disbursements from the Legal Aid Vote (101 civil and 37 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

	2008 (£)	2009 (£)	2010 (£)	2011 (£)
Contracts & Wills	16,823,000	15,800,000	13,538,000	15,250,000
Judicial Hypothecs	4,463,000	2,487,000	2,346,000	2,664,000
Total	21,286,000	18,287,000	15,884,000	17,914,000

Value of property transactions registered

The value of property transactions registered in the Public Registry during 2011 amounted to £657 million, compared to £649 million in 2010 and £735 million in 2009. 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 2011, there were 4,446 (compared with 4,314 in 2010) documents registered in relation to Contracts, Wills and Judicial Hypothecs. Using the Public Registry computerised database (*Public Registry Online*), 143,617 searches were conducted (157,944 in 2010), and 1,469,545 images were downloaded (compared with 1,687,360 in 2010).

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 3 hours, or an availability rate 99.96% (99.95% in 2010).



Jenny Le Breton, Tracy Clarke and Alan Le Bihan

Contracts registered in the Public Registry

From 1 January 2011, Rule 18/9 of the Royal Court Rules 2004 was amended. The Rules of Court were changed to allow contracts to be engrossed on standard A4 size paper. Formerly contracts were engrossed on paper 17 inches in height and 10¾ inches in width. The use of this specific size of paper for contracts was stipulated in Rules of Court in an era when contracts were subsequently copied and bound in large books. These books ceased being created by the Public Registry in 2000 as the official version of a contract registered in the Public Registry is the “virtual” version held on the *Public Registry Online* computer system.

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.

The Family Section also deals with applications relating to the legitimacy of children, adoption proceedings, care orders and child abduction. In 2011, there were 72 free standing children applications filed.

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. The Civil Partnerships (Jersey) Law 2012 and accompanying rules will mean additional work for the Family Division.

Summonses heard and orders made in 2011	
Preliminary directions hearing	248
Case review hearing	237
Summonses heard (half day or more)	82
Family/children Acts issued	294
Adoptions (2 Orders per child)	9
Nisi Acts issued	204
Matrimonial Acts issued	690
Reciprocal Orders	6
Parental Responsibility Agreements	55

216 decrees absolute of divorce (43% 1 year Separation by consent) were granted in 2011, compared with 239 in 2010.

During 2011, the Section maintained and enhanced use of:

- parental responsibility agreement database;
- reciprocal enforcement of maintenance database;
- children database;
- matrimonial database;
- adoption database.

Interlocutory Services

Dates were fixed for 88 summonses to be heard in 2011. 112 hearings were set down to be heard by the Master in 2011, 24 of which were adjourned hearings from 2010, and 55 were heard. The remainder were vacated, adjourned or settled. No written judgments were delivered but written reasons were given for 5 decisions. The number of Acts (including consent orders) produced in 2011 was 254, with 24 relating to service out of the jurisdiction or substituted service. The number of case reports which were produced in 2011 was 29.

Types of Summons heard in 2011	
Striking out applications	5
Amendment of Pleadings	1
Directions (including stays for mediation)	24
Further & Better Particulars	7
Summary Judgment	4
Assessment of Damages	1
Security for Costs	3
Extension of time	2
Adjournment or Change Date	2
Additional parties	3
Vue de Vicomte	1
Unless Orders	2
Total	55

In relation to Planning Appeals the Master decided in 19 cases whether appeals would be dealt with under the ordinary or modified procedure and adjudicated on 1 appeal 'on the papers'. 4 Appeals were withdrawn. The breakdown of types of summonses in relation to which hearings took place is shown in the table.

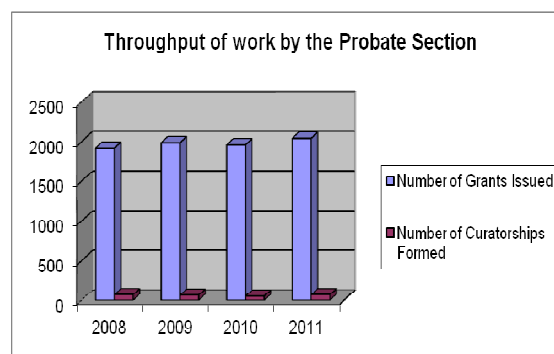
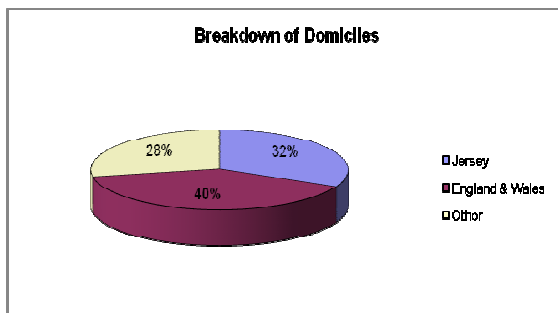
Probate Section

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 2011, applications for Grants of Probate and Letters of Administration involved persons who died domiciled both in Jersey and in 67 other jurisdictions worldwide.

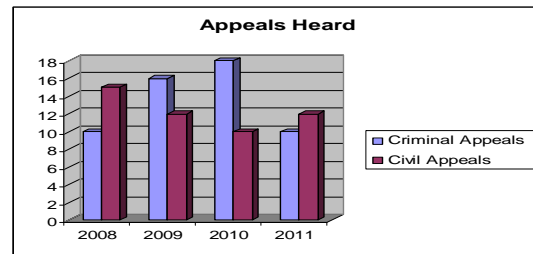
2,041 Grants were made in the year (1,961 in 2010), representing a total estates value of £410,317,280.

The Section is also responsible for overseeing the administration of Curatorships, 72 new Curatorships being formed in 2011.



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 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 2011, the full Court sat a total of 11 times and heard 12 civil appeals and 10 criminal appeals; a single judge sat on 9 occasions.

During 2011 a new Court of Appeal judge was appointed, Jonathan Crow QC, a specialist in public law and commercial and company law.

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.

The Appellate Section also distributes the Jersey Law Reports in hard copy throughout the year to subscribers and members of the Court.

Prison Board of Visitors

The Appellate Section provides a secretarial service to the Prison Board of Visitors. The Assistant Judicial Greffier (Court of Appeal) acts as Secretary. There were 12 ordinary meetings of the Board at the Prison in 2011 and 3 meetings between the Prison Board and Home Affairs which were attended by the Home Affairs Minister, the Assistant Minister and Chief Officer of Home Affairs.

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 2011, 62 new trade marks were registered and 432 certificates were produced for updating registered marks. 29 patents were registered or updated and there were no new or updated applications for designs.

Appeals and Tribunals' Registry

This is the first full year since the Judicial Greffe took responsibility for the administration of the Employment Tribunal and the Medical Tribunal from the Social Security Department. During 2011 the Registrar has familiarised herself with the administration of the Tribunals and received in the region of 200 complaint forms from employees. The Tribunal has sat on approximately 80 occasions to hear cases that have either not been settled out of Court or been withdrawn for other reasons.

In October 2011 the Registrar's post was converted to a job share position with two people, Louise Cave, the existing Registrar, and Jo Hickey, each working for 2½ days per week. Caroline Coleman, Assistant Judicial Greffier, was appointed Manager of the Tribunal with responsibility for reviewing and updating the procedures and Regulations with a view to streamlining the service offered by this Section.

Magistrate's, Youth and Petty Debts Courts

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

The Daisy Court Management system 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, Criminal Justice Unit, HM Prison and Customs and Immigration.

To assist Centeniers, this access was extended to the Duty Custody Sergeant of the States of Jersey Police. The Judicial Greffe is running the system in parallel to assess its functionality against their requirements. This means that 90% of the main agencies within the Criminal Justice System have various links to Daisy, always subject to necessary security restrictions.

The Law Officers' Department can also input indictment dates and it is envisaged that the Viscount's Department will eventually populate the diary with any defendant with a bail option attached to an Arrest Order.

This year saw the number of cases presented to the Magistrate decrease further by 6% continuing a trend from last year when cases decreased by 17%.

On the civil side the court has seen a significant decrease in actions tabled of 29% with a corresponding decrease of 12.8% in the value of cases. This might be as a result of the current economic climate, as the public might well be postponing decisions on purchases or property improvements, resulting in the decreasing possibility of any consequent debt or disputes. The number of trials has continued to increase which might also be a reflection on the hardening of attitudes regarding compromise over settlement. This increase has meant a greater usage of Relief Magistrates presiding over civil trials with the resultant increased expenditure.

Magistrate's Court



The Magistrate's Court saw a total of 1,471 non parking cases being dealt with, which represents a decrease of approximately 5.9% over 2010 with a corresponding decrease of 2.4% in the number of individuals being presented before the Magistrates. This represents a continuing decrease in the number of cases being presented compared to 2009.

There has also been a continuing decrease in the number of cases committed to the Royal Court with 157 cases committed compared to 174 last year, a decrease of just under 10%. There was a smaller decrease of 2.7% in the numbers of individuals being committed.

The total number of Arrest Orders issued remained fairly static with a slight decrease of just under 1% in the total issued. However, the number of non parking arrest orders being issued decreased by just under 30%, with parking Arrest Orders issued increasing by just over 12%. 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 remained fairly static over 2011 with 4,924 cases, committals and Arrest Orders being handled this year compared with 5,087 in 2010, a decrease of 3%.

Youth Court

The Youth Court continues to benefit from the change in practice of trying to deal with cases on first appearance, with a dedicated Duty Advocate for the Youth Court as agreed with the Acting Bâtonnier.

The number of remands continues to reduce with the number of remanded cases decreasing by just under 8% over last year and a hugely significant 50% over 2009.

Overall, the workload within the Youth Court has decreased dramatically with 179 cases being dealt with in 2011 compared to 253 in 2010. This represents a decrease of just under 30% compared to 2010 and the lowest number of cases heard in the last 10 years.

As to be expected there was also a 24% decrease in defendants. This trend continues in the number of committals to the Royal Court which also saw a significant decrease compared with 2009.

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 just under 29% in the number of actions tabled over 2010. This is also reflected in a decrease in the value of actions tabled of £1,293,139, a percentage decrease of 12.8%. The process has 'firmed up' within the Petty Debts Court with a strict line being taken after a case has been adjourned for the third time, which is reflected by a decrease of 21% in adjournments.

There was a decrease of 1% in the value of stamp duties being paid into the court with £92,108 being received compared to £92,960 in 2010. There were increases in the number of trials from 14 to 16 with greater use of Relief Magistrates to counter this increase. This trend will continue into 2012 with a significant number of Petty Debt trials already being booked.

Taxation of Costs

In 2011 the Magistrate's Court Greffe received 46 Bills of Costs (6 civil and 40 criminal) compared with 47 in 2010 (2 civil and 45 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. Mediation sessions are scheduled for Tuesday afternoons and Friday mornings and each one lasts approximately an hour. In 2011, a total of 164 sessions were conducted before the Master of the Royal Court sitting as a Relief Magistrate.

In addition, the Royal Court and the Appeal Court used the premises during 2011 on a number of occasions, dealing with both criminal and civil matters.

Receiving Evidence in Chambers

The volume of work in 2011 (36 hours) was higher than in 2010 (12.5 hours). All of the hearings took place before the Deputy Judicial Greffier.

Public Elections

For the first time, the election of Senators, Connétables and Deputies to the States Assembly took place on the same day. Voters were able to cast a pre-poll vote at St Paul's Centre (see below) in the four weeks leading up to polling day on Wednesday 19 October 2011, and "home visits" were arranged so that those persons who were not able to cast a pre-poll vote or attend the polling station on polling day were able to exercise their right to vote.



Mel Hefford, Nicola Southouse and Laurence Michel

The number of persons casting pre-poll or postal votes in the 2011 election for Senators (2,841) was more than double the figure for the equivalent 2008 election (1,160). The extension of pre-poll voting to all those wishing to vote and the introduction of "home visits" resulted in significant resource implications for the Judicial Greffe which largely utilises existing staff to provide the service.

On election day, the following officers acted as Returning Officer or *Adjoint*: Judicial Greffier/Viscount, Deputy Judicial Greffier, Director of Services, Assistant Judicial Greffier (Royal Court), Corporate and Intellectual Property Services Manager.

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 1,307 fines were imposed by the courts and a total of £333,385 was collected (2010 – 1,335 fines and £611,101 collected).



Paul Stephens, Terry de Gruchy, Vas Anderson,
Lester Hamon and Ian Pattle

Receipt of Bail Moneys

There were 126 active bails as at 31 December 2011, the sum held totalling £24,793.50 (2010 – 101 active bails and sum held £108,199).

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

There were 4,686 Arrest orders for people who have failed to appear in Court, active and under enforcement with the Department at the end of 2011, 1,904 for Parking related matters and 2,782 for other offences (2010 – 1,902 arrest orders).

Service of Legal Process

In 2011, 2,014 items of legal process were served (2010 – 2,287 served).

Collect (and Pay) Costs and Compensation

The Courts awarded costs following prosecution in 58 cases during 2011 (2010 – 161 cases).

There were 189 orders for compensation imposed by the courts during the year involving the sum of £59,091 (2010 – 138 orders and £53,169).

Execute and Enforce Civil Judgments

The Department received 1,595 judgments for enforcement during 2011, collecting £1,745,971.74 on behalf of creditors (2010 – 2,380 judgements and £3,050,198 collected).

Carry out Evictions

In 2011, 5 eviction orders were dealt with. As in previous years, this difficult and sensitive area of work was completed without incident or publicity (2010 – 7 evictions).

Enforce Criminal Seizure and Confiscation Orders

During 2011 4 Drug Trafficking *saisies judiciaires* (freezing orders) totalling £1,159,569.16 were imposed. (2010 – 6 cases totalling £1,163,670).

There were 15 Drug Trafficking Confiscation Orders in 2011, involving £112,506.57 (2010 – 10 cases and £12,477.89).



The Finance Team
Julie Widdowson, Carolyn Le Sueur, Sheelagh Le Cocq and Elaine Syvret

Proceeds of Crime *saisies judiciaires* (freezing orders) involved £27,766,345 in 17 cases, including foreign currencies and assets held by external trustees (2010 – 21 cases involving £76,789,611).

4 Proceeds of Crime Confiscation Orders were carried out in 2011, amounting to £26,616,715, which was transferred to the Criminal Offences Confiscation Fund during the year (2010 – 2 cases and £7,441,803)

Enforce Maintenance Orders, collecting and paying 'Alimony'

27 maintenance orders were under enforcement at the year end. Of these, 18 involved reciprocal enforcements for other jurisdictions (2010 – 23 maintenance orders, of which 17 involved reciprocal enforcement).

Assize Jury Functions

The computerised jury selection system was called upon 18 times in 2011, although only 10 trials were completed, taking up 32 days. This entailed the warning of 945 jurors and 121 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. Jurat Mrs Barbara Myles, OBE, stepped down in March 2011 after nine years of much valued service as a Relief Coroner.

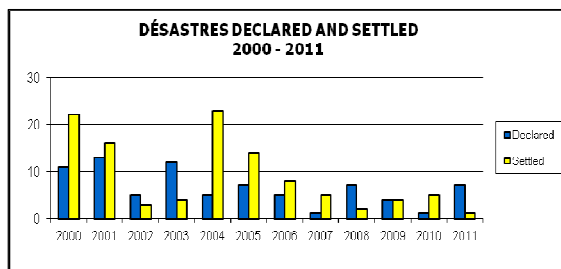
Deputy Viscount's Input

These duties continued to be predominantly borne by the Deputy Viscount, who acts as *de facto* Coroner, assisted by Relief Coroner Dr Margaret Bayes. 21% of all deaths were reported to the Deputy Viscount. There were 35 inquests in the year; the Deputy Viscount conducted 25, Dr Bayes conducted 7, 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 were 9 *désastres* declared in 2011, and 1 case was brought to closure during the year. A caseload of 14 *désastres* 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 2011 remains in the region of 20. Additionally, at the end of 2011, 10 personal cases were under review awaiting discharge applications.

Assets Realised

£60,730 (against liabilities of £164,111) was realised for creditors in the year. An average of 37 pence in the pound was recovered for the benefit of unsecured creditors in settled cases.

Discharges

During 2011, 2 discharges from personal bankruptcy were granted.

Désastre Checks

A total of 7,923 *désastre* checks (confirming whether declarations *en désastre* have in fact been made) were carried out during the year, compared with 7,431 in 2010. A charge continues to be levied for this service (income generated in 2011: £44,870 compared to £42,385 in 2010), other than where users access such information via the Department's website.

General Enquiries

During 2011, a total of 47 enquiries (compared to 95 in 2010) were received as to the management of cash-flow, liquidity and related issues. A total of 38 hours was recorded in dealing with these enquiries (compared to 27 hours in 2010).

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.

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); and hosted IAIR's Annual Conference in Jersey – with the support of the Economic Development Department – in June 2011.
- Contributed to the work of INSOL Europe (formerly the European Insolvency Practitioners Association).



*The Jersey hosts and Members of IAIR at the 2011 Jersey Conference
[Photograph courtesy of Stuart McAlister Photographers]*

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.

In addition, the Viscount and Advocate Anthony Dessain contributed the chapter 'Personal Insolvency in Jersey' to the book, 'Personal Insolvency: A Practical Guide' co-authored by Richard Floyd, 4th edition to be published by Sweet & Maxwell.

In June 2011, Michael Wilkins was appointed MBE for services to the judicial system in Jersey, in particular for his work and co-operation in international insolvency matters.



*Michael Wilkins and the Désastre Team (Belinda Cave, Lynda Allo and Lynne Vautier)
with a silver platter presented to them by IAIR*

Disclaimers

2 disclaimers were 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.

Other Functions

Attend Sittings of the States

The Viscount attended 9 sittings of the States during 2011, the Deputy Viscount attended 45 sittings, and the Principal Enforcement Officer attended 10.

Bear the Royal Mace of the Bailiff of Jersey

During 2011, in addition to the sittings of the States, the Bailiff's Mace was borne on various occasions, principally by the Deputy Viscount.

Convene Sittings of the Royal Court and other Bodies

Convening Notices were issued on 19 occasions in 2011.

Act as Curator for Impecunious Interdicts

There were 24 cases under administration at the year end, a net decrease of 8 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.



Curatorship Administrator, Jenny Le Cocq

Grant Exemptions from the Payment of Judicial Fees

189 exemptions from the payment of judicial fees were granted in 2011.

Act as Trustee for Criminal Injuries Compensation Awards to Minors

There were no new cases in 2011.

Conduct Vues de Vicomte (Boundary Demarcations)

There were no *Vues de Vicomte* held during 2011.

2 *Vues de Vicomte* were under progression in 2011. One case was settled prior to hearing. The second case remains *en train*.

Remise de Biens

The *Désastre Section* assisted Jurats of the Royal Court in performing functions relating to applications in two cases during 2011.

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 Coroner in their own duties;
- organising assize juries;
- overseeing human resources; and providing other specialist secretarial, administrative and IT services.



Melanie Everitt, Sheila Pierce
and Janine de la Haye

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 particular, work on or review of the following items of legislation was completed.

- Adoption Rules 1962
- Children Rules 2005
- Civil Partnerships (Jersey) Law 201- Part 1 and 2
- Maintenance Orders (Facilities for Enforcement – Convention Countries) (Jersey) Act 2003
- Maintenance Orders (Facilities for Enforcement – Hague Convention Countries) (Jersey) Act 2003
- Practice Direction RC11/01 – Taxation of Costs – Factor ‘A’ Rates
- Royal Court (Amendment No. 12) Rules 2011
- Royal Court (Amendment No. 13) Rules 2011
- Sex Offenders Law (Magistrate’s Court Appeals) Rules 2010

STRATEGIC ISSUES

Investors in People

Accreditation against the Investors in People standard was reviewed in 2010 (the second of such reviews) and the Court Service was successful in achieving the Bronze Award. A presentation of the award was made in January 2011. During 2011, the Court Service also became recognised as an Investors in People Champion, acknowledging the commitment of the organisation to promoting and supporting Investors in People through best practice activities.



James Lambert, Bailiff of Jersey Mr Michael Birt and Paul Stephens

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 eighth time in 2011, 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 2011 is therefore the ninth 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). JLIB is essentially the research and development arm of the Courts and as such its strategy is principally (but not exclusively) to exploit technology in order to facilitate the supply and dissemination of legal information.

The links between the Court Service and JLIB extend to personnel in that two members of the Departments’ Corporate Boards also sit on the Jersey Legal Information Board, and the Appellate Section is also responsible for publishing unreported judgments on the JLIB website. In addition, the Court Systems Manager is also the JLIB Webmaster.

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 2011, the Court Service continued to develop and enhance a series of managerial initiatives and documents. These included the following:

- 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 by way of monthly variance analyses.
- 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.
- Participation in the newly formed Justice System Board.

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 2011, 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 2011, staff attended 112.5 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
- Corporate Induction
- Effective Business English
- IT - Excel Part 1 & 2, PowerPoint, Tips and Tricks for Windows and Office
- First Aid at Work, Refreshers and Defibrillator training
- Project Management
- First Impressions – Customer Service
- Getting the Best from your Team
- Planning for Retirement
- Crucial Conversations
- Sliding Doors: Which Path will you take?
- Modern Management – Managing Conflict, Time Management Skills, Team Building Skills, Appraisal Skills, Coaching for Success
- Managing PRA
- JACS Seminars & Training – Bullying & Harassment, Difficult Conversations, Discrimination Issues, Managing Absence and Unfair Dismissal, Disciplinary & Grievance

Lunch Time Training Sessions

- Being a Role Model for your Team
- Coaching & Mentoring
- Crucial Conversations
- Influencing & Negotiation Skills
- Carrying out PRA
- The Law at Work
- Creating a Personal Development Plan

Team Development Day

For the third year, the Court Service 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.

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 seventh 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 Française*.

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 Service's wider and external profile. Conferences attended were:

- Association of Lawyers for Children
- Chartered Management Institute
- Update on Private Children Law
- District Judges & Deputy District Judges, Magistrate's Court
- Commonwealth Magistrate's & Judges Association
- Modernising Justice 2011
- Criminal Justice Management 2011
- Law Via the Internet 2011
- IAIR 2011 Annual Conference

Sick Leave, Flexi-time and Overtime Monitoring

Sick leave, flexi-time and overtime continued to be monitored and analysed in the Court Service throughout 2011. 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 2011 produced a combined absence figure of 3.78% (average percentage of working time lost per full-time employee), compared with 2.5% in 2010. The average number of days of absence per staff member was 9.5.

Jersey Employers' Network on Disability (JEND)

During 2011, the Court Service continued to be recognised as an equal opportunities employer and maintained its membership of JEND.

Chief Officer

As previously reported, the Viscount was also seconded to the post of Judicial Greffier in 1997. This arrangement continued during 2011.

In 2011, the Viscount was identified as one of 50 figures who had made a significant contribution to the development of Jersey's Finance Industry since the industry's inception in 1961: Jersey – First for Finance published by the Times Group.

INFORMATION SYSTEMS

In relation to Information Systems, in 2011 the Court Service:

- Continued to use digital audio recording in all of the courts.
- Maintained Internet websites and investigated creation of Court Service Intranet site in conjunction with redevelopment of SoJ Intranet.
- 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.
- Extended the use of digital audio dictation system.
- Continued the electronic archiving of Samedi records.
- Implemented and developed use of E Court system for Court of Appeal.

Information Systems Groups

During 2011, the Court Service was represented on the following Information Systems groups:

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

COMMUNICATIONS, PRESENTATIONS & PUBLIC RELATIONS

Communications

During 2011, 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. The Deputy Judicial Greffier attended a media training course at the Central Office of Information in the UK.

Presentations

In March 2011, in association with Advocate A J Dessain, the Viscount made a presentation on Insolvent Trusts to the Institute of Law.

In March 2011, the Director of Services made a presentation on the work of the Court Service to the Institute of Law (Law Made Simple presentation series).

In June 2011, the Viscount made a presentation to the mentioned Jersey meeting of IAIR on Insolvency from an Offshore Perspective.

In September 2011, the Master of the Royal Court delivered a paper on the Jersey experience of reform of civil procedure, and led a seminar for the Seychellois judiciary on civil case management in Victoria, Seychelles. The seminar was organised by the Commonwealth Secretariat. It was attended by 44 participants from the judiciary and legal profession, including the Chief Justice of the Supreme Court of Seychelles, the Hon Mr Justice Egonda Ntende, and the Attorney General of Seychelles, Mr Rony Govinden.

In October 2011, the Viscount made a presentation on Insolvency Law in the Channel Islands (Modern Themes and Reform Perspectives) at a conference hosted by the Institute of Law.

In November 2011, a number of staff from the Judicial Greffe visited their counterparts in Guernsey to compare developments in the two jurisdictions, and to meet the recently appointed Guernsey HM Greffier, Mr Jon Torode.



Sue Du Feu, David Le Heuzé, Paul Matthews, Jon Torode and James Lambert

Monthly Team Meetings

Departmental team meetings continued to be open to all staff in both Departments during 2011. 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 2011 to foster an increasingly professional, positive, working relationship with users and members of the public. These included promotion of the Court Service Client Charter and the Court Service code of corporate governance.

HEALTH & SAFETY

The Court Service's Health and Safety Policies, which were issued in 2010, were maintained and complied with during 2011.

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 2011 totalled £20,682,000 of which £17,914,000 was attributable to Public Registry activity and £2,768,000 was attributable to Probate levies. Total fees levied for the year compare with figures of £18.2 million in 2010 and £23.1 million in 2009.

Income from sale of Treasury Stamps amounted to £21,685,000 in 2011. The difference between this amount and the figure reported above for fees levied (£1,003,000) 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 2011 (as financed through the annual budget of the States and exclusive of Court and Case costs) was as below.

Judicial Greffe

	2010 (£)	2011 (£)
Manpower costs	2,332,853	2,350,289
Supplies & services	10,736	108,354
Administrative costs	209,117	341,533
Premises & Maintenance	388,269	451,884
Grants and Subsidies	-	90,000
Depreciation	19,404	19,404
Total	2,960,379	3,361,464
Less attributable income	841,281	639,171
Net expenditure	2,119,098	2,722,293

Viscount's Department

	2010 (£)	2011 (£)
Manpower costs	1,212,460	1,195,626
Supplies & services	83,644	81,191
Administrative costs	41,309	48,431
Premises & Maintenance	256,400	254,649
Grants and Subsidies	100,000	40,000
Depreciation	19,481	19,481
Total	1,713,294	1,639,378
Less attributable income	782,744	507,279
Net expenditure	930,550	1,132,099

MISCELLANEOUS

Distinguished Visitors

The Viscount's Department received an official visit from the Bailiff of Jersey, Mr Michael Birt, and Deputy Bailiff, Mr William Bailhache, on 6 January 2011.

Judicial Training Programme

As a consequence of the Comprehensive Spending Review and associated reduction in staff numbers in 2011, responsibility for the Judicial Training Programme has reverted to the Bailiff's Chambers.

Corporate Social Responsibility

The Court Service has contributed to a number of charities throughout 2011 by various fund raising efforts, including dress-down days, marathon running, sponsored walks, and collections. Organisations which have benefited include Breakthrough Breast Cancer, Jersey Hospice, Variety, Headway, Anthony Nolan and Cancer Relief.

In 2011, the Court Service became a member of the Eco-Active States environmental accreditation scheme.

Promotions

Miss L Le Véziel was promoted from Office Manager to Proceedings & Administration Officer in the Magistrate's Court Greffe.

Mrs E Corfe was promoted from Transcriber in the Court of Appeal section to Family Proceedings Officer at the Judicial Greffe.

Leavers

Mrs S Auckland – Corporate & Judicial Resources Manager, Judicial Greffe.

Mrs E Timms – Section Secretary, Judicial Greffe.

Mrs T Cameron – Assistant Proceedings Officer, Judicial Greffe.

Mrs C Mohammed – Transcriber, Magistrate's Court Greffe.

Mrs L Bourgoise – Transcriber, Magistrate's Court Greffe.

Mrs S Mahé, Probate Officer, Judicial Greffe.

Mr T Coles – Senior Enforcement Officer, Viscount's Department.

New Staff

Mrs S Paiva – Assistant Proceedings Officer, Judicial Greffe.

Mrs D Du Feu – Transcriber, Court of Appeal, Judicial Greffe.

Mrs A Lucas – Office Manager, Magistrate's Court Greffe.

Ms T Troy – Transcriber, Magistrate's Court Greffe.

Mrs U Kent – Probate Officer, Judicial Greffe.

Ms J Hickey – Registrar of Appeals & Tribunals, Jersey Employment Tribunal.

The annual employee turnover rate for the Court Service as a whole was 10%.

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 2011 is the Court Service's ninth 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. It is gratifying to know that our commitment to Investors in People has been recognised through our selection to participate in the Champions programme.

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.

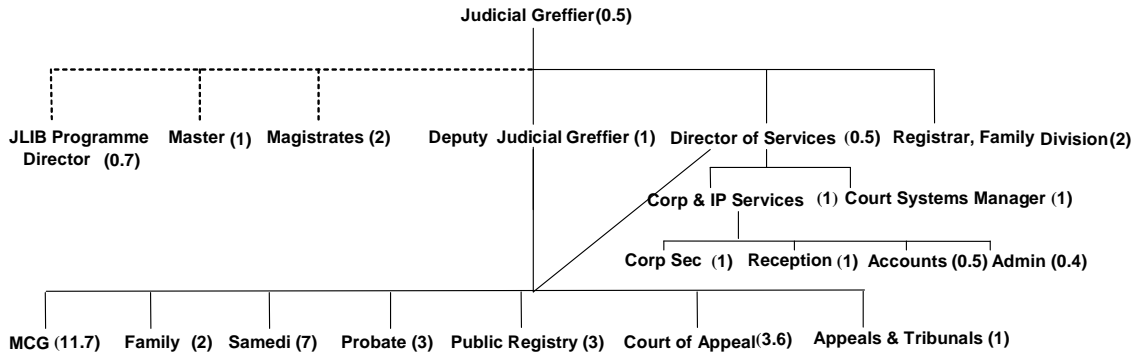
I would like to congratulate all staff on the dedication and enormous amount of work that they have put in to meet our targets – an achievement of which we can be justly proud.

On behalf of the Management Teams,

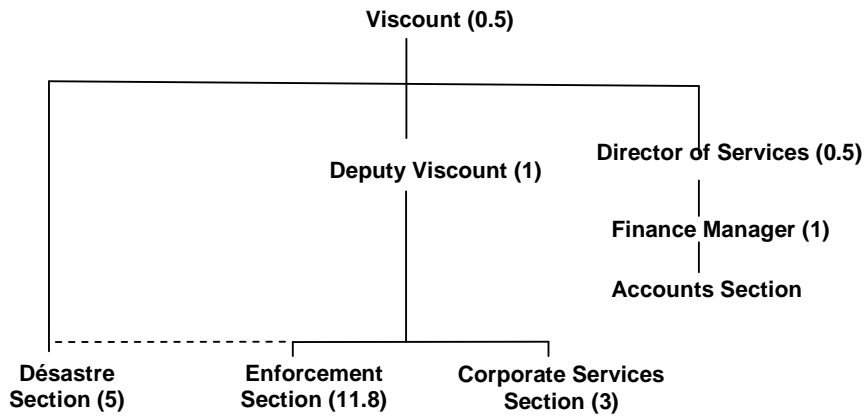
James Lambert, Director of Services
16 February 2012

ORGANISATION CHARTS

Judicial Greffe – Functional Organisation (43.9)



Viscount's Department – Functional Organisation (24.3)



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%	91%
Convening Acts	Next working day	95%	100%
Company Acts	5 working days	95%	100%
Standard-form Acts	5 working days	95%	99%
• 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%	96%
• 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%	192%
• Petty Debts Court:	3 working days	98%	100%
• Probate:			
Acts of Probate Division	5 working days	95%	100%
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%	96%

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)

<i>Function</i>	<i>Service Pledge</i>	<i>Target</i>	<i>Result</i>
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 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 By post: Response within 3 working days By e-mail: Response within 1 working day	98%	100%

Insolvency (continued)

<i>Function</i>	<i>Service Pledge</i>	<i>Target</i>	<i>Result</i>
<ul style="list-style-type: none"> 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>
<ul style="list-style-type: none"> Notification of appointment of Curator to identified parties: 	Within 2 weeks of receipt of Act of Court	90%	100%
<ul style="list-style-type: none"> Compilation of inventory of both real & personal property: 	Within 90 days of the date of appointment	100%	100%
<ul style="list-style-type: none"> 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%
<ul style="list-style-type: none"> Final accounts: 	Within 30 days of cessation of the curatorship	100%	100%
<ul style="list-style-type: none"> Payment of accounts: 	Pass to Accounts Section for payment prior to month end	100%	100%
<ul style="list-style-type: none"> Periodic contact with carers of interdicts: 	Minimum quarterly or more frequently if the needs of the interdict require it	90%	100%
<ul style="list-style-type: none"> Enquiries: 	By telephone: Immediate response By post: Response within 3 working days By e-mail: Response within 1 working day	90%	100%

Coroner

<i>Function</i>	<i>Service Pledge</i>	<i>Target</i>	<i>Result</i>
<ul style="list-style-type: none"> Review Police reports of sudden death, giving instructions for any necessary further enquiries: 	Working days: Same day Other days: Within 12 hours	100% 100%	100% 100%
<ul style="list-style-type: none"> Be available to give guidance to Police: 	Every day: Same day	100%	100%
<ul style="list-style-type: none"> 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 Other cases - attempt contact with relevant doctor(s) on same day (NB Post-mortem examinations are normally only carried out on working days)	100%	100%
<ul style="list-style-type: none"> 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: Working days: Same day Other days: Immediately	100%	100%
	Cases requiring forensic, histological, toxicological or other additional examination - consider results of such examination: Working days: Same day Other days: Immediately	100%	100%
<ul style="list-style-type: none"> 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%

Coroner (continued)

<i>Function</i>	<i>Service Pledge</i>	<i>Target</i>	<i>Result</i>
<ul style="list-style-type: none"> Be available to discuss borderline or difficult cases with Medical Officer of Health, GPs & hospital doctors: 	Every day: Within half a day	100%	100%
<ul style="list-style-type: none"> Issue body importation & exportation permits: 	Working days: To meet reasonable needs of funeral directors Every day: Emergency cases only - to meet reasonable time limits on same day	100%	100%
<ul style="list-style-type: none"> Consider requests for organ donation: 	Every day: Within 2 hours	100%	100%
<ul style="list-style-type: none"> Release bodies in inquest cases: 	Every day: Release within half a day of meeting of all legal requirements 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	100%	100%
<ul style="list-style-type: none"> 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%
<ul style="list-style-type: none"> 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%
<ul style="list-style-type: none"> Issue post-inquest documentation: 	Working days: Within 2 days (sooner if cremation authorisation is urgently required)	100%	100%
<ul style="list-style-type: none"> 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>
<ul style="list-style-type: none"> Processing applications for Legal Aid disbursements & payments by Judicial Greffe: 	Within 5 working days of application (for forwarding to Treasury)	95%	100%
<ul style="list-style-type: none"> 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>
<ul style="list-style-type: none"> Interlocutory Services: 			
<ul style="list-style-type: none"> Appointment to fix date for a hearing before Greffier Substitute 	Within 3 working days of request	98%	100%
<ul style="list-style-type: none"> Public Registry: 			
<ul style="list-style-type: none"> General 	Open access	100%	100%
<ul style="list-style-type: none"> 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>
<ul style="list-style-type: none"> Cheque payments for suppliers, lawyers & compensation beneficiaries: 	Cheques available for collection or posted within 48 hours of scheduled payment date	90%	100%
<ul style="list-style-type: none"> 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%
<ul style="list-style-type: none"> 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%
<ul style="list-style-type: none"> 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%
<ul style="list-style-type: none"> Processing of suppliers' accounts: 	Within 10 working days of receipt (for forwarding to Treasury)	98%	100%
<ul style="list-style-type: none"> Opening hours: 	Both Departments will be staffed between 8.45am & 5.15pm (Mon-Thurs), 8.45am & 4.45pm (Fri); Judicial Greffe reception closed 1.00pm to 2.00pm	100%	100%

APPENDIX C

JUDICIAL GREFFE STATISTICAL DIGEST

Judicial Greffe	2009	2010	2011	Percentage Change 2010 to 2011
Samedi Section				
Actions before the Royal Court				
New Actions	509	448	488	9%
Placed on the Pending List	73	75	85	13%
Acts of Court issued	2,147	2,184	1,990	-9%
Number of Court Sittings	1,121	1,039	910	-12%
Orders in Council registered	31	31	39	26%
Magistrate's Court Appeals				
Lodged	5	8	10	25%
Heard	4	8	10	25%
Legal Aid Disbursements				
Occasions granted (invoices paid)	491	736	762	4%
Legally aided litigants	175	163	138	-15%
Public Expenditure	£1,971,719	£1,820,921	£2,752,018	51%
Liquor Licences				
Licenses Granted	76	72	58	-19%
Managers Registered	92	126	75	-40%
Public Registry				
Documents Registered/Cancelled				
Contracts	2,191	1,943	1,933	-1%
Procurations	1,554	1,516	1,446	-5%
Obligations	2,543	2,371	2,512	6%
Cancellations	2,174	2,403	2,511	4%
Stamp Duty received	£18,287,126	£15,884,000	£17,914,000	13%
Probate Section				
Number of Grants issued	1,986	1,961	2,041	4%
Number of Curatorships formed	66	53	72	36%
Stamp Duty received	£4,858,050	£2,312,700	£2,769,075	20%
Family Section				
Decrees Absolute filed	217	239	216	-10%
Petitions filed	245	246	227	-8%
Interlocutory Services				
Summonses fixed	131	113	88	-22%
Summonses heard (half days)	44	53	55	4%
Acts issued	266	232	254	9%
Case reports produced	8	14	29	107%

Judicial Greffe	2009	2010	2011	Percentage Change 2010 to 2011
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Appellate Section

Appeals lodged with Court of Appeal	37	31	29	-6%
Superior Number Appeals	2	0	1	
Court of Appeal sittings (days)	9	8	11	38%
Number of Unreported Judgments	278	270	280	4%
Pages transcribed in Unreported Judgments	5,170	7,992	5,282	-34%
Transcripts of evidence - transcripts produced	88	84	67	-20%
CD's of hearings produced		26	50	92%

Trade Marks, Patents and Design Registries

Intellectual Property Registrations				
Trade Marks Registrations	74	49	62	27%
Patents (Registrations & Updates)	23	32	29	-9%
Designs (Registrations & Updates)	1			
Trade Marks Updates	898	460	432	-6%

Magistrate's, Youth and Petty Debts Courts

Magistrate's Court				
Non parking cases completed	1,992	1,564	1,471	-6%
Cases committed to Royal Court	208	174	157	-10%
Parking cases completed	493	497	525	6%
Total completed cases	2,693	2,235	2,153	-4%
Non parking persons	1,600	1,310	1,278	-2%
Persons committed to Royal Court	175	148	144	-3%
Parking persons	245	266	257	-3%
Total persons	2,020	1,724	1,679	-3%
Non parking arrest	264	231	163	-29%
Parking arrest	955	504	565	12%
Total arrests	1,219	735	728	-3%
Total remands	2,509	2,117	2,043	-3%
Total volume of case work	6,421	5,087	4,924	-3%

Youth Court				
Total cases	344	253	179	-29%
Total Youths	219	171	130	-24%
Royal Court committals	28	9	4	-56%
Remands	291	183	145	-21%
Arrests	10	3	4	33%

Petty Debts Court				
Actions	8,406	7,225	5,822	-19%
Adjournments	2,816	2,681	2,114	-21%
New actions	5,590	4,544	3,676	-19%
Judgments	4,048	3,295	2,680	-19%

Contested cases				
Direct to mediation	151	135	172	27%
Direct to pleadings	9	5	12	140%

Judicial Greffe	2009	2010	2011	Percentage Change 2010 to 2011
Mediation				
Settled	92	79	63	-20%
Pending	34	24	54	125%
Withdrawn/transferred	9	14	25	79%
Judgment/struck out	16	18	30	67%
Trials	14	14	16	14%
Tenancy	22	23	24	4%
Family	3	3	8	167%
Total Value	£11,080,285	£10,108,535	£8,815,396	-13%
Stamp Duty	£108,665	£92,960	£92,108	-1%

APPENDIX D

VISCOUNT'S DEPARTMENT STATISTICAL DIGEST

Viscount's Department	2009	2010	2011	Percentage Change 2010 to 2011
Fines imposed and amounts collected				
Number imposed	1,341	1,335	1,307	-2%
Amount collected	£417,586	£611,101	£333,385	-45%
Success rate - by number	99%	99%	99%	0%
Success rate - by value	86%	98%	98%	0%
Receipt of bail moneys				
Persons bailed	109	101	126	25%
Money received	£209,173	£108,199	£24,793	-77%
Arrest Orders	1,327	1,902	4,686	146%
Service of Process	3,308	2,287	2,014	-12%
Costs				
Number imposed	154	161	58	-64%
Value imposed	£85,574	£86,870	£81,150	-7%
Success rate - by number	100%	99%	99%	0%
Success rate - by value	100%	100%	100%	0%
Compensation Orders				
Number imposed	123	138	189	37%
Value imposed	£76,693	£53,169	59,091.00	11%
Rolling 3-year success rate - by number	97%	100%	100%	0%
Rolling 3-year success rate - by value	100%	99%	100%	1%
Judgments received and processed				
Number received	2,644	2,380	1,595	-33%
Number processed	2,645	2,413	1,628	-33%
Amount collected	£1,706,815	£3,050,198	£1,745,972	-43%
Evictions carried out	5	7	5	-29%
Maintenance Orders under enforcement	22	23	27	17%
Drug Trafficking - <i>Saisies judiciaires</i> and confiscations				
New cases:-				
Local	19	11	16	45%
External	0	0	0	
Total	19	11	16	45%
Approximate value of assets arrested				
	£19,421	£17,478	£127,514	630%
Confiscations (concluded cases):-				
Number	22	10	16	60%
Value (net)	£35,049	£12,477	£118,588	850%
Cases discharged	0	1	0	-100%

Viscount's Department	2009	2010	2011	Percentage Change 2010 to 2011
Cases carried forward into following year:-				
Local	6	5	5	0%
External	2	3	3	0%
Total	8	8	8	0%
Approximate asset value	£2,375,396	£2,392,076	£2,384,222	0%

Proceeds of Crime - *Saisies judiciaires*

New cases:-				
Local	0	2	1	700%
External	3	4	4	-100%
Total	3	6	5	167%
Approximate value of assets arrested	£1,769,849	£51,155,197 (Note 1)	£1,622,570	-100%
Confiscations (concluded cases):-				
Number	1	2	4	700%
Value (net)	£9,353,684	-£180,181 (Note 2)	£20,251,599	-166%
Cases discharged	1	0	0	
Cases carried forward into following year:-				
Local	1	1	1	200%
External	16	20	21	-60%
Total	17	21	22	
Approximate asset value	£25,059,593	£76,789,611 (Note 1)	£27,766,345	-100%

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

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	20	17	18	6%
Trials completed	12	13	10	-23%
Days	61	46.5	32	-31%
Juror exemptions	1,013	414	336	-19%
Jury summonses	1,839	984	945	-4%
Witnesses	276	116	121	4%
Jurors given financial assistance	10	1	1	0%

Coroner

Deaths reported:-				
Inquest cases	57	37	35	-5%
Cleared after autopsy	66	63	51	-19%
Cleared by doctor's cert etc	37	54	66	22%
	160	154	152	-1%
Deaths reported as % of all deaths	21%	19%	21%	11%
Approvals for doctor to issue cert (unreported)	90	72	67	-7%
Permits for import/export of bodies	50	45	48	7%

Viscount's Department	2009	2010	2011	Percentage Change 2010 to 2011
Coroner (continued...)				
Inquests concluded:-				
Suicide	19	13	11	-15%
Accident	17	20	13	-35%
Open	8	3	5	67%
Natural causes	6	6	6	0%
Industrial disease	0	1	0	-100%
Unlawful killing	0	1	0	-100%
Total number of inquests held	50	44	35	-20%
Inquest cases c/f to following year	23	16	16	0%

Désastres

Declared	4	1	9	800%
Settled	4	6	1	-83%
Total liabilities	£314,461	£534,581	£164,111	-69%
Assets realised	£52,768	£18,691	£60,730	225%
Average dividend paid (pence in the £)	17p/£	3p/£	37p/£	
Discharges of personal bankrupts:-				
Granted	4	4	2	-50%
Deferred	0	0	0	
Disclaimers of onerous property	1	0	2	
Sales of realty:-				
Number	0	0	1	
Value	£0	£0	£1,137,500	
Letters produced by the Section	1,403	1,248	1,077	-14%
Checks made:-				
Number	6,532	7,431	7,923	7%
Charges invoiced	£40,795	£42,385	44,870	6%

Court sittings attended

Royal Court and Court of Appeal	145	132	161	22%
Magistrate's Court	365	354	373	5%
Youth Court	68	55	54	-2%
Total	578	541	588	

States' sittings attended

Viscount	8	9	9	0%
Deputy Viscount	32	14	45	221%
Principal Enforcement Officer	20	27	10	-63%
Total	60	50	64	28%

Convening notices issued

	20	15	19	27%
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Exemptions from the payment of judicial fees

	160	174	189	9%
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Curatorships

Appointments	1	1	0	-100%
Under administration at year end	37	32	24	-25%

Viscount's Department	2009	2010	2011	Percentage Change 2010 to 2011
Corporate Services Section workload				
Summonses	665	762	215	-72%
Sundry	4,722	1,525	2,470	62%
Letters	3,651	649	498	-23%
		<i>(Note 1)</i>		
Notices	4,539	2,468	3,229	31%
	13,577	5,404	6,412	-100%



































Note 1 - this now does not include e mails

APPENDIX E

COURT SERVICE BALANCED SCORECARD

FOR PERIOD 1 JAN 11 TO 31 DEC 11

Previous reporting period figures shown in brackets

CUSTOMER	STRATEGY
 Number of complaints received: 1 (2)	 Investor in People standard maintained
 Number of compliments received: 13 (11)	 Maintenance of interface with the executive arm of government
 Number of page views (per quarter) on JLIB website: 374,530 (379,867)	 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 (76%)
 100% suppliers' accounts paid within service pledge (100%)	 Progress against JLIB projects
 100% Legal Aid disbursements paid within service pledge (100%)	 Procedures manuals in place
PERFORMANCE	
 98% Acts of Court issued within service pledge (97%)	 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
 10% employee turnover rate (1%)	 £8,662 (£305,623), 0.2% (9%) underspent on profile
 Average days sickness lost per member of staff: 9.5 (6.5)	 £8,662 (£305,623), 0.2% (9%) underspent on profile
 98% of employees who received an appraisal (97%)	 £39,256 (£239,039), 1% (5%) underspent on projected year end position (Court & Case costs)
 0.50 (0.64) FTEs of overtime costing £17,364 (£18,149)	 -£2,318,000 (-£2,801,260), -10% (-13%) Stamp Duty under achieved on projected year end position
 Average training days per member of staff: 1.6 (1.7)	 100% (100%) of Internal Audits assessed at 3 or above